



# Chief Probation Officers of California

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November 28, 2011

The Honorable Jerry Brown  
Governor  
State of California  
State Capitol Building  
Sacramento, CA 95814

## **RE: Inclusion of DJJ Reductions in Budget Trigger Cuts**

Dear Governor Brown:

On behalf of the Chief Probation Officers of California (CPOC), we write to express our significant concerns to the reductions to the Division of Juvenile Justice (DJJ) as included in the budget trigger cuts established under AB 121.

If included in the budget trigger reductions, counties would see an increase in charges for youthful offender placements in Division of Juvenile Justice by \$72.1 million. Beginning January 2, 2011, counties would be charged an annual rate of \$125,000 for every youthful offender committed to a Division of Juvenile Justice facility and payments would be required for any youthful offender in DJJ's jurisdiction on or after January 1, 2012, regardless of commitment date.

The Division of Juvenile Justice houses juvenile offenders who have committed serious or violent crimes and are a high-risk population. They have failed every other local remedy. California's counties would be hard pressed to find appropriate facilities and programs for these juveniles who are the highest risk, and the highest need. This is not a population that can be absorbed around the edges of our system. We have worked with the state over several years to find the appropriate balance of the roles between local and state.

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There is an appropriate role for the state to play in the juvenile justice system and after several years of juvenile reform we have in place a system that has decreased the incarceration of juveniles dramatically while at the same time lowered the crime rates among this population. There is also only a small population of these offenders left with DJJ after the last realignment efforts which culminated with probation taking over those being paroled after February 1<sup>st</sup>, 2010. If Probation tried to take these additional juveniles from DJJ it would severely damage the ongoing rehabilitative efforts that are occurring with the rest of the juvenile population. This population cannot be mingled. If Probation kept the population with DJJ and paid the fees, it would wipe out the funds given to locals for the previous realignment efforts. Not only are these funds the base of all our juvenile programs that have led to the success we experience today, it is also part of a critical negotiation we had with the state when we realigned the juvenile justice system. To undue that now, as we enter a new realignment phase in the justice area seems to send the wrong message about the state and local relationship.

Finally, charging counties to house these most serious juvenile offenders will harm the AB 109 efforts as well. By requiring counties to pay for placements to DJJ, which are sometimes necessary and the only appropriate facilities for housing and programming for these juvenile offenders, the State would be significantly harming the criminal justice realignment enacted in AB 109. Our counties are in the midst of the largest change in our criminal justice system and it requires a significant amount of attention by all partners. Any distraction, fiscally or otherwise, adds to the difficulty of this undertaking and increases the likelihood of setbacks during this historic change. Any further changes in juvenile justice must be done thoughtfully and with full participation of the stakeholders - not with the flip of a trigger.

We have worked diligently with you to improve the outcomes of both realignments. This represents a significant step backwards and we implore you to look at options to mitigate the effect if the projections force you to pull the trigger enacted as part of last year's budget.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Linda Penner', with a stylized, flowing script.

Linda Penner  
President, Chief Probation Officers of California