



Close Juvenile Hall Work Group Final Report

Juvenile Probation Department Presentation

YOUTH, YOUNG ADULTS, & FAMILIES COMMITTEE

FEBRUARY 11, 2022

CHIEF KATHERINE W. MILLER

JUVENILE PROBATION DEPARTMENT

JPD Vision & Priorities

- **Equitably right-size and operate** the Juvenile Probation Department.
- **Center the voices**, experiences, and well-being of young people and their families.
- Effectively serve the needs of justice-involved youth through **strengths-based youth-and family-centered strategies** that are grounded in the community.
- **Improve coordination** across government agencies, community-based organizations, and youth and families to provide holistic support that helps justice-involved youth thrive and prevents future justice involvement.
- **Keep youth in their communities whenever possible**; provide safe alternatives to detention for youth who cannot return home; reserve secure detention as a last resort when it is necessary to protect the safety of youth and those around them; develop secure long-term setting(s) that are healing-centered, family-centered, community-centered, and culturally responsive.
- Collaborate with the community and partner agencies to **expand diversion opportunities** that prevent justice system involvement.
- **Reinvest and redirect juvenile justice funding** to the community, including directly to youth and families.
- **Advance transparency and accountability** through data-driven operations, and evidence-based and promising practices.

Juvenile Justice Transformation Progress

The footprint of San Francisco's Juvenile Justice System is **smaller** today than it was when the Juvenile Hall Closure legislation passed:

- In 2019:
 - JPD Active Caseload was 499
 - FY 19/20 Probation Services FTEs: 61.28
 - In December 2019, there were 80 youth ordered to out of home placement
 - Juvenile Hall Average Daily Population was 37
 - Peak population was 56
- In 2021:
 - JPD Active Caseload was 288, **42% lower**
 - Proposed FY 22/23 Probation Services FTEs: 40.53, **34% lower**
 - In December 2021, there were 34 youth ordered to out of home placement, **58% lower**
 - Juvenile Hall Average Daily Population was 14, **62% lower**
 - Peak population was 22

CJHWG-aligned Efforts

- **Diversion:** SFPD and CARC are in discussion regarding police directed diversion, expanding CARC's central diversionary role. SFDA continues to expand prosecutor led diversion programs, including UCAP, AFTER, and Make it Right, which was recently found to reduce recidivism by 30%.
- **Warrants:** JPD has undertaken efforts to close outstanding warrants and reduce the number of youth who are admitted to Juvenile Hall as the result of a warrant, including requiring executive approval for warrants based on a probation violation.
 - JPD has initiated discussions with the Court to adopt a formal tiered warrant policy; a planning process involving all Court partners will commence in Spring 2022.
- **Out of Home Placement:** JPD has implemented a foster care-resource family pilot program, with 7 dedicated beds. Since implementation, the proportion of the Juvenile Hall population awaiting placement has declined from 19% to 3%.
 - DCYF, HRC, and JPD are currently providing gap funding to the Boys' Home to keep it open while JPD, HSA, DCYF and Catholic Charities develop plans for a sustainable local STRTP model.

CJHWG-aligned Efforts

- **Unaccompanied Minors:** JPD has initiated new policies and procedures in collaboration with HSA and Huckleberry House to develop alternatives to detention when parents/guardians are not available. This effort has led to a dramatic reduction in the number of unaccompanied minors detained.
- **Well-being Assessment, Well-being Advocate, & Well-being Committee:** JPD is currently engaged in a facilitated collaborative planning process with 15 community-based members, consisting of 3 working groups composed of equal numbers of CBO representatives and JPD staff engaging in co-leadership practices to develop detailed implementation plans for consideration by all stakeholders.
- **JPD is committed to continuing this progress and the transformation of the system to center youth and families, with a focus on racial equity.**

Non-institutional Place of Detention

Why Does SF Need a Secure Juvenile Setting?

- The **Superior Court**, which will approve San Francisco's non-institutional place of detention, has communicated to the CJHWG, that "under state and federal law, San Francisco will continue to need a secure detention facility for [...] young people, which complies with the minimum state statutory and regulatory standards for the operation and maintenance of juvenile halls for the confinement of minors." (8/26/19 letter to Board of Supervisors)
- Pursuant to **CA Welfare & Institutions Code (WIC) Section 625.3**, under certain circumstances, youth must be securely detained until they can appear before a judge: "a minor who is 14 years of age or older and who is taken into custody by a peace officer for the personal use of a firearm in the commission or attempted commission of a felony or any offense listed in subdivision (b) of Section 707 shall not be released until that minor is brought before a judicial officer."

Secure Setting: Code of Federal Regulations (CFR) Definition

Federal definition of “secure” per 28 CFR Part 31 §31.304

- **Detain or confine** means to hold, keep, or restrain a person **such that he is not free to leave**, or such that a reasonable person would believe that he is not free to leave, except that a juvenile held by law enforcement solely for the purpose of returning him to his parent or guardian or pending his transfer to the custody of a child welfare or social service agency is not detained or confined within the meaning of this definition.
- **Secure** as used to define a detention or correctional facility this term includes residential facilities which include **construction features designed to physically restrict the movements and activities of persons in custody** such as locked rooms and buildings, fences, or other physical structures. It does not include facilities where physical restriction of movement or activity is provided solely through facility staff.

Secure Setting: California Regulations

Titles 15 & 24 comprise the Minimum Standards for Juvenile Facilities

- Title 15 (Crime Prevention & Corrections) addresses the **operations** of juvenile facilities, e.g. staffing, counseling and casework, capacity, education, visitation.
- Title 24 (Building Standards Code) addresses the **planning and design** of juvenile facilities, e.g. space requirements for intake admission, living units, recreation, academic, medical.
- By law, the **CA Board of State and Community Corrections** (BSCC) is required to develop guidelines for Juvenile Halls under Welfare and Institutions Code Section 210 and 885.
 - Every facility in the state is required to comply with Titles 15 and 24 and be in compliance with these regulations.
 - Inspections are conducted biennially. If a Juvenile Hall is found to be out of compliance, suitability of the facility may become an issue.

Space Considerations

Title 24 Requirements (sample)

Section	Element	Specified Size
1230.1.12	Academic classrooms - student space	Minimum 28 sq ft/youth
1230.1.14	Medical examination room	Minimum 144 sq ft, with no single dimension less than 7 ft
1230.1.2	Locked holding room	Minimum 45 sq ft overall; minimum 15 sq ft/youth
1230.1.7	Single occupancy sleeping room	Minimum 70 sq ft; minimum clear ceiling height 8 ft
1230.1.16	Dining areas	Minimum 15 sq ft and sufficient tables and chairs for each person being fed (youth, staff, visitors)
1230.1.11	Physical activity & recreation areas - facility of 40 or less	Minimum of 9000 sq ft; at least 2,250 of which must be paved or like surface; no dimension less than 40 feet
1230.1.4	Corridors	Minimum 8 feet wide

Space Considerations

- Based on a **3 year analysis** of Juvenile Hall Average & Peak Populations from 2019-2021, JPD estimates that San Francisco will need 30 beds in the new facility:
 - **Average** Daily Population: 19 boys/young men, 5 girls/young women (24 total)
 - **Peak** Population: 22 boys/young men, 7 girls/young women (**29 total**)
- This analysis does not include **additional, new local responsibilities** that result from the closure of the state's Division of Juvenile Justice (DJJ).
 - To date, 3 youth have received long-term secure commitments as a result of this new law.

Initial Planning for a Local Juvenile Facility

1. Letter of Intent
2. Needs Assessment
3. Operational Program Statement
4. Facilities in Existing Buildings
5. Submittal of Plans and Specifications
6. Design Requirements – fire safety, suicide hazards, plumbing, towel holders, vents/security covers, beds/desks/shelves, light fixtures, standard fixtures, fire sprinkler heads, telephone cords, health and sanitation, staff and safety, heating and cooling, acoustics, spaces for the disabled, security, medical/mental health care and treatment space, sewage system, floor drains

BSCC Pilot Project & Alternate Means of Compliance

- **“Pilot project”** means an initial short-term method to test or apply an innovation or concept related to the operation, management or design of a juvenile facility, jail or lockup pursuant to an application to, and approval by, the BSCC. (Title 15, Section 1303)
- **“Alternate means of compliance”** is the long-term method used by a local juvenile facility/system, approved by the BSCC, to encourage responsible innovation and creativity in the operation of California's local juvenile facilities. Applications for alternate means of compliance shall meet the spirit and intent of improving facility management, shall be equal to, or exceed the intent of, existing standard(s), and shall include reporting and evaluation components. (Title 15, Section 1304)

New Local Responsibility: DJJ Realignment

Division of Juvenile Justice Realignment

- Juvenile Courts can no longer commit youth to DJJ as of July 1, 2021
- SB 823 shifted responsibility and funding to the counties for the custody, care, and supervision of youth who would have otherwise been eligible for DJJ
- Each county shall convene a **subcommittee** of the JJCC to “to develop a plan describing the facilities, programs, placements, services, supervision and reentry strategies” for the realignment population to be eligible for funding ([WIC 1995](#))
- Commencing July 1, 2021, the court may order eligible youth to be committed to a **secure youth treatment facility** ([WIC 875](#))
- The **age of jurisdiction** is extended to 21, 23, or 25, depending on offense

Secure Youth Treatment Facility:

- Shall be a secure facility that is operated, utilized, or accessed by the county of commitment to provide appropriate programming, treatment, and education for eligible young people:
 - May be a **stand-alone facility or a unit/portion of an existing county juvenile facility**, including a juvenile hall or probation camp.
 - A county may **contract with another county** having a secure youth treatment facility in lieu of operating its own program.
- A county may establish a secure youth treatment facility to serve as a **regional center** for commitment of young people from one or more counties on a contract basis
- Facilities must comply with **Titles 15 & 24**, CA Code of Regulations

San Francisco Juvenile Justice Coordinating Council DJJ Realignment Subcommittee Membership

1. Katy Miller, *Probation Chief (Chair)*
2. Kasie Lee, *District Attorney's Office*
3. Patricia Lee, *Public Defender's Office*
4. Joan Miller (Jessica Mateu-Newsome, alternate), *Department of Social Services (HSA)*
5. Mona Tahsini, *Department of Mental Health (DPH)*
6. Alysse Castro, *County Office of Education/School District (SFUSD)*
7. Judge Monica Wiley, *Superior Court*
8. Angel Ceja Jr., *Juvenile Advisory Council*
9. Denise Coleman, *Huckleberry Youth Programs/ CARC*
10. Ron Stueckle, *Juvenile Justice Providers Association/ Sunset Youth Services*

Per SB 823, no fewer than three community members defined as individuals who (1) have experience providing community-based youth services, (2) youth justice advocates with expertise and knowledge of the juvenile justice system, or (3) have been directly involved in the juvenile justice system

Additional Community Member/Youth Advocate Seats:

11. Liz Jackson-Simpson, *Community-based provider with TAY Workforce & Housing Expertise*
12. Will Roy, *Individual Directly Impacted by Secure Facility*
13. Tiffany Sutton, *Family Member of Youth Impacted by Secure Facility*
14. Chaniel Williams, *Victim/Survivor of Community Violence*
15. Lana Kreidie, *SF Bar Association Indigent Defense Administrator – Juvenile Delinquency*

SF DJJ Realignment Subcommittee Plan – Key Recommendations

- **Community-Based Services:**
 - Leverage existing community resources for young people on probation
 - Use funding to address specific gaps
- **Out-of-home Placement:**
 - Identify additional placement options
- **Secure Youth Treatment Facility (SYTF):**
 - Use Juvenile Hall as SF's interim SYTF and revise SYTF plan once City leadership makes decisions re: SF's place of detention;
 - Recommend to City leadership to consider co-locating SF's SYTF and SF's future place of detention;
 - Regardless, SYTF should be healing-centered, family-centered, community-connected, and culturally responsive;
 - Enable youth to be placed in out-of-county SYTFs as appropriate.

CJHWG Proposals: Preliminary Analysis

Preliminary Analysis

- The 39 proposals in the CJHWG Report involve multiple city departments, as well as the Superior Court of California – a state agency – and youth, families, and community partners.
- Implementation requires us to assess which entities have primary decisionmaking/legal authority to consider each proposal – and where collaboration is required.
- JPD has mapped out the primary department/agency and the departments whose resources will be involved for each proposal.
- We have included our analysis in the following slides, with the primary department/agency noted in orange, and the departments involved noted in gold. We hope this can support City leadership, community stakeholders, and local and state agencies in developing the path forward.

Proposals Regarding Diversion

By Primary Department  & Department Resources Involved 

CJHWG Proposal	JPD	Court (State)	DA	Defense/PDR	SFPD	Other City Agency
1. San Francisco should aim to divert at least 80% of youth at the point of law enforcement contact.					SFPD	
2. San Francisco should implement a community-based intake and connection “Hub/Well-Being Center” that is available citywide, including to schools, parents, and service providers.						HRC, DPH, HSA, DCYF, SFUSD/COE
3. San Francisco’s community-based intake “Hub/Well-Being Center” should serve as the direct referral pathway for any youth who comes into contact with police, including youth who are unaccompanied minors and youth who reside outside San Francisco County.					SFPD	HRC, DPH, HSA, DCYF
4. San Francisco should eliminate the juvenile traffic court program; instead, citation cases should be processed through the “Hub/Well-Being Center.”		Court			SFPD	HRC, DPH, HSA, DCYF

Proposals Regarding Charging Decisions

By Primary Department  & Department Resources Involved 

CJHWG Proposal	JPD	Court (State)	DA	Defense/PDR	SFPD	Other City Agency
1. San Francisco should work with the SFPD to reform booking practices to incorporate adolescent development.					SFPD	
2. San Francisco should require the SFPD to issue a written statement of probable cause for any youth delivered to the custody of JPD.	JPD				SFPD	
3. San Francisco should implement policies to guide JPD's immediate review of the statement of probable cause written by law enforcement to ensure the facts are sufficient to justify detention.	JPD	Court	DA		SFPD	
4. San Francisco should implement a process for an accelerated review by prosecutors of charges that require youth to be transported to JPD custody.	JPD		DA		SFPD	

Proposals to Reduce Reliance on Detention for Warrants & Limiting Time on Probation

By Primary Department  & Department Resources Involved 

CJHWG Proposal	JPD	Court (State)	DA	Defense/PDR	SFPD	Other City Agency
1. San Francisco should implement policies to avoid the issuance of warrants to the greatest extent possible.	JPD	Court	DA	Defense/PDR	SFPD	
2. When a warrant cannot be avoided, San Francisco should implement warrant policies that preserve options to release youth pending their court hearing, sometimes referred to as a “two-tiered warrant.”	JPD	Court	DA	Defense/PDR	SFPD	
3. San Francisco should create processes to allow outstanding warrants to be resolved and cleared without detention of the young person.	JPD	Court	DA	Defense/PDR	SFPD	
1. San Francisco should consider implementing a local policy limiting the time youth spend on probation and thereby reduce warrants issued for violating terms of probation.	JPD	Court	DA			

Proposals to Reduce Reliance on Detention for Out of Home Placement (OOHP)

By Primary Department  & Department Resources Involved 

CJHWG Proposal	JPD	Court (State)	DA	Defense/PDR	SFPD	Other City Agency
1. San Francisco should increase comprehensive support to families, thereby reducing the need for congregate care placements.	JPD					HRC, DPH, HSA, DCYF
2. San Francisco should scrutinize existing STRTPs more closely and seek to decrease its reliance on congregate care.	JPD	Court				HSA
3. When youth AWOL from OOHP, San Francisco should establish a process for locating them safely rather than issuing a warrant, arresting them and detaining them until placed again.	JPD	Court	DA	Defense/PDR		
4. San Francisco should continue to build alternatives to JH for youth awaiting OOHP	JPD					DPH, HSA, DCYF

Proposals related to Detention Hearings & Expanding Detention Alternatives

By Primary Department ■ & Department Resources Involved ■

CJHWG Proposal	JPD	Court (State)	DA	Defense/PDR	SFPD	Other City Agency
1. San Francisco should set up expedited or same day detention hearing system.	JPD	Court	DA	Defense/PDR	SFPD	Sheriff
1. San Francisco should engage detention alternatives sooner and more often.	JPD	Court	DA	Defense/PDR		DCYF
2. San Francisco should further explore the use of “non-secure detention.”	JPD	Court	DA	Defense/PDR		
3. San Francisco should limit or eliminate the role of JPD in supervising youth on “home detention.”	JPD	Court	DA	Defense/PDR		
4. San Francisco should connect youth with community-based systems of support, not electronic monitoring, when they are released from detention on “home detention.”	JPD	Court	DA	Defense/PDR		DCYF
5. For youth who are detained in juvenile hall, San Francisco must continue to utilize and fully fund programming that maximizes post-detention diversion options.	JPD	Court	DA	Defense/PDR		DCYF

Proposals Regarding Unaccompanied Minors

By Primary Department  & Department Resources Involved 

CJHWG Proposal	JPD	Court (State)	DA	Defense/PDR	SFPD	Other City Agency
1. San Francisco should ensure that any unaccompanied minor who is in contact with the justice system has appropriate representation by specialized attorneys.				Defense/PDR		
2. San Francisco should capitalize on the existing programs like Unaccompanied Children Assistance Program (UCAP) and further analyze the reasons why youth are involved in the justice system in lieu of UCAP.			DA			

Proposals Regarding Non-Institutional Place of Detention

By Primary Department  & Department Resources Involved 

CJHWG Proposal	JPD	Court (State)	DA	Defense/ PDR	SFPD	Other Agency
1. San Francisco should review the capacity analyses to determine the number of secure beds that are needed and the most appropriate homes.	JPD	Court				
2. San Francisco should ensure adequate staff to youth ratio during waking hours.	JPD					
3. San Francisco should collaborate with the Real Estate Department to vet the following options: 1055 Pine Street; 1801 Vicente; identify 2-3 single family homes in specific zip codes that meet other required criteria; have RED find available warehouse space, potentially in an industrial section of the City.	JPD					RED
4. San Francisco should commit to shared leadership with community-based organizations (CBOs) and JPD in the design and operation of the non-institutional place of detention.	JPD	Court				DPH, SFUSD/COE

Proposals Regarding Community Alternatives

By Primary Department  & Department Resources Involved 

CJHWG Proposal	JPD	Court (State)	DA	Defense/PDR	SFPD	Other City Agency
1. San Francisco should implement structural change for: Early interventions to expand the use of non-legal options that impact pre-arrest diversion.					SFPD	DCYF
2. San Francisco should implement structural change for: Coordinating program utilization.	JPD					HRC, DPH, HSA, DCYF
3. San Francisco should implement structural change for: Program assessment.	JPD					DPH, HSA, DCYF
4. San Francisco should implement structural change for: behavioral health.						DPH
5. San Francisco should implement structural change for: Program funding practices.	JPD					HRC, DPH, HSA, DCYF
6. San Francisco should implement structural change for: Residential bed space.	JPD					HSH, DPH, HAS, DCYF

Proposals Regarding Re-Imagining Well-Being Alternatives to Detention

By Primary Department ■ & Department Resources Involved ■

CJHWG Proposal	JPD	Court (State)	DA	Defense/PDR	SFPD	Other City Agency
1. San Francisco should implement: Well-Being Advocate (WBA) at First Contact.	JPD			Defense/PDR	SFPD	DCYF
2. San Francisco should implement: a Well-Being Assessment	JPD			Defense/PDR		DPH, HSA, DCYF
3. San Francisco should implement: a Well-Being Committee.	JPD		DA	Defense/PDR		DCYF, DPH
4. San Francisco should implement: a system for flexible funding.	JPD					HRC, DPH, HSA, DCYF
5. San Francisco should develop Centers for Well-Being and Youth Development for young people who do not need to be placed in a secure facility but who would benefit from a short respite.	JPD					

Questions?