

Senate Bill 823

**Juvenile Justice Realignment: Office of Youth and
Community Restoration**

**County of San Diego Juvenile Justice Coordinating Council
Subcommittee on SB 823**

March 24, 2021

Purpose of SB 823

- ▶ Closure of California Division of Juvenile Justice (DJJ)
- ▶ 7/1/2021 DJJ Intake Scheduled to Close
- ▶ Ensure Youth Are Closer To their Families And Communities
- ▶ Provide Counties With Funding to House and to Implement Public Health Approaches and Build Capacity to Support Positive Youth Development
- ▶ Establishes the Statewide Office of Youth & Community Restoration (OYCR)
- ▶ New disposition track to be created by March 2021

Note: 2021 Proposed Clean-Up trailer bill sets a final closure date of 7/1/2023 for DJJ

- ▶ Director of DJJ is responsible for developing a plan for the transfer of jurisdiction of youth who are still confined in DJJ at or near the final closure date

Office of Youth & Community Restoration (OYCR)

▶ **Mission**

“To promote trauma responsive, culturally informed services for youth involved in the juvenile justice system that supports the youths’ successful transition into adulthood and help them become responsible, thriving and engaged members of the community.”

▶ **Responsibilities**

- ▶ Statewide Data Collection and Reporting
- ▶ Identify & Disseminate Best Practices
- ▶ Provide Technical Assistance to Counties
- ▶ Oversight of SB 823 Grant Programs
- ▶ Accountability For Programs
- ▶ Ombudsman w/Investigatory Powers
- ▶ Evaluation of local programs for realigned youth

County Funding for Realigned Responsibilities

- ▶ State funding provided to cover costs of:
 - Housing Youth in 24/7 Facilities - Staff for Facilities and Supervision*
 - All Programs and Supports for Youth - Reentry - Rehabilitation*
- ▶ Annual Juvenile Justice Realignment Block Grant (W.I.C. §1900)
 - ▶ Not an amount per youth
 - ▶ Funds allocated to each county by formula - a percentage share of a fixed statewide amount. Based on: (W.I.C. §1991)
 - ▶ 20% - County's Juvenile Population
 - ▶ 30% - County's Population at DJJ on one day in 2018 and one day in 2019
 - ▶ 50% - County share of certain statewide felony offenses (707b)

County Funding for Realigned Responsibilities

- ▶ **Allocations are Phased in**

- ▶ Partial funding in 2021-22, increases in 2022-23 and in 2023-24
- ▶ Full funding in FY 2024-25 - **HOWEVER** - a new formula distribution to counties will be developed - San Diego County's share is unknown

ESTIMATE (\$ in millions)

FY 2021-22	FY 2022-23	FY 2023-24
\$2.7	\$8.1	\$13.4

- ▶ One-Time Facilities Grant - \$9.6 M Statewide (W.I.C. \$2250)

Subcommittee (Planning)

- ▶ Each county is required to create a subcommittee of the JJCC to develop a local plan for the realignment (W.I.C. §1995)
- ▶ The Plan must be submitted to OYCR by 1/1/2022 (and May 1st of each year after that)
- ▶ Subcommittee Membership
 - ▶ Chief of Probation (Chair)
 - ▶ One Representative from each:
 - ▶ District Attorney's Office
 - ▶ Public Defender's Office
 - ▶ Juvenile Court
 - ▶ County Office of Ed or a school district
 - ▶ Dept. of Social Services
 - ▶ Dept. of Mental Health
 - ▶ Minimum of 3 Community members

Local Plan

- ▶ Purpose: *To describe the facilities, programs, placements, services, supervision and reentry strategies that are needed to provide appropriate rehabilitation and supervision services to this population of youth (W.I.C. §1995)*
- ▶ Plan shall include the following elements:
 - ▶ Realignment target population in the county including the numbers of youth served, disaggregated factors including their ages, offense and offense histories, gender, race or ethnicity, and other characteristics, and by the programs, placements, or facilities to which they are referred
 - ▶ Facilities, programs, placements, services and service providers, supervision and other responses provided to target population

Local Plan (Continued)

Description of how grant funds will address the following areas of need or development for realigned youth:

- ▶ Mental health, sex offender treatment, or related behavioral trauma-based needs
- ▶ Support programs or services that promote healthy adolescent development
- ▶ Family engagement in programs
- ▶ Re-entry, including planning & linkages to support employment, housing and continuing education
- ▶ Evidence-based, promising, trauma-informed and culturally responsive
- ▶ Whether and how the plan will include services or programs for realigned youth that are provided by nongovernmental or community-based providers

Local Plan (Continued)

- ▶ Detailed facility plan that indicates which facilities will be used to house or confine realigned youth at varying levels of offense severity and treatment need, and improvement to accommodate long-term commitments
- ▶ How the plan will incentivize or facilitate the retention of realigned youth within the jurisdiction and rehabilitative foundation of the JJ system in lieu of transfer into the adult system
- ▶ Description of any regional agreements or arrangements to be supported by the block grant
- ▶ How data will be collected on the youth served and outcomes for youth served by the block grant
 - ▶ This includes a description of the outcome measures that will be utilized to measure or determine the results of programs and interventions supported by block grant funds

SANDAG Reports of National Best Practices & Recommendations

- ▶ *Seeking Alternatives: Understanding the Pathways to Incarceration of High-Risk Juvenile Offenders* (SANDAG, 2015)
 - ▶ Institute Standardized Trauma Screening
 - ▶ Provide Family-Based Treatment
 - ▶ Develop Policies That Support Non-Discretionary Spending Across Systems
 - ▶ Develop An Interconnecting Treatment & Service Delivery System that Spans: Child Welfare, Schools, Law Enforcement, Behavioral Health, Juvenile Justice, Community-Based Services
- ▶ *Preparation for the realignment of Department of Juvenile Justice Youth: A study of the population, Best practices for Rehabilitation, and Evidence-Based Recommendations* (SANDAG, 2021)
 - ▶ Needs and Appropriate Programming
 - ▶ Educational Supports
 - ▶ Therapeutic Environment
 - ▶ Quality Implementation of Program
 - ▶ Reentry

Sample Characteristics

Demographics for all youth (n=56)



- 98% Male
- 2% Female

- 41% Hispanic
- 32% Black
- 14% White
- 5% Other

Average age at DJJ Admission

❖ 17.5 years old

Prior Justice Involvement

- ▶ 14.1 average age at first referral
- ▶ 5.4 average # of probation referrals
- ▶ 3.5 average # of true findings
- ▶ 7% did not have any prior justice involvement

Average time from first referral to DJJ commitment

❖ 3.4 Years

Note: All interviewed were male.

DJJ Youth

- ▶ There are 55 local youth at DJJ (as of January 2021)
- ▶ Annual Commitment to DJJ
 - ▶ In 2019, 22 San Diego County youths were sent to DJJ
 - ▶ In 2020, 24 San Diego County youths were sent to DJJ
 - ▶ In 2021 to date, two San Diego County youths have been sent to DJJ
 - ▶ There are three youths in local custody pending transfer to DJJ
- ▶ Annual Releases/Paroles of local youth from DJJ
 - ▶ 2019 - 13 returns
 - ▶ 2020 - 19 returns
 - ▶ 2021 - 3 returns

2020 San Diego DJJ Commitments by Offense Category

Offense Category	Eligible for Parole Consideration	San Diego Youth Committed for this Category in 2020	Offenses in this category
1	7 years	4	Murder 1st Deg., Murder 2nd Deg., Kidnap w/ Death or Sub. Injury of Victim, Torture
2	4 years	6	Vol. Manslaughter, Rape (in concert or w/ sub. Injury), Lewd/Lascivious Act on a Child, Kidnap for Ransom, Robbery or Carjack
3	3 years	2	Sex. Assault w/ Object, Rape, Sodomy, Oral Cop., Kidnap, Robbery (w/ DW and sub. Injury), Robbery of Inhabited Dwelling, Robbery of Transportation Veh., ADW upon Peace Officer
4	2 years	9	Veh. Manslaughter, Invol. Manslaughter, Robbery (armed w/ sub. Injury), Assault w/ Chemicals, ADW (w/ sub. Injury), Assault w/ Firearm (w/ sub. Injury), Assault to Commit Rape, Child Cruelty (w/ likely GBI/death), Extortion, GT Person (armed w/ sub. injury), Burglary (armed w/ weapon or w/ sub. injury), Shooting at Occupied Dwelling or Vehicle, Arson
5	18 months	3	ADW, Battery w/ Injury, Battery on a Peace Officer, Reckless Fire of a Dwelling, Robbery, GT Person, 1st Deg. Burglary, Accessory to Murder, Sexual Battery, Intimidate Witness, Conspiracy to Commit Cat. 5 Offense, Attempt Any Cat. 4 Offense

2020 San Diego DJJ Commitments by Charge Description

Charge Description	Count
Assault with a Deadly Weapon	8
Robbery	5
Murder	3
Manslaughter	2
Child Molestation	2
Burglary	2
Conspiracy to Commit a Crime	1
Kidnapping for robbery, rape	1
Grand Total	24

2020 Commitments Demographics

Gender	Count
FEMALE	1
MALE	23
Total	24

2020 Commitments Demographics

Race/Ethnicity	Count	Percent
ASIAN	1	4%
BLACK	6	25%
MEXICAN/HISPANIC	13	54%
PACIFIC ISLANDER	1	4%
WHITE	3	13%
Grand Total	24	100%

Age of San Diego Youth Admitted to DJJ in 2020

Age Upon Admission	Count
16	4
17	6
18	8
19	5
20	1
Grand Total	24

Next Steps Draft Action Plan

DJJ Realignment Action Plan

Goals:

- ▶ Treatment
- ▶ Education & Employment
- ▶ Facility Environment and Staffing
- ▶ Program Fidelity
- ▶ Re-entry

Action Plan - Treatment Goal

Goal: 4	Promote consistent and frequent family engagement in the treatment of youth while detained.				
Outcome:	Strengthened family engagement and commitment to youth's rehabilitative and treatment goals, increased understanding of the youth needs and support upon re-entry.				
Primary Contact:					
Objective 1: Identify (and if necessary, procure) treatment that can be delivered to youth and families together					
<input checked="" type="checkbox"/>	Action Step(s)	Responsible Parties	Due Date	Completion Date	Comments
<input type="checkbox"/>	Identify type of treatment that will be delivered with families				
<input type="checkbox"/>	Establish a treatment schedule with flexible hours to ensure families can attend and appropriate treatment staff are assigned to work those hours				
Objective 2: Identify program space for youth and family treatment					
<input checked="" type="checkbox"/>	Action Step(s)	Responsible Parties	Due Date	Completion Date	Comments
<input type="checkbox"/>	Identify physical location and schedule space for joint youth/family treatment to occur				
Objective 3: Identify funding to support and encourage family engagement in the treatment of the youth					
<input checked="" type="checkbox"/>	Action Step(s)	Responsible Parties	Due Date	Completion Date	Comments
<input type="checkbox"/>	Review practices from other jurisdictions, assess feasibility, and recommend options to provide transportation assistance, meals, or other support for families who participate in treatment programs				
Policy Implications, if any:	Procedure needed				
Fiscal Implications, if any:	Potential allocation of funds to support family participation				
Training Implications, if any:	Probation staff participating in these sessions will require training in the model that is selected				

Next Steps

- ▶ Monthly Meetings
- ▶ Clarification County Counsel Parole Considerations
- ▶ Clarity on Proposed Clean-up Trailer Bills