

SUMMARY ACTION MINUTES

SPECIAL MEETING

ORANGE COUNTY JUVENILE JUSTICE COORDINATING COUNCIL SB 823 SUBCOMMITTEE



Thursday, September 9, 2021, 9:00 A.M.

MEETING HELD BY ZOOM AND TELECONFERENCE ONLY

****Pursuant to the provisions of California Governor's Executive Order N-29-20 issued on March 17, 2020, as amended by California Governor's Executive Order N-08-21 issued on June 11, 2021, this meeting will be held by Zoom and teleconference. Members of the public may attend and participate by following the instructions below.****

STEVE SENTMAN, Chair
Probation

HETHER BENJAMIN
Community Member

KIMBERLY DOYLE
District Attorney

LYNN GARRETT
Education Representative

LAURA JOSE
Public Defender

STEVEN KIM
Community Member

JOANNE MOTOIKE
Juvenile Court

NAZLY RESTREPO
Community Member

RAYMOND SANCHEZ
Community Member

KEN SANTINI
Social Services Agency

DAWN SMITH
Health Care Agency

ATTENDANCE: Members Benjamin, Doyle, Garrett, Jose, Motoike, Sanchez, Smith, Prieto (Alternate for Sentman) and Rodriguez (Alternate for Kim) (attended via Zoom)

EXCUSED: Members Restrepo, Santini, Sentman and Kim

CLERK OF THE PARTNERSHIP: Jamie Ross & Sonia Acuna, Deputy Clerks (attended via Zoom)

ADMINISTRATIVE MATTERS: (Items 1 - 5)

1. Welcome and Introductions

MEETING CALLED TO ORDER AT 9:01 A.M., BY ACTING CHAIR PRIETO; ACTING CHAIR CALLED ROLL AND CONFIRMED A QUORUM

2. Discussion of services and programs provided by member entities
NO DISCUSSION

3. Discussion of Subcommittee member group reports
NO DISCUSSION

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4. Discussion and review of Orange County Juvenile Justice Coordinating Council SB 823 Subcommittee draft plan

S.O. **DISCUSSED; MEMBERS SUGGESTED TO ADD THE FOLLOWING: THROUGHOUT DOCUMENT CHANGE “MENTAL HEALTH” TO “BEHAVIORAL HEALTH”; INCLUDE WIC CODE 1995(c)(1) TO REFLECT WHY INFORMATION IS BEING PROVIDED; INCLUDE THE TYPES OF CRIMES BEING COMMITTED; INCLUDE A DEFINITION OF 707(b); NOTE THAT PROGRAMS SHOULD BE CULTURALLY APPROPRIATE, EVIDENCE BASED/INFORMED AND PROMISING PRACTICES; UNDER “PROGRAMS AND SERVICES” 2ND PARAGRAPH, 3RD SENTENCE, AMEND TO READ “...YOUTH WILL HAVE ACCESS TO BEHAVIORAL HEALTH (MENTAL HEALTH AND SUBSTANCE USE DISORDER) PROFESSIONALS...”; INCLUDE WHY PROGRAM/SERVICE WAS CHOSEN; UNDER “FACILITY PLAN” 2ND PARAGRAPH, 1ST SENTENCE, REMOVE “ANY” AND REPLACE WITH “APPROPRIATE”;**

5. Discussion and approval of County of Orange participation in statewide consortium and payment of consortium membership through SB 823 funds

2 11 13456789 10 12 13 **CONTINUED VOTE TO 9/16/21, 2:00 P.M., REGULAR MEETING; SUBCOMMITTEE TO MAKE A RECOMMENDATION ONLY TO FULL JUVENILE JUSTICE COORDINATING COUNCIL (JJCC); JJCC TO MAKE FINAL DECISION**
x x x x

ADJOURNED: 10:22 A.M.

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*** KEY ***

Left Margin Notes

| | |
|-----------------------------------|---------------------------|
| 1 Hether Benjamin | A = Abstained |
| 2 Kimberly Doyle | |
| 3 Lynn Garrett | X = Excused |
| 4 Laura Jose | N = No |
| 5 Steven Kim | S.O. = Subcommittee Order |
| 6 Joanne Motoike | |
| 7 Nazly Restrepo | |
| 8 Richard Sanchez | |
| 9 Ken Santini | |
| 10 Steve Sentman | |
| 11 Dawn Smith | |
| 12 Bryan Prieto (Alternate) | |
| 13 Madeline Rodriguez (Alternate) | |

(1st number = Moved by; 2nd number = Seconded by)

/s/

BRYAN PRIETO

Acting Chair

/s/

Sonia Acuña, Deputy

Clerk of the Partnership



COUNTY OF ORANGE
JUVENILE JUSTICE REALIGNMENT BLOCK GRANT
SENATE BILL (SB) 823
ANNUAL PLAN

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Introduction:

Senate Bill (SB) 823, also known as Juvenile Justice Realignment: Office of Youth and Community Restoration, was chaptered on September 30, 2020. Amongst a number of statutory changes, Chapter 1.7 (commencing with Section 1990) was added to Division 2.5 of the Welfare & Institutions Code to establish a block grant program for the purpose of providing county based custody, care, and supervision of youth who were eligible for commitment to the Division of Juvenile Justice prior to its closure. Additionally, Section 1995 set forth the guidelines for counties interested in becoming eligible for block grant funding.

As a result of SB 823, the Orange County Juvenile Justice Coordinating Council (OCJJCC), during its regularly scheduled meeting on February 25, 2021, approved changes to its bylaws to include the creation of the OCJJCC's SB 823 Subcommittee. Nominations for the new subcommittee were entertained by the OCJJCC Chair. Ultimately, the OCJJCC unanimously approved the following individuals to be part of its new SB 823 Subcommittee:

Steven J. Sentman (Chair) – Orange County Probation Department
Kimberly Doyle – Orange County District Attorney
Laura Jose – Offices of the Orange County Public Defender
Ken Santini – Orange County Social Services Agency
Dawn Smith – Orange County Health Care Agency
Lynn Garrett – Orange County Department of Education
Presiding Judge Joanne Motoike – Orange County Juvenile Court
Community Members – Raymond Sanchez, Meghan Medlin, Steve Kim, and Nazly Restrepo

The new SB 823 subcommittee held its first public meeting on April 29, 2021. During a subsequent special meeting on May 17, 2021, the group voted to meet on the 1st and 3rd Thursday of every month beginning June 3, 2021. This meeting schedule allowed subcommittee members enough time to perform the needed analyses, engage the public, and develop its local plan. The group presented its draft SB 823 plan during the regularly scheduled meeting of the OCJJCC on Thursday, October 21, 2021. The following plan is the culmination of the collective discussions and partnership between the juvenile court, community, and system stakeholders.

SB 823 Subcommittee Composition

| Agency | Name and Title | Email | Phone Number |
|--|--|-------------------------------|----------------|
| Orange County Probation Department | Steven J. Sentman Chief Probation Officer | steven.sentman@prob.ocgov.com | (714) 645-7001 |
| Orange County District Attorney | Kimberly Doyle Assistant District Attorney | Kimberly.Doyle@da.ocgov.com | (714) 935-7624 |
| Offices of the Orange County Public Defender | Laura Jose Senior Assistant Public Defender | laura.jose@pubdef.ocgov.com | (714) 931-9323 |
| Orange County Social Services Agency | Ken Santini Deputy Director | ken.santini@ssa.ocgov.com | (714) 245-6109 |
| Orange County Health Care Agency | Dawn Smith Administrative Manager III | dawnsmith@ochca.com | (714) 834-3543 |
| Orange County Department of Education | Lynn Garrett, Ed.D Director, ACCESS | lgarrett@ocde.us | (714) 647-2596 |
| Orange County Juvenile Court | Hon. Joanne Motoike Presiding Judge | jmotoike@occourts.org | (657) 622-5502 |
| Community Member | Hether Benjamin | hbenjamin@waymakersoc.org | |
| Community Member | Meghan Medlin, M.A.S CEO/Consultant | meghan@medlinsolutions.com | (619) 335-8737 |
| Community Member | Nazly Restrepo, MSW Associate Director | nrestrepo@pyocbf.org | (714) 794-2035 |
| Community Member | Steven Kim Project Kinship | steven@projectkinship.org | (714) 315-6435 |
| Community Member | Raymond Sanchez Project Kinship | raymond@projectkinship.org | |

Target Population

The County of Orange has not historically relied upon state system support to provide housing, in custody programming, or supervision of its youthful offenders. As a result, the Probation Department compiled a list of active youthful/young adult offenders that committed 707(b) related offenses for the purposes of establishing a profile of Orange County's SB 823 population. This group of youthful/young adult offenders included those individuals ordered to serve commitments with the Department of Juvenile Justice (DJJ) and those individuals that remained adjudicated wards under the jurisdiction of the Orange County Juvenile Court as of June 2021. In total, 51 individuals were identified.

Within this cohort, a number of traits emerged that would greatly assist the SB 823 subcommittee with developing its local plan. To begin, 94% of those profiled identified themselves as male. In addition, 80% of the entire group indicated they were Hispanic. Finally, 85% of the individuals were between the ages of 18 and 22 while another 10% were 23 years of age or older.

In addition to demographic data, the subcommittee considered the criminogenic makeup of this offender population. It was determined that 41% of the group had drug/chemical abuse as a risk (to recidivate) factor. In addition, 77% of the group either identified as active gang members or gang member affiliates. Also, it was noted that, 67% of the group had a lack of parental control/influence as a risk factor. With the above in mind, it came as no surprise that 88% of the group were identified as HIGH risk to recidivate.

Coupling demographic data together with criminogenic factors, the SB 823 subcommittee determined Orange County's local plan would need to focus service delivery on the needs of older male youth. Given the fact that (due to the severity of offenses committed) the majority of youth served custodial commitments between 2 to 2.5 years, in reach and re-entry types of services (provided through community partnerships) would need to be at the core of Orange County's planning efforts.

Programs and Services

In addition to having access to existing services, Orange County's Secure Track youth will be afforded the support services necessary to allow for a more seamless transition back into the community following a successful completion of a court-ordered custodial commitment. Soon after a youth's case is disposed of and s/he is accepted/ordered into Secure Track, an assessment of the youth's risk to recidivate and needs to reduce the likelihood of reoffending will be completed. Based on that assessment, a case plan, including the establishment of short term and long-term goals towards re-entry, will be developed between the youth, the youth's assigned case manager and other key system partners. Case plan goals may include, but not be limited to, attaining high school education or equivalent, participating in programming (i.e., college or trade school courses) to improve job readiness, and preparing for independent living.

While serving out the court-ordered commitment, a regularly scheduled review of the case plan will occur between the youth, his/her parents/guardians, assigned case manager, and other system/community partners. The youth's educational milestones/goals will be reviewed as well as all other re-entry goals (e.g., participation in court-ordered treatment, job readiness classes/training). Additionally, Secure Track youth will have access to mental health professionals to address any challenges that may hinder successful re-integration back into the community. Finally, the juvenile court will be provided progress review reports indicating the youth's development while in custody along with the youth's readiness for re-entry.

As the youth's commitment comes to a close, a re-entry conference will be scheduled prior to release. At this case conference, the youth, the youth's parents, the youth's assigned case manager, assigned deputy probation officer and other system/community partners will review the youth's case plan progress. Additionally, transition planning (e.g., a review of parent/guardian readiness to receive youth back home or short-term housing options) will be discussed. Upon release, the youth and assigned deputy probation officer work towards completing final case plan goals until juvenile court jurisdiction terminates, or youth completes supervision satisfactorily whichever comes first.

Juvenile Justice Realignment Block Grant Funds

The County of Orange plans on using Juvenile Justice Realignment Block Grant Funds to provide services/support to Secure Track youth both in and out of custody. In addition to setting aside monies to offset the costs of care and maintenance of youth serving custodial commitments, the County will also invest in those in custody services that have been proven successful in stabilizing youth and preparing them for life post custody. The Probation Department has established a long collaborative history with the Orange County Health Care Agency and Orange County Department of Education to ensure the behavioral/mental health well being as well as the educational progress of all youth serving custodial commitments are addressed.

Juvenile Justice Realignment funds will be used to leverage Probation's existing collaborative relationships for all Secure Track youth. Secure Track youth will have access to mental health professionals that can assist with crises experienced while in custody, including managing trauma. In addition, educational assessments will be administered to determine what educational support/training best meets the needs of Orange County's Secure Track youth. Realignment funds will be used to offset the costs of any educational assessment and/or classes/training needed to assist Secure Track youth with a more successful transition back into the community.

In addition to individual training, Secure Track youth will need access to temporary and long-term housing options. While there currently exists (through the Orange County Social Services Agency) housing options for current/former dependents/youthful offenders, realignment funds will also be used to ensure older Secure Track youth have access to independent living housing opportunities. For the County's younger Secure Track youth, including older youth returning home to their parents, the County will invest realignment funds to support local community groups that have strengthened parent/child relationships through their proven methods.

Facility Plan

The County of Orange (through its probation department) operates one secure juvenile detention facility, Orange County Juvenile Hall (JH), and two juvenile camp facilities, Orange County's Youth Guidance Center (YGC) and Youth Leadership Academy (YLA). The Orange County Probation Department (Probation) employs a staffing pattern at each of the juvenile facilities that exceeds state/federal recommended minimum staff to youth ratios. In addition, Probation leverages its existing partnership with the Orange County Department of Education as well as the Orange County Health Care Agency to ensure all detain youths' educational, and behavioral/mental health needs are met. Finally, all sworn Probation staff are familiar/trained in corrections supervision strategies that have been proven effective including, but not limited to, trauma-informed interactions, cognitive behavioral strategies that influence behavior, and incentive-based interventions to name a few. The environment within Probation's facilities strikes the necessary balance between maintaining safe/secure juvenile facility operations while providing resources necessary to address the rehabilitative needs of all detained youth.

With the above in mind, Secure Track youth will be housed/supported in any unit at JH. The youth's prevailing needs will determine where in JH that youth may be placed. In addition to the above-described staffing/partnership structure, JH currently has specialized housing, programs and considerations based on youth gender identity, age, mental health needs, offense type and severity of the offense. Rather than assigning a youth to a "specific" Secure Track unit, Secure Track services/programs will follow the youth wherever s/he is housed w/in JH. This strategy will allow Probation the flexibility to house older male Secure Track youth together, while other Secure Track youth, including female and younger individuals may be housed in other areas of JH to better accommodate their specific needs and/or address the different stages of maturity, and program appropriateness.

As Secure Track youth progress through the JH facility program, they can be moved/housed within YGC, or YLA to continue their custodial commitment until they are released. Should the court order a Secure Track directly to YGC, or YLA, the committed youth will be integrated into the YGC/YLA populations, absent extenuating circumstances.

Retaining the Target Population in the Juvenile Justice System

The County of Orange has long since recognized the power of incentive-based supervision in changing behavior amongst Probation's youthful clients. Probation has historically used monetary and non-monetary incentive strategies to encourage youth to participate with in-custody programming. For example, individual youth that achieved behavioral goals could achieve small monetary awards (e.g., small food items, gift cards for food), or temporary releases (from custody) to spend time with family or attend a special public outing/event. The same will hold true for Secure Track youth. While these youth will serve longer periods of custodial time, the plan will allow for monetary and non-monetary awards for achieving behavior goals as well as case plan milestones both in and out of custody.

Regional Effort

While there does not currently exist a regional cooperative agreement between the County of Orange and neighboring jurisdictions, the County will invest in the statewide consortium that is currently being established. In the event the plan is unable to support a Secure Track youth, the County will leverage the consortium to provide services until an alternative arrangement (e.g., joint powers authority) is established.

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Data

In addition to tracking “recidivism” related measurements such as number of arrests, sustained petitions and the like, Probation will also track the number of youth that satisfactorily complete supervision without a subsequent arrest/sustained petition. Most importantly, and based on the plan focus, the number of youths that become gainfully employed, or acquired and sustained permanent housing after a set period of time (e.g., 6-months following release from custody, 1-year following release from custody) will be tracked.

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CHIEF PROBATION OFFICERS

OF CALIFORNIA

About the SB 823 County Collaboration Consortium

As part of the 2020 Budget Act, the state realigned to counties the responsibility for the care and treatment of youth who otherwise would have been adjudicated by a judge to the Division of Juvenile Justice (DJJ).

Pursuant to Senate Bill 823, as of July 1, 2021, the state closed intake to DJJ for all youth except a small subset who might otherwise be transferred to adult criminal court. In recognition of the fact that not every county can develop a secure track treatment option to address the complex needs for each youth that is ordered by the court into a secure youth treatment facility, a collaborative consortium is being established to assist counties in filling gaps that cannot otherwise be addressed in the short-term.

The purpose of a statewide collaborative consortium is to ensure that there is a high-quality secure youth treatment program available for any youth in the state who, absent SB 823, would have been committed to DJJ.

CSAC, CACE and CPOC established a joint workgroup to establish the shared principles underlying this collaborative effort:

- Prevent an increase in youth transferred to adult criminal court by:
 - Ensuring secure-track placement options are available when required by the judge
 - Ensuring sufficient specialized treatment and programming options exist at the local level to meet high-need youth and garner confidence of juvenile court judges
- Prevent “justice by geography” by:
 - Ensuring the availability of high-quality programs in different regions that are culturally responsive, trauma-informed, evidence-based, age appropriate, as close to home as possible, centered on youth and family engagement, and based on positive youth development
- Prevent net-widening by:
 - Avoiding the need to establish and staff in all 58 counties a secure treatment facility and specialized programming for youth with the highest needs

Counties who wish to participate in the Consortium will pay an initial membership rate equal to 1% of their SB 823 funding allocation. Any funding source can be used to fund these dues, including but not limited to SB 823 allocation. These funds will be used to support the work of Consortium and will initially be held in a restricted fund in Chief Probation Officers of California Foundation for the sole purpose of establishing a new entity to house the Consortium.

(Note: Contract arrangements between counties for beds or services would not be funded through this 1% nor would those payments go through the Consortium.)

Funds are due by October 1, 2021. If the consortium does not move forward due to lack of enough participation or other infirmity, the funds will be reverted to each initial participating county.

The specific functions of the Consortium will be determined based on decisions by participating members, but are expected to include: the development of standardized language and rates for counties who contract with each other for secure youth treatment beds or services; assistance with finding appropriate housing or treatment options for youth ordered by the court into a secure youth treatment facility; and other supports, as funding allows, to ensure high-quality services and programs across the state.

Participating counties will determine the extent to which a longer-term collaborative consortium function is needed and the level of annual membership dues.