

CONTRA COSTA COUNTY JUVENILE JUSTICE AND DELINQUENCY PREVENTION COMMISSION

Annual Report for Fiscal Year 2015/2016

Submitted to:

The Honorable Jill Fannin, Presiding Superior Court Judge

The Honorable Rebecca Hardie, Presiding Juvenile Court Judge

Federal Glover, Chair of the Contra Costa County Board of Supervisors, and Members of the Board

Submitted on: June 6, 2017

I. Authority and Functions of the Commission

Contra Costa County's Juvenile Justice Commission (Commission) is authorized and established by California Welfare and Institutions Code (WIC) Section 225.

In accordance with the provisions of the WIC and the California Penal Code, the Commission holds the following statutory duties and authority:

- To inspect no less frequently than once a year all publicly administered institutions, including Juvenile Hall and Ranch facilities... and inspect annually any jail or lockup within the County that is used for confinement of any minor for more than 24 hours, and to report the results of such inspection in writing to the Juvenile Court and to the California Corrections Standards Authority (WIC §229)
- To inquire into the administration of juvenile justice in a broad sense, including, but not limited to, operations of the Juvenile Court, Probation Department, Social Services Agency and any other agencies involved with juvenile justice or dependency (WIC §229)
- To publicize findings and recommendations as decided by the Commission (WIC §230)
- To assure that needed services are identified, developed, and provided for the children and youth of the County (various WIC sections)
- To inquire into the operation of any group home in the County that serves wards or dependent children of the Juvenile Court to review the safety and wellbeing of the wards and dependent children (WIC §229.5)
- To advise the California Corrections Standards Authority concerning security, rehabilitation programs, recreation, and treatment of persons confined in correctional facilities (PC §6030)
- To consult with the Director of the Division of Juvenile Facilities of the California Department of Corrections and Rehabilitation concerning the operation and maintenance of the Juvenile Hall (WIC §1760.7) 2017/2018

II. Membership

The Commission has 15 member seats, all appointed by the Presiding Judge of the Juvenile Court. Each Commissioner serves a four-year term unless filling the unexpired term of a resigned Commissioner. The Commission attempts to reflect the racial, ethnic diversity and geographic representations of the county. At least two seats are reserved for Youth Commissioners (ages 14-21).

Thanks to recent recruitment efforts, we currently have 14 Commissioners. However, the Commission continues to experience difficulty in recruiting and retaining Youth Commissioners

who are able to serve more than one year. In upcoming months, the Commission will review potential strategies to address this gap.

The Commission maintains two standing committees (Internal and External), which includes several subcommittees. Commissioners are required to participate in the work of subcommittees as well as to perform inspections and other duties as required.

III. Meetings

The Commission meets regularly on the third Monday of every month at 5:30 pm. Meetings are normally held in the second floor conference room of the Probation Department at 50 Douglas Drive, Martinez and are open to the public, consistent with the Brown Act and the County's Better Government Ordinance.

To conduct official business at these monthly meetings, a quorum of members is required. At the monthly meetings, reports are received from representatives of the Juvenile Court and Juvenile Probation. Employment and Human Services Department and Children's Mental Health reports are presented bi-monthly. The Commission may request reports from other agencies as it feels necessary.

IV. 2017/2018 Focus: Enhancing Commission Capacity

In order that the Commission can effectively fulfill its statutory obligations and to support positive outcomes for justice-involved youth and their families in Contra Costa County, the Commission will be working to deepen its collective knowledge of the County's juvenile justice system throughout the balance of fiscal year 2016/2017 and throughout fiscal year 2017/2018.

To accomplish this intent, the Commission's 2017/2018 work plan will focus on three primary intentions:

- A. Hold a one-day workshop focusing on Commission's internal governance and operations for new and old members using our member handbook and commission by-laws. Areas covered will include provisions related to new-member recruitment and orientation, obligations and duties, and vacancies/removals; external communications and compliance with Brown Act and Better Government Ordinance (including public notice and meeting minutes); processes for developing an annual report and an annual work plan; formation and management of work groups or committees to undertake specific tasks to enhance the Commission's capacity and efficacy; and decision-making.
- B. Enhance the Commission's capacity to understand, assess, and develop findings and recommendations related to the County's juvenile justice system. With a foundational commitment to data analysis and data-driven decision-making, for the balance of the 16/17 fiscal year and throughout 2017/2018, the Commission will partner with systems leaders and stakeholders to continue to develop a comprehensive baseline understanding of the local juvenile system: its current operations, historical trends, larger contexts, and emerging opportunities and challenges.

To accomplish this critical capacity, the Commission will identify key areas for inquiry into the County's juvenile probation operations, such as: juvenile probation budgets (facilities and field operations), system utilization, juvenile demographics (including, but not limited to, age, gender identity, sexual orientation, race/ethnicity, disability, behavioral health

diagnoses), juvenile outcomes, juvenile justice trends (including, but not limited to, use of custodial detention, group home placement, electronic monitoring, in-custody programs and services and education, use of psychotropic medications, DJJ commitments), and systemic issues such as route into probation, length of probation supervision, conditions of confinement.

- C. Formalize involvement and communications with established or emerging initiatives focused on or impacting juvenile justice and justice-involved youth in Contra Costa, including central participation in the County's development of an updated Comprehensive Multiagency Juvenile Justice Plan in fiscal 2017/2018.

V. Contextual Developments and Issues

A. New Leadership in Contra Costa County Probation Department

In March 2016, Chief Probation Office Phil Kader retired from this position. Subsequently, the County Administrator appointed Assistant Chief of Probation Todd Billeci to the position of Chief Probation Officer. In turn, Chief Billeci appointed longtime Deputy Probation Officer Lesha Roth to the position of Assistant Chief.

B. Juvenile Arrests and Detention

Over the past decade, rates of juvenile arrests and incarceration rates have decreased nationally, statewide, and in Contra Costa County. This trend is reflected locally in the reduced number of Juvenile Court filings, and in the lower populations (half the historic numbers) of young people detained at John A. Davis Juvenile Hall and at Orin Allen Youth Treatment Center.

Yet in the past three years, the County has committed increasing numbers of young people to state facilities operated by the Division of Juvenile Justice. To understand this trend, it is essential that appropriate agencies provide the Juvenile Justice Commission with necessary data. Although the Probation Department's Case Management System has not yet been implemented, the Commission expects to work closely with relevant agencies to gather and analyze data in order to understand the factors affecting this trend, notwithstanding the delays in the implementation of the case management system. We hope that the Probation Department will work with dispatch to implement the Case Management System, which will enhance the management of Probation Department programs and the evaluation of their efficacy.

C. California's Transition from Juvenile Group Homes to Treatment Center Model

The California Department of Social Services, Division of Children's Services, is shifting its approach to managing out-of-home placements for justice-involved young people. Rather than long-term judicial group homes placements, the state will be establishing short-term (up to six months) treatment centers, as well as long-term therapeutic foster homes, with supportive services provided through public and private behavioral health agencies.

The Commission advises that such a transition can be successful only if all necessary elements (infrastructure, services, and policies) are in place and well aligned, and with sufficient and consistent oversight and review. The Commission will work with appropriate County agencies and officials to monitor this transition.

D. Moratorium on Juvenile Justice Fees

In October 2016, the Contra Costa County Board of Supervisors (BOS) unanimously voted to impose a moratorium on the longtime County practice of imposing a daily “administrative fee” on parents or guardians whose children were incarcerated in the County juvenile detention facilities or ordered onto electronic monitoring. The County also withdrew all such fees-related debt that had been transferred to the Franchise Tax Board for wage garnishment or tax-refund interception, sending letters to more than 6,500 families to notify them of the end of all efforts to impose or collect such fees. At a meeting of the Public Protection Committee (PPC) in March 2017, the PPC’s members (Supervisors Glover and Gioia) voted to recommend to the BOS that this moratorium be made permanent.

Also at the March 2017 PPC meeting, the Probation Department confirmed that that for some years (period still to be determined), the County wrongfully imposed such administrative fees on many families; the County undertook this research in response to community requests. As a result, the Probation Department is now engaged in the process of identifying these families, in order to reimburse them for the wrongful fees.

The PPC directed staff to continue with this research and to provide a report at an upcoming BOS meeting, probably in May 2017, at which time the PPC will present its recommendations.

E. Racial Justice Task Force

In 2016, Contra Costa County established a Racial Justice Task Force to undertake a two-year project to examine issues of racial justice in the local criminal justice environment, in order to develop key findings and recommendations. The County has recently contracted with a consulting firm to facilitate the work of the Task Force, including data gathering and analysis.

It is important that the Task Force devote substantial attention to the question of racial disparities in the County’s juvenile justice system; it is equally important that the Commission regularly request and receive reports and updates from the Task Force, to inform the Commission’s work in fiscal 2017/2018 and beyond.

F. Countywide Reentry Strategic Plan

In March 2011, the County Board of Supervisors adopted the Contra Costa County Reentry Strategic Plan, which was developed through a seven-month community-informed process.

In November 2012, the County also adopted an AB 109 Operations Plan to support the County’s integrated efforts to implement changes pursuant to California Assembly Bill 109 (prison realignment).

In 2017, the County intends to update both the Strategic Plan and Operations Plan. To that end, the County has recently contracted with a consulting firm to undertake this project. It is recommended that the Commission stay closely involved in this work, to ensure that the updated strategic plan includes robust strategies to advance effective and equitable juvenile justice, delinquency prevention, and juvenile reentry efforts in Contra Costa County.

G. Youth Justice Initiative

In March 2015, Contra Costa County was awarded a three-year, \$3 million grant from the Board of State and Community Corrections (BSCC), funded by the Edward Byrne Justice Assistance Grant

(JAG) program. This grant has been used to establish the Youth Justice Initiative (YJI), a public/private, multi-agency project.

Now in its third year, the YJI has implemented two pilot projects (a school-culture improvement pilot for at-risk young people at Park Middle School in Antioch, and a post-detention reentry pilot for young people returning to community settings following a period of detention in a County youth facility).

In addition, the YJI is intended to serve as a hub to improve countywide knowledge and practices to support improved outcomes for justice-involved or at-risk young people.

H. Education, Health, and Family Support Services for Justice-Involved Youth

Under a Court-ordered Consent Agreement (December 2015) related to educational access in Juvenile Hall for students protected by the Americans with Disabilities Act (ADA) and the Individuals with Disabilities Education Act (IDEA), Contra Costa County Probation and Contra Costa County Office of Education (CCCoe) have been working throughout the past year to improve educational and disciplinary practices in the Hall. The Probation Department is now working to implement this system of Positive Behavioral Interventions and Supports (PBIS) at the Boys Ranch, as well. As part of its work plan throughout the remainder of fiscal 2016/2017 and for the 2017/2018 fiscal year, the Commission expects to ask for and review reports on the County's progress under this Consent Agreement.

In addition, the Commission expects to ask for and review reports on the availability, utilization, and efficacy of in-custody programs and services at the Hall, Ranch, and group homes or treatment centers serving Contra Costa County youth.

For this reason, it is imperative that the meetings of the Commission be consistently attended by, and receive regular written reports from, senior staff from relevant County agencies, including Probation, CCCOE, the Health Services department that provides behavioral health care for youth in detention facilities, and the Employment and Human Services departments that manage foster care, child-support billing for families of children sent to group homes, and public benefits.

To that end, we request that Commission meetings be well and consistently attended by senior representatives of appropriate County agencies.

VI. Summary

For the balance of fiscal 2016/2017 and throughout fiscal 2017/2018, the Commission will be devoted to enhancing internal structures and governance; building individual and collective capacity to address issues of juvenile justice in Contra Costa; and deepening and formalizing partnerships with relevant stakeholders and initiatives.

We look forward to producing and providing to the Court and the Board of Supervisors an Interim Progress Report on our work in the 17/18 fiscal year.

Submitted by Karl Livengood
Co-Chair, Juvenile Justice and Delinquency Prevention Commission