

D-2  
24 pgs



Juvenile Justice Commission  
Contra Costa County

## Juvenile Probation Facilities & Program Updates

2022

Position Statement

10/24/2022

---

### Executive Summary

The Contra Costa Juvenile Justice Commission met individually with key agency stakeholders, including the Probation Department, the District Attorney's Office, the Public Defender's Office, the County Office of Education, and Behavioral Health Services. In addition, the Commission held a public meeting on 10/17/2022 wherein stakeholders provided information about proposed changes to the Juvenile Probation Facilities and Programs.

There are 2 primary changes that the Probation Department is proposing making to the system. The first change is creating a new Community Pathways program, which will serve both as a step-down from their in-custody secure track program *and* as a separate disposition option for Courts to avoid placing youth in custody. The second change is the simultaneous closure of the Orin Allen Youth Rehabilitation Facility (OAYRF).

The Commission unequivocally endorses the first change. The creation of a new program model that allows youth to be served in the community is directly in line with

the recommendations that this Commission made in 2020, the last time we issued public recommendations on this matter.

The second change, the closure of OAYRF, is more complicated. The Probation Department has stated that the only way that they can meet their staffing needs at the Juvenile Hall and operate the new Community Pathway program is to reallocate staff currently assigned to OAYRF to these programs. The Commission has also heard statements from many stakeholders and the community, and strongly itself believes, that ideally the Community Pathway program would be up and running prior to closing OAYRF. This would allow the new program to develop a track record of trust with other stakeholders, particularly the District Attorney, Public Defender, and the Courts.

The Commission therefore recommends that the Board of Supervisors delay their decision-making regarding the closure of OAYRF for a short period of time to provide more time for stakeholders to have further discussions about the closure of OAYRF and get buy-in from key institutional stakeholders.

More detailed recommendations are contained with this Position Statement.



Juvenile Justice Commission

Contra Costa County  
Page 2

<b>Executive Summary</b>	<b>1</b>
<b>Background</b>	<b>5</b>
Orin Allen Ranch Youth Rehabilitation Facility	5
John A. Davis Juvenile Hall	6
Modern Practices in Juvenile Justice Facility Design	7
The Juvenile Hall's Adaptation to Modern Juvenile Justice Best Practices	8
Briones Youth Academy	8
Community Track	9
Commitment Track	9
Secure Track	9
Briones Youth Academy Program Similarities	10
Commitment Track and Secure Track Housing	10
Step Down Needs for Secure Track	10
Closure of the Division of Juvenile Justice & Transition of the Youth Back to Contra Costa	12
Proposed Closure of the Orin Allen Youth Rehabilitation Facility	14
2020 Closure Proposal	14
Current Closure & Program Update Proposal	14
<b>Considerations</b>	<b>15</b>
Continuum of Options for Serving Youth	15
Figure 1. Current State of Continuum of Disposition Options for Youth	16
Figure 2. Proposed Future State of Continuum of Disposition Options for Youth	17



Community Track Program	18
Staffing Shortfalls in the Probation Department	19
Institutional Stakeholder Buy-In	19
Ideal Case	21
<b>Recommendations</b>	<b>22</b>



## Background

### **Orin Allen Ranch Youth Rehabilitation Facility**

The Orin Allen Youth Rehabilitation Facility (“OAYRF”) is a minimum security ranch-style detention facility established in 1960. With the addition of a second dormitory in 1999, OAYRF can theoretically house a maximum of 100 youth. OAYRF is located in the southeastern portion of Contra Costa, occupying 50 acres in Byron, CA. The commonly used portion of the facility is approximately 2-4 acres and includes a cluster of buildings - two dormitories, classrooms, an indoor recreation area, a cafeteria, and an administration building. There are also significant areas dedicated to outdoor recreation - there is an outdoor visitation area, with a pond, as well as a pool and an outdoor basketball court. Access to and from the different buildings is open, without fencing or walls.

Probation provides cognitive behavioral programming that has been developed over a number of years at the facility to the youth. In addition, the Mt. McKinley school operates classrooms out of the facility, providing on-site educational services to the youth. Further, Contra Costa Health Services has one clinician onsite who is able to provide behavioral health services. Nursing care is available during the week to treat routine medical needs of the youth.

OAYRF is not considered a “locked” facility, as youth are housed in a single “dormitory” style room at night (no individual cells) and the property is not enclosed with full fencing. The facility currently serves as the “least restrictive” custodial disposition option for youth to Contra Costa Juvenile Court when evaluating where to place youth who have a sustained petition in Contra Costa County, and thereby



occupies a key position in the continuum of dispositional choices available to Superior Court judges.

As incarceration rates in the County have dropped over the last several years, the population at OAYRF has declined from an average of 30-40 youth, to currently housing between 10 and 20 during the COVID pandemic. The facility population has generally been on the low end of this range during 2022. As of October 21, 2022, the Probation Department is currently reporting 12 youth are housed at the facility.

The current program design and structure is limited to only allow male (identifying) youth to be housed at the Facility. Female (identifying) youth cannot be placed there. Because medical services are not available 7-days per week, youth who need regular access to controlled substances<sup>1</sup> cannot be placed at the facility.

Portions of OAYRF are aging and in need of upgrades to bring it into compliance with the Americans with Disabilities Act, as well as Titles 15 and 24 of the California Code of Regulations. In 2019, the County Administrator's Office commissioned a facility study by Vanir Construction Management, Inc. This report called for between 3.5 and 12 million dollars in upgrades and new construction.

### **John A. Davis Juvenile Hall**

The John A. Davis Juvenile Hall ("Hall") opened in 2005 and is a significantly newer piece of construction. The Hall is operated as a secure detention facility. The Hall currently has 10 individual housing units, and is capable of housing 290 youth. Facility design in the late 90s and 00s were heavily influenced by an era that focused on a high bed count to serve a large population.

---

<sup>1</sup> such as controlled psychotropic medication (for example, benzodiazepines)



The Hall currently serves four populations of youth. The first two are described below - youth in either the “Commitment Track” or “Secure Track” of the [Briones Youth Academy](#). The third population served at the Hall are youth who are detained prior to adjudication or final disposition (which makes up approximately half the population at the Hall). The fourth population of youth are female-identifying individuals who are on a placement term similar to the Briones Youth Academy “Commitment Track” but are placed in a separate program called the “Girls in Motion” program.

The current population of the Juvenile Hall as of October 21, 2022 was 62. The average population at the Juvenile Hall has been approximately in this range for the last 6-12 months. This marks a significant uptick in the population over 2020-2021, where the average population was around 40. We have seen an increase in the number of filings against youth in the last 6-12 months as the effects of the pandemic have receded. While we have not seen population levels reach the highs prior to the pandemic, there is reason for concern and monitoring of the population size as changes of this magnitude are enacted.

The Commission believes there is broad stakeholder ambition that the County never return to incarceration levels approaching pre-pandemic levels.

### *Modern Practices in Juvenile Justice Facility Design*

Research and evolving best practices in criminal and youth justice reform in the intervening 2 decades have indicated that the number of youth who are best served in a secure setting following their disposition should be reduced from practices in previous decades. This would focus incarceration on youth who have the very highest levels of risk (generally the youth who have committed the most serious offenses). We have seen a corresponding, and significant, decline in the number of youth at both



OAYRF and the Hall over the last ten years, with a significant decline in the number of youth at the beginning of the COVID pandemic, when the County worked with the Courts to order the early release of many youth at the facility.

### *The Juvenile Hall's Adaptation to Modern Juvenile Justice Best Practices*

However, this does not change the fact that the Hall was designed with the goals and best practices of a different era of youth justice. The facility has a distinctly institutional feel due to the architectural limitations of the facility. While the Probation department has made concerted efforts to soften the feel of the facility in order to create a more rehabilitative milieu, these efforts are limited by the underlying facility design.

It is also critical to note that the facility was never designed to house and accommodate youth for the sheer length of time that youth could now spend in the facility. As the County now begins planning for the fact that some youth could be spending multiple years living in the facility, this is a consideration that must be given serious thought.

The Hall has outdoor recreation areas, including a moderately large astro-turf field where youth can play sports, as well as a horticultural program (currently on hiatus due to the COVID-19 pandemic).

### **Briones Youth Academy**

The Briones Youth Academy (“BYA”) is an umbrella term used to describe three similar programs that serve youth with different needs. The programs are described below in ascending order of restriction and intensity needs for the youth.





### *Community Track*

The first and least restrictive program, which will be discussed more fully later in this statement, is the “Community Track” or “Community Pathway” program. This program is generally between 6 and 12 months. The key difference in this program from the others is that the youth are served **at home** in the community. This is a new program that Probation intends to launch in 2023. One youth is currently being served as a pilot case on the Community Pathways program; however, the Probation Department cannot currently offer all of the services and supports that it intends once the program is fully up and running.

### *Commitment Track*

The second program is the “Commitment Track.” This track is effectively an updated version of what was previously known as the Youthful Offender Treatment Program. This is a program that serves relatively high risk youth whom the Court has determined must be removed from the home. The duration of the program lasts between 9 and 12 months, with the average program completion time around 10 months.

### *Secure Track*

The third and most restrictive program is the “Secure Track.” This track was developed in response to state legislation which called for the eventual closure of the Division of Juvenile Justice (“DJJ”). Youth who have been determined to have committed very serious 707(b) and would have previously been referred to the DJJ for placement are now placed on the “Secure Track” of the Briones Youth Academy. Program durations on the “Secure Track” range in a period of years - the Commission’s best information is that the youth in the “Secure Track” are generally placed there for between 18 months



and 3 years, with the possibility of significantly longer placement durations in the future.

### *Briones Youth Academy Program Similarities*

While each of the programs that make up the Briones Youth Academy serve different categories of youth with different needs, the programs have significantly overlapping similarities. The Probation Department has built cognitive behavioral programming which is broadly shared between the programs. In addition educational and vocational programming is offered to both “Commitment Track” and “Secure Track” youth.

### *Commitment Track and Secure Track Housing*

In both the “Commitment Track” and the “Secure Track” programs, youth are housed at the [John Davis Juvenile Hall](#) (described below). Currently youth in both programs are housed on the same housing unit at the Hall. As the population and needs of the “Secure Track” youth evolve over time, it will likely be necessary to separate these youth on to separate units. Because of the program duration differences for “Commitment Track” and “Secure Track,” we may see the average population age in the programs diverge over time. In addition, “Secure Track” youth will likely complete their cognitive behavioral programming significantly before their program ends, which could create programming challenges for Probation to manage while the youth are comingled on the same housing unit.

### *Step Down Needs for Secure Track*

Given the significant duration of placement durations for “Secure Track” youth, the County envisions offering youth who are demonstrating success on completing their in-custody programming with “step-down” options. Step Down options are court



ordered changes in placements. Every 6 months, a youth will have a review hearing before a Judge of the Superior Court of Contra Costa who will determine if the youth is eligible for a step down, informed by the recommendations of the Probation Department, the District Attorney, and the youth's defense counsel.

It's important to note that the Juvenile Hall was not designed for youth placement durations for the full duration contemplated by the law. The space available to the youth is confined, access to the outdoors is tightly controlled, there is limited privacy, and connections with the youth's family and community outside the facility are limited. Step Downs are a critical mechanism to ensure rehabilitative outcomes are maximized for the youth.

The "Community Track" is the first Step Down program that the Probation Department has designed in response to the state's legislative closure of the Division of Juvenile Justice. It will serve **both** as an *original* disposition option<sup>2</sup> for the youth **and** as a *step-down*.<sup>3</sup>

The Probation Department also plans to open up the Tamalpais housing unit, commonly known as the "Tam" unit, as an *informal* step down option for "Secure Track" youth. Once youth on the "Secure Track" have progressed significantly enough through their programming, they would be transferred within the Juvenile Hall to this unit. The unit has a somewhat softer feel. The Department currently has two youth who are eligible for this informal step-down option, but has insufficient staffing to open the

---

<sup>2</sup> meaning that the youth is never placed into an in-custody placement. Youth may have been held at the Juvenile Hall prior to their disposition placement by the Court.

<sup>3</sup> meaning that at a six-month review, the Court can order the transfer of the youth from their in-custody placement on the "Secure Track" to the "Community Track"



unit 24/7 under the requirements of Title 15. The Department's staff will, when able, take the youth to the "Tam" unit as a reward for periods of time during the day.

Ideally the County will explore developing additional, intermediary step down options between the "Secure Track" program at the Juvenile Hall and the "Community Track" program. It would be ideal to explore options regarding residential, staffed programs that are operated in the community. This would allow youth to step down to a more home-like facility operated by a community based organization that would be able to provide residential and support services to youth as they re-enter the community prior to sending them fully home.

## **Closure of the Division of Juvenile Justice & Transition of the Youth Back to Contra Costa**

In the Fall of 2020, the Legislature passed SB 823 and it was subsequently signed by the Governor and became law. Among several things, this bill created a phase-out of the statewide youth prison called the Division of Juvenile Justice.<sup>4</sup> As part of the closure plan, each county was required to create a subcommittee of its Juvenile Justice Coordinating Council<sup>5</sup> to discuss and plan for the closure. The Contra Costa DJJ Realignment subcommittee met very regularly - as frequently as twice per month - during 2020 and much of 2021 in order to plan.

---

<sup>4</sup> The Division of Juvenile Justice was previously known as the California Youth Authority (1943-2004) and was known as the Youth Corrections Authority (1941-1943).

<sup>5</sup> The Juvenile Justice Coordinating Council ("JJCC") is a separate body from the Juvenile Justice Commission ("JJC"). Though the names are similar, they have different functions. The JJCC is an advisory body to the County. The JJCC has both required statutory participants from key county stakeholders, as well as additional members who are added pursuant to ordinances passed by the Board of Supervisors. The Chair of the JJC sits as an ex-officio member of the JJCC, according to an order of the Board of Supervisors in 2020.



On June 30, 2021 the Division of Juvenile Justice (DJJ) stopped accepting new youth. Judges in juvenile courts around the State had, prior to this date, the ability to place youth at the DJJ rather than to place them in a county facility or program. Historically, Contra Costa has placed a significant number of the youth committing the most serious offenses at the DJJ. In particular, the DJJ had more effective programming designed to provide support and services to youth who had committed serious sexual offenses.

On June 30, 2023 (in approximately 8 months), the DJJ will completely close. All of the youth who were placed there prior to June 30, 2021 will need to be returned to their home county. This is a major logistical challenge for Contra Costa County.

Currently there are 18 youth at the DJJ who are from Contra Costa. Of those 18 youth, the Probation Department currently believes 11 will need to transition from the DJJ to the "Secure Track" of the Briones Youth Academy.

These youth will need to be housed at the Juvenile Hall. This population of youth will have significantly different needs from the youth currently on the "Secure Track" of the Briones Youth Academy. Their time at the DJJ will have created a significantly different experience, which will require separate programming needs. All of the youth will have spent a *minimum* of two years in custody, meaning that they will have experienced much of the cognitive behavioral programming that is available to "Secure Track" youth during their time at DJJ. In addition, this population of youth will have a significantly different age and sophistication mix compared to existing "Secure Track" youth.

The Probation Department currently believes that this population of youth will need to be housed separately from the "Secure Track" and "Commitment Track" youth. The Commission concurs in this determination. However, this means that the Probation



Department will need to open a new housing unit at the Juvenile Hall, increasing their staffing needs.

## **Proposed Closure of the Orin Allen Youth Rehabilitation Facility**

### *2020 Closure Proposal*

The Commission received notice in the early summer of 2020 that the Board of Supervisors was considering a proposal to close the Orin Allen Youth Rehabilitation Facility and relocate the youth housed there to the John A. Davis Juvenile Hall (“the Hall”).

At the time of this proposal, the Probation Department planned to relocate the youth at OAYRF to a housing unit at the Hall, called the Tamalpais Unit (or the “Tam” unit). This unit has the least institutional feel, and the Probation Department invested significant time and attention in attempting to soften the feel of the unit as much as possible.

This Commission opposed this plan at the time. In the statement we issued on August 2, 2020, the Commission determined that the closure should be delayed until such time as the Probation Department could develop a plan to serve the population of the OAYRF in the community.

### **Current Closure & Program Update Proposal**

The Probation Department brought forward a new plan to close OAYRF. On September 20th, Chief of Probation Esa Ehmen-Krause provided preliminary details to the Board of Supervisors and has provided follow up details to the Commission via individual meetings as well as in the public Commission meeting on October 17th, 2022.



Juvenile Justice Commission

Contra Costa County  
Page 14

The Department plans to close OAYRF *around* January 2023.<sup>6</sup> The Probation Department will, prior to the closure date, work with existing staff at OAYRF to transfer them into placements either at the Juvenile Hall, expanding staff support there, or to positions that support the [Community Track](#) program.

Standing up the Community Track program is also key to the Probation Department's plan. While there is one youth currently as a pilot case on that program, allowing the program to scale to support the anticipated population and enable all of the services that the Probation Department envisions is key to the County's plan.

## Considerations

The Commission has given considerable time and attention to this matter, and it is important to recognize that there are no clear answers. There are a number of intersecting concerns and serious logistical challenges that the County needs to overcome.

## Continuum of Options for Serving Youth

Under the current placement continuum, the County has essentially three categories of options available to most youth who become justice involved.

Pre-Filing Options are diversion programs which usually, if successfully completed, result in the dismissal of the petition against the youth. These programs are served out in the community. Generally these arrangements fall under the concept of "prosecutorial discretion" or "law enforcement discretion" to not bring a case. This

---

<sup>6</sup> The Department cannot provide a firm closure date until the Board of Supervisors provides direction to proceed with OAYRF closure. Further, the Department believes timeline flexibility may be necessary to ensure that the youth currently at the Ranch experience minimal disruption in services and outcomes. The Commission interprets this to mean that OAYRF may close anywhere between December 2022 and April of 2023.

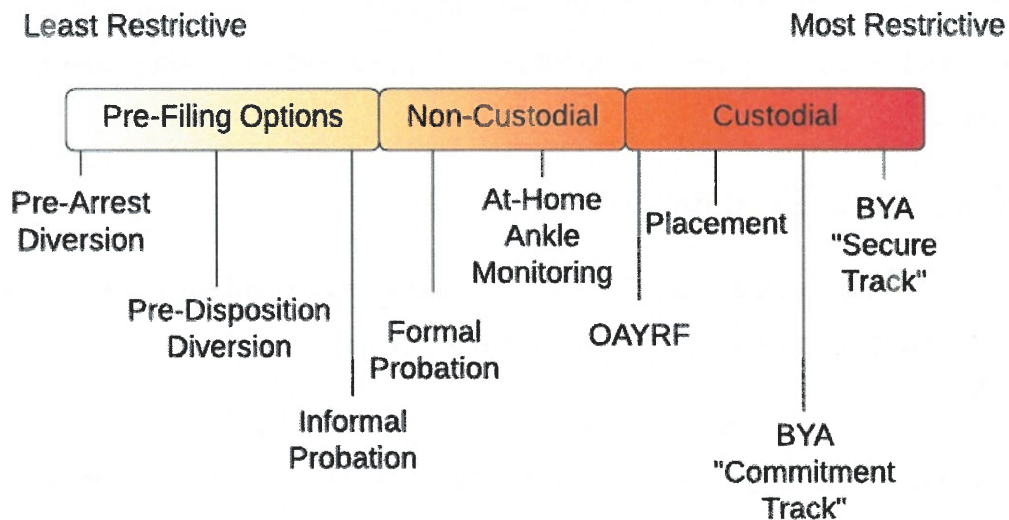


means that these are not ordered by the Court, and often are done prior to a petition being filed against the youth.

Non-Custodial disposition options are ordered by the Court after a petition against a youth has been sustained<sup>7</sup> but do not require the youth to be incarcerated at a County or State facility.

Custodial disposition options are also ordered by the Court, but are the options where youth are incarcerated - they are held in a County run facility operated by the Probation department.

Figure 1. Current State of Continuum of Disposition Options for Youth

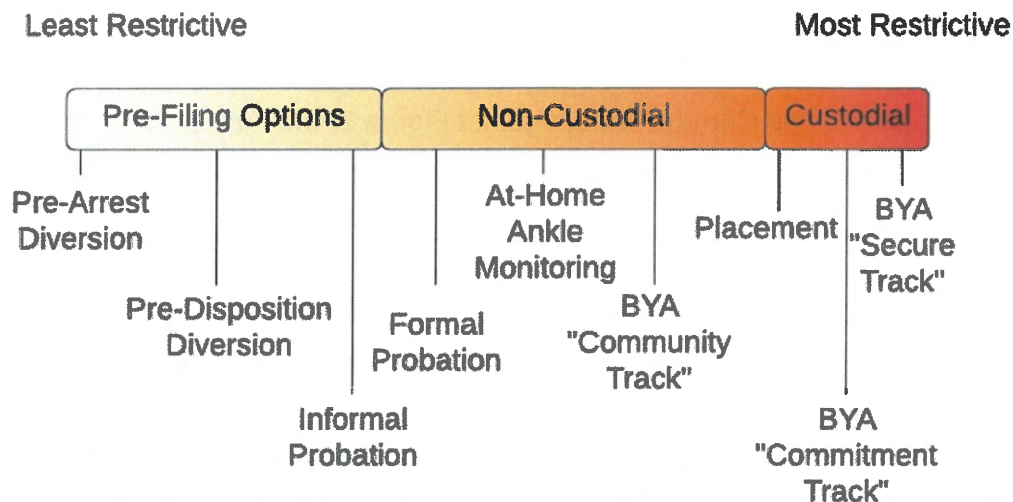


<sup>7</sup> In California, juvenile law is *not* criminal law, but is actually civil in nature. This leads to the language around juvenile law being different from adult criminal law. While an adult is “charged” with a crime, a youth has a “petition filed” by the District Attorney’s office. In addition, a youth is not “convicted” but has their “petition sustained.” The linguistic differences are important to minimize the stigmatization and focus on the rehabilitative outcomes of the youth.





Figure 2. Proposed Future State of Continuum of Disposition Options for Youth



In order to illustrate the proposal changes to the status quo, the Commission has prepared a very high level overview of ways cases can be resolved when a youth becomes justice involved on a continuum of “least restrictive” to “most restrictive.” Figures 1 and 2 compare the “status quo” or current state of programs and facilities to the proposed future state under the Probation Department’s plan.<sup>8 9</sup>

<sup>8</sup> The physical distance between disposition options on the visuals here are **not** meant to indicate any sense of “degree” between the level of restrictiveness of the programs. The visuals are not “to scale” in terms of restrictiveness and may condense or exaggerate the differences. The order in which items appear on the continuum is relevant, e.g. BYA “Commitment Track” is less restrictive than BYA “Secure Track” but the *degree* of restrictiveness cannot be measured scientifically.

<sup>9</sup> Placement options include placement at Short Term Residential Treatment Programs (often referred to as “STRTP”s and sometimes pronounced as “Strips”) as well as placement with Resource families. Their placement on these visuals can range from Custodial to non-custodial and vary. The visual placement here is meant to represent placement with a STRTP. STRTPs used to be known colloquially as “group homes.” These facilities are run by independent service providers - they are not run by the Probation Department and are licensed by the Community Care Licensing division of the Department of Social



Under California law, youth are to be served in the “least restrictive appropriate environment” available. This means that the Court must determine, on a case-by-case basis, which disposition options are appropriate, and then place the youth in the least restrictive of these options.

Comparing Figure 1, the Current State, against Figure 2, the Future State, shows that the “Non-Custodial” options are expanded by adding the Community Track. The Custodial options are limited by removing OAYRF.

Generally speaking, the Commission believes expanding Non-Custodial options is the correct direction for new program development in Contra Costa County.

There is significant concern that making both of these changes simultaneously provides insufficient time for the County and the Court to adapt to the changing landscape of options available to youth and county agencies to provide the best possible care and rehabilitative outcomes to youth while balancing public safety.

## **Community Track Program**

The proposed Community Pathways program, while a major step forward in best practices, is not yet fully implemented. While the Probation Department expresses confidence that they will be ready to immediately transition from OAYRF to the “Community Track” program, it would be reasonable to expect “bumps” in that process.

The Commission believes standing up any program will have both foreseen and unforeseen challenges. The challenges should not inhibit the development of more

---

Services of the State of California. The Probation Department contracts with specific STRTPs in order to provide options for youth who are best served in an STRTP setting.



Juvenile Justice Commission

Contra Costa County  
Page 18

modern, best practice conformed programming. It is a reason to, where possible, be cautious in the rollout and implementation.

## **Staffing Shortfalls in the Probation Department**

One of the key factors involved in the Probation Department's planning process is providing adequate staff for all of the significant needs facing the Department. Despite consistent attempts to recruit and retain, the Probation Department is deeply concerned about their ability to maintain staffing sufficient to comply with their Title XV staffing requirements.

It's important to note that this does not appear to be a *funding* concern. While improving general compensation for probation staff might, over the next 1-3 years, increase the number of applicants applying for positions at the Probation Department, there are key staffing needs that must be addressed *no later* than June 30, 2023.

There is a significant risk that if OAYRF remains open, the Department may not be able to recruit sufficient staff to operate a new housing unit prior to the return of the youth from the DJJ. This would be a significant safety concern, and potentially an overcrowding concern. There is no stakeholder who believes it would be acceptable practice for the Probation Department to house these populations of youth together.

## **Institutional Stakeholder Buy-In**

The specific timing of the renewed call to close OAYRF caught many stakeholders off-guard. While Probation has The Commission believes that the Probation Department has done significant planning and due diligence on the logistics and program design around both OAYRF closure and the creation of the Community Track program.



Juvenile Justice Commission

Contra Costa County  
Page 19

The Commission met with many *other* stakeholders prior to its meeting on October 17th and heard from many at the meeting on the 17th. Some of the stakeholders, such as the Community Office of Education appear to have varying levels of awareness and planning in place - Lynn Mackey, the Superintendent of the County Office of Education, has come out in support of the plan. While CCOE has expanded transition education staffing, there would be advantages for more robust discussion about what the community expects and what “good” looks like in regards to providing education support for youth on the Community Track program.

The Behavioral Health team that provides services to both the Hall and OAYRF have expressed confidence in their ability to continue to support youth on the Community Track.

However, the District Attorney and the Public Defender’s office both express significant concern about moving forward with the plan at this time. Both believe that more time to build awareness of the nuances and details of the plan would be important.

The Commission concurs. Buy-in from the District Attorney’s office is critical to ensure success. The District Attorney has a duty to balance the needs of the youth, and the requirement to serve those needs in the least restrictive appropriate environment, with public safety as they make filing decisions and disposition recommendations to the Court. They need to have confidence in the program design and the ability of the Probation Department to meet their concerns around public safety in order for the program to be successful.

While we understand further conversations between the District Attorney, Public Defender, and Chief of Probation have occurred since October 17th, the Commission is unaware of the outcomes of those conversations and if they have changed the position



of either office. This highlights the compressed timeline in which these conversations are being held.

## **Ideal Case**

The ideal case in front of the County is clear. The County **should** stand up and fully implement the Community Pathways program for 12-24 months prior to authorizing the closure of OAYRF. This will allow stakeholders to ensure the same target group of youth is able to be served by the Community Track program as at OAYRF.

A very real concern of the closure of OAYRF is the potential for net widening given the removal of an out of home placement option for lower risk youth. Stakeholders have explicitly stated that these youth would not be recommended for placement in the Hall due to their lower risk. However, because the changes proposed by the Probation Department at this time represent a significant change to the continuum of disposition options available to the Courts, this may be an unintended consequence.

In order to effectively monitor the changes, it would be preferable to have both programs operating in parallel. Once OAYRF is closed, it is not coming back. The County is openly contemplating selling the facility. Further, closing the facility will require significant work, as would re-opening the facility if it were still available. It also would be unfair to staff to transfer them back and forth, creating disruption and whiplash in their lives.

The key challenge here is the timeline in which the Legislature has mandated the closure of the DJJ. If that constraint were lifted, there would be significantly more flexibility in the way that the County could address this change. Key stakeholders



worked hard in 2020, in particular, to build a DJJ Realignment plan, particularly the values around that plan.

## Recommendations

The Commission recommends the following:

1. The Board of Supervisors should table the current proposal to close the OAYRF for a limited period of time. Given the pressure of DJJ closure on June 30, 2023, revisiting the issue should not be tabled longer than 2-3 months.
2. The Probation Department should plan to delay closure of OAYRF until March of 2023.
3. The Probation Department should continue alignment conversations with the District Attorney's office between now and revisiting the matter in 2-3 months to ensure that the District Attorney can express confidence in the Community Track plan and express a commitment to embrace it.
4. The Probation Department should share its staffing projections and analysis with the Juvenile Justice Commission, the Board of Supervisors, interested institutional stakeholders, and the community.<sup>10</sup>
  - a. In the event that an analysis demonstrates that a funding increase to the Probation Department could impact their ability to recruit sufficient staff to implement the Community Track program, operate OAYRF, and open a new housing unit at the Juvenile Hall to accommodate returning DJJ youth, the Board of Supervisors should consider approving additional funds.

---

<sup>10</sup> The Commission wishes to note that a request was made on October 17th at a meeting of the Juvenile Justice Commission to the Probation Department for these staffing projections and the Department did not express opposition to sharing that in November. We wish to ensure there's adequate time and transparency for everyone to validate the internal thinking of the Probation Department.



5. In the event that there is any feasible path forward that allows the Community Track program to be piloted for a significant duration of time, 12-24 months, without compromising the safety of the youth or violating existing state or federal law, the County should move forward with all speed towards that objective.

*a. In the event that it's not possible to operate the Community Track program while simultaneously operating OAYRF, the goal should be to serve youth in their homes. All of the recommendations in this section should be read in that spirit.*

6. The Probation Department should begin preliminary plans for the development of additional step down options for Secure Track youth in the next 6-12 months, with discussions about those options occurring at both the DJJ Realignment Subcommittee and the Juvenile Justice Commission.<sup>11</sup>

7. The Board of Supervisors identify a county agency responsible with collecting and publishing a dataset designed to improve public confidence that the changes contemplated by the County do not result in net widening and provide insight about how to remediate any unintentional net widening that does occur. This Agency will need to work with the Court in order to ensure data is released appropriately.

a. Background:

i. As this is a key time of change for disposition options available to youth in the County, it would benefit the community to have clearer data around disposition recommendations in order to monitor and manage concerns around net widening. Three or four key

---

<sup>11</sup> The Commission wishes to recognize that the planning efforts for DJJ Realignment have been significant for the Probation Department. The Department's juvenile facilities team has worked very hard to build this plan, while continuing to operate their existing programs. The Commission wishes to express its appreciation for the Probation Department's efforts.



stakeholders make recommendations to the Court regarding disposition options: the Probation Department, Children & Family Services (in some cases), the District Attorney and defense counsel for the youth (in almost all cases the Public Defender). It is in the best interests of the community to periodically share population level data about recommendations and disposition outcomes to monitor the progress being made in the County towards its stated goals.

- ii. The Commission believes it is best to start collecting this data immediately as the new program comes online, and should be done in a lightweight way. Data should be published in an aggregated manner, most likely on a quarterly or twice-yearly basis.

b. Data that the Commission recommends should be captured includes the following:

- i. Charges filed against youth, including an indication when the charge is a reduced or lesser offense (for example, when a new underlying crime has been filed, but the petition filed is a probation violation - the raw charging data would indicate a probation violation but that information alone fails to capture the dynamic involved),
- ii. The disposition recommendations made by each stakeholder involved in the cases,
- iii. If an out of home placement is requested by any agency,
- iv. The disposition actually ordered by the Court,







## RYSE Center

3939 Bissell Ave, Richmond, CA 94805

[www.rysecenter.org](http://www.rysecenter.org)

510.374.3401

---

October 25, 2022

Karen Mitchoff, Chair, Contra Costa County Board of Supervisors  
Federal Glover, Vice Chair  
John Gioia, Supervisor  
Diane Burgis, Supervisor  
Candace Anderson, Supervisor

Dear Supervisors:

We are writing to express our thoughts and concerns regarding Probation's proposal to start a new Community Pathways program and to close the Orin Allen Youth Rehabilitation Facility (OAYRF) in Byron, commonly known as the "Ranch."

RYSE believes that the best support justice-involved young people can receive is in a less restrictive setting in the community. The proposed new Community Pathways program—which would serve as a disposition option for Courts to avoid placing youth in custody and a step-down program from Probation's in-custody secure track program—is aligned with that theory and we appreciate Probation's efforts to move in that direction, however, it is important that a coordinated system of support is in place and implemented to ensure young people receive the care they deserve.

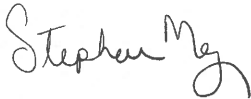
Over the last several years, our county has been moving toward stepping out of our silos to engage and collaborate in a major transformation of the criminal legal system. Developing a robust plan to support justice-involved young people prescribes more partners at the planning table. To ensure that youth are provided with appropriate services and supports, strategies must be developed and supported by additional institutional stakeholders such as the District Attorney and Public Defender offices, Behavioral Health, youth serving community-based organizations, and most importantly the people that are directly impacted, youth and their families. To our

knowledge, Probation has not included these stakeholders in developing this proposal. Involving these key stakeholders is essential to ensuring a successful program.

Additionally, the closure of the Ranch at this time—without sufficient support systems in place— has the potential to create a pathway for incarcerating more young people. While the Ranch is used as an out-of-home placement option for lower-risk youth— who should not be placed in the Hall,—not having this disposition option available coupled with an inadequate plan for a continuum of service support, the county runs the risk of net widening, over incarcerating youth, and disproportionately impacting Black and Latino youth.

We ask the Board to pause efforts to close the Ranch until a comprehensive discussion and planning process to develop the Community Pathways program has been fully informed by all stakeholders.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Medley".

Stephanie Medley, J.D.

Director of Youth Justice

RYSE Center

**From:** Ellen McDonnell  
**Sent:** Tuesday, October 25, 2022 7:31 AM  
**To:** BOS & COS < > ; Monica Nino < >  
**Cc:** Diana Becton < >  
**Subject:** Joint Request from the District Attorney and the Public Defender to Postpone the Decision on Ranch Closure

Dear Board of Supervisors,

We are writing to request that you postpone consideration of the decision to close the Orin Allen Youth Rehabilitation Facility (the "Ranch") for at least 90 days so that all criminal justice system stakeholders will have an opportunity to become better informed.

The Ranch closure decision has been presented on a very compressed timeline and would benefit from an opportunity to allow all justice system partners to explore the newly proposed options available to the youth who are impacted by our criminal legal system, more specifically to the youth who would have otherwise been eligible for commitment to the Ranch. Probation presented its request for Ranch closure to the Board on September 20, 2022 and the current CAO recommendation for the October 25, 2022 meeting is to direct the County Probation Officer to move to close this facility by early 2023.

As the District Attorney and the Public Defender of Contra Costa County, we are asking for a full opportunity for both of our offices to weigh in on the proposed transition from the Ranch to the proposed program models for youth. Additional time for this decision would allow for a detailed discussion about Probation's newly proposed "Community Pathways" program and for input from all impacted stakeholders into the formation and implementation of this new option. This would also permit sufficient time for all stakeholders to have a greater opportunity to learn about other proposed Ranch alternatives, such as the Briones Youth Academy's "Commitment Track" program, and to ensure that there are viable alternatives available for youth impacted by our juvenile system prior to a Ranch closure decision.

We have a legal duty to ensure that the youth who are served by our criminal legal system have programming options that provide alternatives with the least restrictive dispositional alternatives consistent with public safety. Transitioning from the Ranch to new program models for the youth in our County must be fully explored and the specifics of these new program models must be understood by all criminal legal system stakeholders prior to the implementation of these new models. Closing the Ranch in January of 2023 without input from all justice partners and without an opportunity for system stakeholders to fully understand the proposed options available to the impacted youth does not allow for all stakeholders, and the Courts, the opportunity to be adequately informed about this issue.

Thank you for your consideration of our joint request for a 90 day postponement of the hearing on the proposed Ranch closure.

Sincerely,

Diana Becton, District Attorney & Ellen McDonnell, Public Defender

D.2

ATTN: Clerk of the Board  
Supervisor John Gioia  
Supervisor Candace Andersen  
Supervisor Diane Burgis  
Supervisor Karen Mitchoff  
Supervisor Federal Glover

25 October 2022

**Re Agenda Item D2: Orin Allen Youth Rehabilitation Facility Closure**

In 2020, in Contra Costa, Black youths were 14 times more likely than white youths to be arrested, 15 times more likely to be referred to Probation, and 1.6 times more likely to have petitions filed. Even as total numbers of juvenile arrests and detentions have decreased, racial and ethnic commitment disparities between youth of color and white youth remain profound and prevalent. Coming on the same date as the ORESJ's formal launch, Probation's resolution to close the "Ranch" and expand the Hall violates the Office's spirit and mission *and* obstructs reduction of the racial disparities evidenced in the county's juvenile justice continuum.

Probation's stated vision is to "work collaboratively to create opportunities for those we serve to experience a positive outcome that strengthens the individual and makes the community safe." Yet, its navigation of this effort to date has been opaque and fragmented. Communication with the public, community-based organizations, relevant county stakeholders, and—in particular—systems-involved youth and their families, has been insufficient and inconsistent. Above all, the swift timeline to close the Ranch coupled with lack of preparedness, resourcing, and evidence around the Community Pathways program bodes dire consequences and portends *expansion* not reduction of a confinement setting that is detrimental to young people.

History has shown us that institutions will try to preserve the problem to which they are the solution. Juvenile halls are not merely expensive and counterproductive to reducing offending behavior, but outright dangerous. Confinement remains a punishing, and often traumatizing, experience for youth who typically already have a history of trauma and victimization. ***We cannot create spaces of hope and healing within institutions that are inherently punitive and traumatizing.***

Please, supervisors, before closing the Ranch, demand that Probation takes time to hold robust stakeholder conversations, fully roll out and evaluate the Community Pathways program, and uplifts the voices of systems-involved youth and families. Thank you.

Sincerely,

Rachel Rosekind