

Vote no on A; passing it is a cop-out

TAKING AUTHORITY AWAY FROM JUDGES WILL NOT HELP TROUBLED KIDS

By Eugene M. Hyman

Measure A on the March ballot is being sold to the public as a way to solve well-publicized management problems at Santa Clara County's juvenile hall. If passed, the ballot measure would transfer the responsibility for running the facility, along with everything supervised by the probation department, from the court to the Santa Clara County Board of Supervisors.

Supporters say the status quo at juvenile hall, which many find unacceptable, will be preserved if Measure A is defeated. That is just not true. The defeat of Measure A would be a signal to local authorities that they must develop a better plan to administer the probation department to rehabilitate youthful offenders and preserve public safety. The passage of Measure A would do exactly the opposite. It would transfer the supervision of the entire probation department, for both juveniles and adults, to a group that has no criminal justice experience and make it harder for judges to be sure their probation orders are being properly followed.

Many judges, myself included, agree there is a need for dramatic improvements in the way juvenile hall is run. The question is how do we make those changes without making it more difficult for judges to supervise

the successful rehabilitation of both juvenile and adult offenders?

Many criminals, even young criminals, know how to game the system. If Measure A passes it won't be long before offenders realize their sentencing judge has no real authority over the probation department worker handling their case. Taking away a judge's authority in this way robs our community of its best chance to protect itself and steals from offenders the best chance they have of being rehabilitated by being held accountable. The public and our local elected officials are rightfully concerned about conditions in juvenile facilities

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in our county and across the state. Judges are painfully aware of these problems because we encounter them every day. We must not, however, make a bad situation worse.

At a time when many government agencies are streamlining operations to become closer to those they serve, it makes no sense to centralize more power in the county board of supervisors, particularly in an area — the enforcement of criminal law — where they have so little relevant experience. What might come next? Using Measure A as a model, will the board

wait until the district attorney or county assessor makes a public stumble and then rush in to take over those responsibilities as well?

That is not a recipe for better government.

The court has already agreed to work with the board to create a new, more accountable and collaborative partnership to run the probation department. That was precisely the recommendation of the state task force charged with figuring out how to run probation programs, which is a concern throughout California. The discussions aimed at creating the recommended collaborative arrange-

ment are on hold because the board placed Measure A on the ballot instead.

If Measure A is defeated, local leaders will return to the task of developing new guidelines to run the department to provide the necessary oversight and management support while keeping judges in the driver's seat of the probation system, where they need to be. Putting another layer of bureaucracy

between judges and offenders will not help troubled kids or anyone else.

That's why the Santa Clara County Police Chiefs Association and so many others who work with juvenile offenders want to collaborate on creating a new, more effective management structure for our probation department, one that will give youthful offenders the best possible chance at rehabilitation while ensuring that our community remains one of the safest in the nation.

To make that happen, vote no on Measure A.

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Opinion