

File No. 211282

Committee Item No. 4

Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

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Committee: Budget and Finance Committee Date January 26, 2022

Board of Supervisors Meeting Date \_\_\_\_\_

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Completed by: Brent Jalipa Date January 19, 2022

Completed by: Brent Jalipa Date \_\_\_\_\_



Katherine Weinstein Miller  
Chief Probation Officer

December 13, 2021

Honorable Supervisor Matt Haney  
Budget and Finance Committee Chair  
Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102

Brent Jalipa, Clerk  
Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102

RE: Release of Budget and Finance Committee Reserve

In accordance with the provisions of the Adopted Annual Appropriation Ordinance No. 108-21 for Fiscal Year ending June 30, 2022 and Fiscal Year ending June 30, 2023, I am hereby requesting the release of the Budget and Finance Committee Reserve in the amount of \$794,598 appropriated to the Juvenile Probation Department for the Juvenile Justice Realignment Block Grant (JJRBG) in Fiscal Year 2021-22.

Pursuant to Section 1991 of the Welfare & Institutions Code (WIC), commencing with the 2021–22 fiscal year, and annually thereafter, there shall be an allocation to the county for use by the county to provide appropriate rehabilitative housing and supervision services for youth who were eligible for commitment to the Division of Juvenile Justice (DJJ) prior to its closure, defined as persons who are adjudicated to be a ward of the juvenile court based on an offense described in subdivision (b) of Section 707 or on offense described in Section 290.008 of the Penal Code.

On January 1, 2022, San Francisco will submit its plan describing the facilities, programs, placements, services, supervision and reentry strategies that are needed to provide appropriate rehabilitation and supervision services for this population of youth to the Office of Youth & Community Restoration. As required by WIC 1991, this plan was developed by the DJJ Realignment Subcommittee of the Juvenile Justice Coordinating Council and identifies a secure facility to house youth committed by the juvenile court ("Secure Youth Treatment Facility," or SYTF), who would have otherwise been eligible for DJJ commitment. In my role as Chair of the DJJ Realignment Subcommittee, I, along with another subcommittee member, Alyse Castro, Executive Director of County Schools, presented the plan to the Board of Supervisors' Youth, Young Adult, and Families Committee on December 10, 2021 (presentation enclosed).

Through the development of this plan, the DJJ Realignment Subcommittee has voted to invest the first year of Juvenile Justice Realignment Block Grant funds in community programs and services that will prioritize the primary gaps identified by the Subcommittee in the following areas: credible messenger life coaches; whole family support; collective training; flexible funding including direct support for emergent and basic needs to young people and their families; and personalized programming for young people committed to San Francisco's Secure Youth Treatment Facility (SYTF). Personalized programming in this facility, such as a four-year college program or industry-specific vocational training, will ensure that each young person receives the most appropriate program, service, or support that is needed or desired for their growth while in the SYTF.

Juvenile Probation respectfully requests the release of these funds to implement the first year of this plan.

We appreciate your consideration of this request and look forward to discussing this matter with the Budget and Finance Committee. Please let me know if you need any additional information.

Sincerely,



Katherine Weinstein Miller  
Chief Probation Officer

Enclosure: DJJ Realignment Presentation to BOS Committee 12.10.21

<p><b>Item 4</b> <b>File 21-1282</b></p>	<p><b>Department:</b> Juvenile Probation (JUV)</p>
<p><b>EXECUTIVE SUMMARY</b></p>	
<p style="text-align: center;"><b>Legislative Objectives</b></p> <ul style="list-style-type: none"> <li>• The proposed hearing would release \$794,598 for the Juvenile Justice Realignment Block Grant program.</li> </ul> <p style="text-align: center;"><b>Key Points</b></p> <ul style="list-style-type: none"> <li>• In September 2020, Governor Gavin Newsom signed Senate Bill 823 into law, which shifted the responsibility of custody, care, and supervision of youth offenders with sustained petitions for certain violent offenses from the State Division of Juvenile Justice (DJJ) to the counties. The State has provided Juvenile Justice Realignment Block Grant (JJRBG) funding to counties to assist with implementation of realignment from DJJ to counties’ operations.</li> </ul> <p style="text-align: center;"><b>Fiscal Impact</b></p> <ul style="list-style-type: none"> <li>• The proposed \$794,598 would fund services including credible messenger life coaches, whole family support, flexible funding (including direct funding to youth and their families), collective training for all system stakeholders and partners, and flexible funding for personalized programming and support in the Secure Youth Treatment Facility (for education, workforce, behavioral health and wellness, parenting, substance abuse, and re-entry/transition). Programming would largely be provided through work orders with the Department of Children, Youth, and their Families (DCYF). The two departments plan to undertake competitive solicitations to select providers.</li> </ul> <p style="text-align: center;"><b>Policy Consideration</b></p> <ul style="list-style-type: none"> <li>• Without a local secure youth treatment facility to hold youth offenders with court-ordered commitments that would have otherwise been sent to a state facility, the City would have to contract with another county for placement in their secure youth treatment facilities or placement in an adult facility (jail or prison). The City’s Log Cabin Ranch, which provided a local long-term placement option, has been closed since 2018 and is not expected to reopen. A regional facility serving all Bay Area counties is allowed, but no determination has been made on that yet.</li> <li>• The proposed release of reserves would fund services at Juvenile Hall for youth who have sustained petitions for 707(b) offenses, including those on probation, ordered to out of home placement, or court-ordered commitments of youth offenders that were previously served in state facilities or at Log Cabin Ranch. According to the City’s Juvenile Justice Block Grant Annual Plan, portions of Juvenile Hall will have to be upgraded to allow use of the facility for long-term placements.</li> </ul> <p style="text-align: center;"><b>Recommendation</b></p> <ul style="list-style-type: none"> <li>• Approval of the requested release of reserves is a policy matter for the Board of Supervisors.</li> </ul>	

## MANDATE STATEMENT

City Administrative Code Section 3.3(j) states that the Budget and Finance Committee of the Board of Supervisors has jurisdiction over the City's budget and may reserve proposed expenditures to be released at a later date subject to Board of Supervisors approval. The practice of the Board of Supervisors is for the Budget and Finance Committee to approve release of funds placed on reserve by the Committee, without further Board of Supervisors approval.

## BACKGROUND

In June 2021, the Budget & Finance Committee placed \$794,598 of the Juvenile Justice Realignment Block Grant spending on Budget & Finance Committee reserve

### **Realignment of Long-Term Youth Offender Placement**

In September 2020, Governor Gavin Newsom signed Senate Bill 823 into law, which shifted the responsibility of custody, care, and supervision of youth offenders with sustained petitions for certain violent offenses from the State Division of Juvenile Justice (DJJ) to the counties. Senate Bill 92, signed in May 2021, allows counties to establish local secure youth treatment facilities for youth who would have been eligible for DJJ commitment. The State has provided Juvenile Justice Realignment Block Grant (JJRBG) funding to counties to assist with implementation of realignment from DJJ to counties' operations.

As required by law, the City convened a 15-member DJJ Realignment Subcommittee to develop a local realignment plan.<sup>1</sup> The subcommittee held 16 public meetings and four learning sessions and submitted a final plan to the DJJ in December 2021. The state allocated JUV \$805,571 in JJRBG funds in FY 2021-22 and the Department anticipates an allocation of \$2,353,800 in FY 2022-23.

## DETAILS OF PROPOSED LEGISLATION

The proposed hearing would release \$794,598 for the Juvenile Justice Realignment Block Grant program. In FY 2021-22, JUV was allocated \$805,571 in state funding for the Juvenile Justice Realignment Block Grant funding. \$794,598 is on Budget and Finance Committee reserve, which was the amount that had been anticipated at the time the FY 2021-23 two-year budget was approved.

Under Senate Bills 823 and 92, California counties are required to submit a plan for local facilities, programs, placements, services, supervision, and reentry strategies for all young people with sustained petitions for 707(b) offenses (described below), which includes young people ordered to wardship probation, out of home placement, as well as to the secure youth treatment facility.

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<sup>1</sup> The subcommittee consisted of representatives from JUV, District Attorney's Office, Public Defender's Office, Department of Social Services, Department of Mental Health, County Office of Education/School District, Superior Court, Juvenile Advisory Council, Huckleberry Youth Programs/CARC, Juvenile Justice Providers Association/Sunset Youth Services, a community-based provider, an individual directly impacted by a secure facility, a family member of youth impacted by a secure facility, a victim/survivor of community violence, and an SF Bar Association Indigent Defense Administrator of Juvenile Delinquency.

San Francisco's DJJ Realignment Subcommittee voted to use Juvenile Hall as the interim Local Secure Youth Facility, as it is the only secure location identified within the City. After Juvenile Hall is closed down, JUV may co-locate the local secure youth facility with the new youth detention facility, if one is built.

California Welfare and Institution Code Section 707(b) lists 30 criminal offenses that are considered violent or serious in nature. The target population for Juvenile Justice Realignment Block Grant funding is youth with 707(b) offenses. From 2016 to 2021, there were 347 youth with sustained petitions (similar to convictions in the juvenile justice system) in San Francisco for 707(b) offenses. Of these 347 convictions, only 11 youth were committed to DJJ facilities, with an average commitment of 1.9 years. DJJ stopped receiving new referrals in July 2021, so any youth that would have been referred to DJJ for incarceration are now incarcerated at Juvenile Hall. There are currently two such youth currently placed in Juvenile Hall, the City's interim local secure youth facility.

The DJJ Realignment Subcommittee voted to use initial Juvenile Justice Realignment Block Grant funding to address the service gaps it had identified. The plan includes funding in credible messenger life coaches, whole family support, flexible funding (including direct funding to youth and their families), collective training for all system stakeholders and partners, and flexible funding for personalized programming and support in the secure youth treatment facility (for education, workforce, behavioral health and wellness, parenting, substance abuse, and re-entry/transition). Programming would largely be provided through work orders with the Department of Children, Youth, and their Families (DCYF). The two departments plan to undertake competitive solicitations to select providers.

## FISCAL IMPACT

The spending plan for the Juvenile Justice Realignment Block Grant Funds awarded in FY 2021-22 are shown in Exhibit 1 below.

### Exhibit 1: FY 2021-22 JIRBG Spending Plan

Program	Procurement	Amount
Services for realigned youth and their families (Credible messenger life coaches, whole family support, direct funding to young people and their families, personalized programming and support in the Secure Youth Treatment Facility)	Work order to DCYF	\$544,598
Personalized programming and support in the Secure Youth Treatment Facility, direct funding to young people and their families	Procured by JUV	50,000
Collective training for all system stakeholders and partners	Work order to DCYF	100,000
Collective training for all system stakeholders and partners	Procured by JUV	100,000
<b>Total</b>		<b>\$794,598</b>

Source: JUV

Note: The Department is still developing a spending plan for the \$10,973 (\$805,571 minus \$794,598) in additional Juvenile Justice Realignment Block Grant funds allocated to San Francisco by the state in FY 2021-22.

According to the Department, credible messenger life coaches will be delivered to realigned youth (including those on probation, out of home placement, or incarceration) by people with similar experience in San Francisco. Whole family support refers to peer family navigators, family wellness activities and other programming. Direct funding to monies provided for basic needs such as tools and supplies for work, books for school, and transportation assistance. Collective training refers to training for all juvenile justice department stakeholders, service providers, and other community stakeholders (such as school staff). Both DCYF and JUV have existing contracts with providers that may be used to deliver services.

### **POLICY CONSIDERATION**

Without a local secure youth treatment facility to hold youth offenders with court-ordered commitments that would have otherwise been sent to a state facility, the City would have to contract with another county for placement in their secure youth treatment facilities or placement in an adult facility (jail or prison). The City's Log Cabin Ranch, which provided a local long-term placement option, has been closed since 2018 and is not expected to reopen. A regional facility serving all Bay Area counties is allowed, but no determination has been made on that yet.

In June 2019, the Board of Supervisors approved an ordinance that required the City to close Juvenile Hall by December 31, 2021 (File 19-0392). As of the writing of this report, Juvenile Hall remains open and the closure date has not been determined. The proposed release of reserves would fund services at Juvenile Hall for youth who have sustained petitions for 707(b) offenses, including those on probation, ordered to out of home placement, or court-ordered commitments of youth offenders that were previously served in state facilities or at Log Cabin Ranch. According to the City's Juvenile Justice Block Grant Annual Plan, portions of Juvenile Hall will have to be upgraded to allow use of the facility for long-term placements.

### **RECOMMENDATION**

Approval of the requested release of reserves is a policy matter for the Board of Supervisors.



# San Francisco's 2021 Division of Juvenile Justice Realignment Plan

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Presentation to the Committee on Youth, Young Adults, and Families

December 10, 2021



# Background on Division of Juvenile Justice Realignment

(SB 823 & SB 92)

- **SB 823 shifts responsibility to the counties** for the custody, care, and supervision of youth who would have otherwise been eligible for the Division of Juvenile Justice (DJJ), California's youth prisons.
  - SB 92 allows counties to establish local **Secure Youth Treatment Facilities** for youth who would have been otherwise eligible for DJJ commitment.
- **Adjusts the Age of Jurisdiction:** Extended to 21, 23, or 25, depending on offense
- **Intake at DJJ stopped July 1, 2021**
- New state **Office of Youth & Community Restoration (OYCR)** within Health & Human Services Agency which will receive plans from each county

## 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

# DJJ Realignment Subcommittee & Local Plan

- Each county receives “**Juvenile Justice Realignment Block Grant**” funds (“JJRBG” funds) based on state funding formula
- To be eligible for state realignment funding: each county shall create a **Juvenile Justice Coordinating Council (JJCC) subcommittee** to develop a **plan** to provide appropriate rehabilitation and supervision services to youth who were eligible for DJJ commitment prior to its closure
  - SF’s JJCC DJJ Realignment Subcommittee is made up 15 members, 9 of whom are community members or youth advocates
- Plan due to OYCR by **January 1, 2022.**
- **San Francisco’s current and projected funding:**

<u>FY 21/22:</u>	<u>FY 22/23:</u>	<u>FY 23-24:</u>
\$805,571	\$2,353,800	\$3,899,536

# 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*

# DJJ Realignment Subcommittee Meetings

- All meeting recordings and materials are available at [Juvenile Justice Coordinating Council \(JJCC\) | Juvenile Probation Department \(sfgov.org\)](#)
- All DJJ Realignment Subcommittee Meetings & Learning Sessions have been Brown Act compliant and accessible to the public

Subcommittee Meetings	
05/04/21	09/28/21
05/18/21	10/12/21
06/01/21	10/26/21
06/15/21	11/09/21
06/29/21	11/16/21
08/17/21	11/23/21
09/07/21	11/30/21
09/14/21	12/07/21

Learning Sessions
10/28/21
11/01/21
11/05/21
11/08/21

# Process to Develop DJJ Realignment Plan

- **Initial Meetings: Critical Information & Foundation**

- Reviewed SB 823 & 92 statutory requirements, as well as state laws which govern secure facilities
- Analyzed SF historical data for DJJ commitments and all sustained 707(b) offenses
- Adopted values from Close Juvenile Hall Work Group Youth & Family Listening Sessions →

Healing-Centered

Family-Centered

Community Involvement

Culturally Responsive

- **Members became subject area “leads”**

- Education, Workforce, Family Engagement, Girls & Gender Expansive Young People, Cultural Responsivity, Transitional Housing, Positive Youth Development Programming, Health & Behavioral Health, Settings (in the community, placement, secure youth treatment facility)
- “Leads” conducted additional research, engaged in conversations with diverse stakeholders, completed gap/resource analysis, and brought back to group for review and discussion

- **Learning Sessions (publicly accessible)**

- Sustaining Humanity for Incarcerated Parents, *Subcommittee Member Will Roy*
- State & Federal Regulations for Secure Facilities, BSCC Title 15 & 24, *Juvenile Hall Director Bobby Uppal*
- Trauma-Informed Design for Juvenile Justice Residential Facilities, *Dr. Monique Khumalo*
- Credible Messenger Life Coach Model, *Anti-Recidivism Coalition*

- **Five internal JPD Input Sessions**

# Plan Requirements for JJRBG Funding

- Plan submitted to OYCR by January 1, 2022 must include:
  - List of Subcommittee Membership
  - Description of **realignment population** to be served by block grant.
  - Description of **facilities, programs, placements, services and service providers, supervision, and other responses.**
  - Description of how **grant funds** will address range of programming needs outlined in the new law (Welfare & Institutions Code Section 1995).
  - Detailed **facility plan.**
  - Plan to incentivize **retaining youth in juvenile system** (vs. adult system).
  - Description of **regional arrangements.**
  - Description of how **data** will be collected on youth served and outcomes.

# SF Population Impacted by DJJ Realignment Laws

- **Dispositions of 707(b) Petitions Sustained in SF (2016-2020)**
  - 26% to wardship probation
  - 25% to OOHP
  - 8% committed to DJJ, JJC, or LCR
  - 37% transferred out of county
- **11 young people committed to DJJ** from SF between 2016-2020; 0-4 commitments made per year
- **Average length of stay of SF commitments to DJJ between 2016-2020 was 1.9 years**, with a minimum of 9 months and maximum of 3.4 years
- **SF DJJ commitments overwhelmingly result from violent offenses**, including attempted homicide/homicide and gun offenses
- **100% of young people committed to DJJ from SF had prior law enforcement contact**, 91% of which were violent offenses
- 100% of young people committed to DJJ from SF were **male**, 91% were **18 years or older**, 91% were **young people of color**, and 64% were **Black or African-American**
- In addition, **SB 823 has resulted in increasing numbers of young adults detained in SF's Juvenile Hall**, now reflecting **53%** of the average daily population

# SF DJJ Realignment Subcommittee Plan – Key Recommendations

- **Community-Based Services:**

- Leverage what's already in community for young people on probation; use funding to address specific gaps

- **Out-of-home Placement:**

- Identify additional placement options

- **Secure Youth Treatment Facility:**

- Use Juvenile Hall as SF's interim SYTF and to 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.



# SF DJJ Realignment Subcommittee Plan – Proposed Use of JJRBG Funds

## **Across All Settings (Community, Placement, & SYTF):**

- Credible messenger life coaches
- Whole family support
- Flexible funding, including direct funding to young people and their families
- Collective training for all system stakeholders and partners

## **In SYTF: Flexible funding for personalized programming & support**

- Education – including two- and four-year college, intensive tutoring, and support
- Workforce – including certification opportunities and vocational support
- Behavioral health and wellness – including indigenous, nontraditional approaches
- Parenting – for young parents in SYTF
- Substance Abuse – including harm reduction and holistic approaches
- Reentry/Transition – including life skills and financial literacy support

**Leverage community providers for these services; issue RFP/RFQ for any new programming**

Questions?