

RIVERSIDE COUNTY
JUVENILE JUSTICE COORDINATING COUNCIL MEETING

VIRTUAL MEETING

January 25, 2021, 2:00 P.M.

JUVENILE JUSTICE COORDINATING COUNCIL (VOTING MEMBERS)

Chief Probation Officer
Ronald Miller II
Or Designee

Public Defender
Steven Harmon
Or Designee

Community Based Organization
Representative, Dan Harris
My City Youth

Director, Department of Public
Social Services
Sayori Baldwin
Or Designee

District Attorney
Michael A. Hestrin
Or Designee

Community Based Organization
Representative, Jitahadi Imara
Studentnest Foundation

Sheriff of Riverside County
Chad Bianco
Or Designee

Chair of the Board of Supervisors
Karen Spiegel
Or Designee

Community Based Organization
Representative, Corey Jackson
Sigma Beta Xi

Director, Riverside University
Health Systems-Behavioral Health
Dr. Matthew Chang
Or Designee

Presiding Juvenile Court Judge
Mark Petersen
Or Designee

Community Based Organization
Representative, Kevin Kalman
Desert Recreation District

Chairperson, Juvenile Justice
Delinquency Prevention
Laurel Cook
Or Designee

Community Based Organization
Representative, Norma Biegel
Operation Safe House

Community Based Organization
Representative, Dr. Rodney Kyles
Nathanael Foundation

Superintendent, County Office of
Education
Dr. Edwin Gomez
or Designee

Community Based Organization
Representative, Dr. Mona Davies
Community Outreach Ministry

Community Based Organization
Representative, Mickey Rubinson
Carolyn E. Wylie Center

Chief, Riverside City Police
Department
Larry V. Gonzalez
Or Designee

Community Based Organization
Representative, Quinton Egson
Boys & Girls Clubs of Coachella Valley

In accordance with State Law (the Brown Act):

- *The meetings of the Juvenile Justice Coordinating Council are open to the public. The public may address the council within the subject matter jurisdiction of this council.*
- *Disabled persons may request disability-related accommodations in order to address the JJCC. Reasonable accommodations can be made to assist disabled persons if requested 24-hours prior to the meeting by contacting Riverside County Probation Department at (951) 955-9468.*
- *The public may review open session materials at <https://probation.co.riverside.ca.us> under Related Links tab or at Probation Administration, 3960 Orange St., Suite 600, Riverside, CA.92501*
- *Items may be called out of order.*
- *Agenda will be posted 72-hours prior to meeting.*
- *Cancellations will be posted 72-hours prior to meeting.*

RIVERSIDE COUNTY
JUVENILE JUSTICE COORDINATING COUNCIL MEETING

This JJCC Meeting will be a virtual meeting only due to precautions related to the spread of Coronavirus COVID-19.

Any public requests to speak during public comments must first register by completing the form (link below) and submitting at least 24 hours in advance.

<https://countyofriverside.us/ConstituentSpeakingRequest.aspx#gsc.tab=0>

Once registered, further information will be provided.

January 25, 2021, 2:00 P.M.

AGENDA

1. Call to Order
2. Roll Call (Voting Members)
3. Link to November 16, 2020 Virtual JJCC Meeting – Discussion Item
<https://livestream.com/rivcolive/jccnovember162020meeting>
4. Link to Board of State and Community Corrections (BSCC) website for the Juvenile Justice Crime Prevention Act (JJCPA) and Youthful Offender Block Grant (YOBG) programs: – Discussion Item
https://www.bscc.ca.gov/s_jjcpayobgjuvjuscrimeprevact/
5. Fiscal Year 21/22 Budget Proposals– Discussion Item
6. JJCC By-Laws – Action Item
7. SB 823 Subcommittee – Action Item
8. Council Comments
9. Public Comments
10. Adjournment

Next JJCC Meeting

Date/Time: March 22, 2021, 2:00 P.M.

Location: Virtual Meeting

**BY-LAWS OF RIVERSIDE COUNTY
JUVENILE JUSTICE COORDINATING COUNCIL**

**ARTICLE I
NAME**

The name of this organization shall be THE RIVERSIDE COUNTY JUVENILE JUSTICE COORDINATING COUNCIL.

**ARTICLE II
AUTHORITY**

The organization is authorized by Welfare and Institutions Code Section 749.22 and Riverside County Board of Supervisors Resolution No. 2015-082 dated April 14, 2015.

**ARTICLE III
PURPOSE**

The purpose of the Riverside County Juvenile Justice Coordinating Council (JJCC) shall be to:

1. Develop and implement a continuation of county-based responses to juvenile crime and to set priorities for the uses of grant funds.
2. Develop a comprehensive multi-agency plan that identifies resources and strategies for providing an effective continuum of responses for the prevention, intervention, supervision, treatment, and incarceration of juvenile offenders, including strategies to develop and implement local out-of-home placement options for the offender.

**ARTICLE IV
DUTIES**

The Council shall have the following duties:

1. Assist the Chief Probation Officer in developing a comprehensive, multi-agency juvenile justice plan to develop a continuum of responses for the prevention, intervention, supervision, treatment, and incarceration of juvenile offenders, in accordance with Welfare and Institutions Code Section 749.22 and Government Code 30061.
2. Assist the Chief Probation Officer in developing a juvenile justice plan in accordance with the requirements of the Youthful Offender Block Grant described in Senate Bill (SB) 81 of 2007 and Welfare and Institutions Code Section 1961.
3. Serve as the Local Juvenile Crime Enforcement Coalition in accordance with Title 28 Code of Federal Regulations – Chapter 1, Part 31, Section 31.502, for the purpose of securing Federal Juvenile Accountability Incentive Block Grant funding for the County of Riverside.

ARTICLE V
MEMBERSHIP

1. Along with the Chief Probation Officer who shall serve as Chairperson, voting members shall include representatives from the following agencies:
 - District Attorney's Office
 - Public Defender's Office
 - Sheriff's Department
 - Board of Supervisors
 - Department of Social Services
 - Department of Mental Health
 - City Police Department
 - County Office of Education or a School District
 - Juvenile Court
 - JJDC Chair, who shall serve as an At-Large Community Representative
2. The JJCC shall include nine (9) voting representatives from Community-Based Organizations as follows:
 - One (1) representative from a Community-Based Drug and Alcohol Program, recommended by the Chair of the JJCC;
 - A representative each from three (3) different CBOs, as recommended by the JJCC, who provide services to youth in Riverside County and are currently funded through the JJCC;
 - Five (5) CBO representatives appointed by the Board of Supervisors, one from each Supervisorial District.
3. Terms of Service:
 - a. The membership term for the Chairperson shall be concurrent with his/her term as Chief Probation Officer. Member representatives of the District Attorney's Office, Public Defender's Office, Sheriff's Department, Board of Supervisors, Department of Social Services, Department of Mental Health, City Police Department, County Office of Education or School District, Juvenile Court, and JJDC Chair (serving as an At-Large Community Representative) shall serve indefinite terms.
 - b. Community-Based Organization (CBO) representatives, as defined in Article V, Section 2, shall serve two years from the effective date of the member's appointment, and may not serve more than two (2) consecutive terms of service. If a CBO fails to attend three or more consecutive meetings without the absence being authorized by the Chairperson or without arranging for an alternate member to represent him or her, it shall result in a termination of their term as a JJCC member. In such a case, a replacement shall be selected as described in Article V, Section 2.
4. Alternate Members:
 - a. Each Council member shall designate, in writing provided to the Chairperson, an alternate member to represent the member at the Council meeting in the event the Council member is unable to attend the meeting.
 - b. The designee shall be from the same department, agency, or organization as the Council member, and have full voting privileges while representing the absent member.

ARTICLE VI
OFFICERS

1. Officers of the Council shall be the Chairperson and an Acting Chairperson, and any such other officers as the Council may choose to elect.
2. Responsibilities of Officers:
 - a. Chairperson – In accordance with Section 749.22 of the Welfare and Institutions Code, the Chief Probation Officer shall serve as the Council Chairperson. The Chairperson shall supervise and direct the Council’s activities, affairs, and officers, and preside at all Council meetings. The Chairperson shall have such other powers and duties as the Council or Bylaws may prescribe.
 - b. Acting Chairperson – In the event of the temporary absence of the Chairperson, the Chairperson shall designate a Probation Department representative to serve as the Acting Chairperson to preside at the Council meeting.

ARTICLE VII
Meetings and Procedures

The Juvenile Justice Coordinating Council and its Committees shall be governed by the Brown Act and all meetings shall be open to the public.

1. Regular Meetings:

Regular meetings shall be held four times a year in January, March, July, and November, or as set by the Chairperson.
2. Special Meetings:

A Special Meeting may be called at any time by the Chairperson upon written request specifying the general nature of the business proposed. An agenda and 24 hour notice must be given to the public.
3. Quorum and Voting Procedures:
 - a. A simple majority of the members of the Council shall constitute a quorum for the transaction of business at any meeting of members.
 - b. Decisions shall be reached through majority voting which is defined as a majority of the quorum members present.
 - c. The Council shall use parliamentary procedures to conduct business.
4. Setting the Agenda:

The Chairperson shall designate items on the agenda for Council meetings. Any member representative may place an item on the agenda by making a written request to the Chairperson no later than seven (7) business days prior to the scheduled meeting.
5. Public Comments:

Public comments at meetings are limited to three (3) minutes for each agenda item. The Chairperson has the discretion to extend the time based on the complexity of the issue.

ARTICLE VIII
Conflict of Interest

1. Council members shall comply with all conflict of interest laws including, but not limited to, Government Code Section 1090, *et seq.*, and the California Political Reform Act (Government Code Section 87100, *et seq.*), which requires the member to:
 - a. Publicly state the nature of the conflict in sufficient detail to be understood by the public;
 - b. Recuse him/herself from discussing and voting on the item;
 - c. Leave the room until the item is concluded.
2. The JJCC adopts the following, potentially more restrictive rule: A JJCC member shall abstain from participating in Council discussions, and voting on any JJCC funding issues, which involve their agency, company, or department, or in which they have a personal financial interest.

ARTICLE IX
Committees and Subcommittees

1. There shall be committees and subcommittees established as the Council shall deem necessary to accomplish the purposes set forth in Article III of these bylaws.
2. In accordance with Welfare and Institutions Code Division 2.5, Chapter 1.7, Section 1995, a realignment subcommittee of the Council shall be established to develop a plan describing the facilities, programs, placements, services, supervision and reentry strategies that are needed to provide appropriate rehabilitation and supervision services for the population described in subdivision (b) of Section 1990 of the Welfare and Institutions Code. The subcommittee shall be composed of individuals defined in subdivision (b) of Section 1995 of the Welfare and Institutions Code.
3. For all committee and subcommittee members, nominations shall be made to the Chairperson and approved by the Council.

ARTICLE X
Amendments

These Bylaws may be adopted, amended or repealed by a majority vote of the Council and shall be effective upon approval of the Board of Supervisors.



DJJ REALIGNMENT

What's in SB 823

September 18, 2020

Main Elements of SB 823

- Intake at DJJ stops 7/1/21
- New state Office of Youth and Community Restoration
- JJCC subcommittee to be created in each county
- Local Plans not submitted to OYCR until 2nd year-FY 22/23
- Funding at full implementation: \$208.8 million
- New disposition track to be created by March 2021
- DOJ plan to replace JCPSS

Office of Youth and Community Restoration (OYCR) (WIC 2200)

- Housed within Health and Human Services Agency effective 7/1/21 with responsibility to:
 - Develop a report on youth outcomes in the juvenile justice system **once** DOJ implements plan to update JCPSS.
 - Identify policy recommendations for improved outcomes and integrated programs and services to best support delinquent youth.
 - Identify and disseminate best practices to help inform rehabilitative and restorative youth practices, including education, diversion, re-entry, religious and victims' services.
 - Provide technical assistance as requested to develop and expand local youth diversion opportunities to meet the varied needs of the delinquent youth population, including but not limited to sex offender, substance abuse, and mental health treatment.
 - Report annually on the work of the Office of Youth and Community Restoration.

OYCR Continued:

- Receives county plan to serve realigned population starting in FY 2022-23 (more on that later)
- BSCC must have concurrence with OYCR on juvenile grants
- BSCC juvenile grant administration functions to be shifted to OYCR by 1/1/25

OYCR – Creation of Ombudsman

- Ombudsman authorized to do the following:
 1. Investigate complaints from youth, families, staff, and others about harmful conditions or practices, violations of laws and regulations governing facilities, and circumstances presenting an emergency situation.
 2. Decide, in its discretion, whether to investigate a complaint, or refer complaints to another body for investigation.
 3. Resolve complaints when possible, collaborating with facility administrators and staff to develop resolutions that may include training.
 4. Publish and provide regular reports to the Legislature about complaints received and subsequent findings and actions taken.

Role of Child Welfare Council Subcommittee (Section 5 and WIC 2201)

- Will serve in advisory capacity during initial years of realignment until OYCR is up and running; however, SB 823 repealed statute that created subcommittee so currently subcommittee does not exist beyond Governor's signature of SB 823.

Age of Jurisdiction

(WIC 208.5)

- Establishes the age of jurisdiction at age 23 for youth adjudicated of WIC 707(b) offenses and age 25 for youth adjudicated of offenses that would result in an aggregate sentence of 7 or more years in adult court. Age of jurisdiction is 21 for all other youth.

- Retains a person whose case originated in juvenile court in a juvenile facility until age 25 (subject to age of jurisdiction)
 - Outlines process for Probation to petition to house youth over 18 in adult facility

OJJDP Guidelines:

<https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/media/document/254285.pdf> (This version shows track changes as to how the guidelines changed based on HR 6964, the 2018 reauthorization of the Juvenile Justice and Delinquency Prevention Act.)

Adult Commits

(WIC 733.1, 736.5, 912 and 1955.2)

- Allows counties to continue sending youth convicted in adult court until DJJ is finally closed – or youth whereby a motion was filed to transfer youth to criminal court
- Denotes in statute that separate jurisdictional track is to be developed
- Charges counties \$125,000 for youth sent to DJJ after 7/1/21 as adult commit
- Sets daily rate to be paid to counties at \$616.44 for youth once convicted as an adult who remain at the county until turning 18 and transferred to state facility.

Juvenile Justice Realignment Block Grant

(WIC 1990 & 1991)

Funding Formula for FY's 2021/22 thru 23/24 as follows:

- 30% on DJJ pop as of December 2018, June 2019, and December 2019
- 50% local population who have committed certain violent and felony crimes as reported in JCPSS, to be updated annually
- 20% distribution of youth age 10-17
- At full implementation funding will be \$208.8 million
- Minimum allocation set at \$250,000
- Distribution formula to be redone by 1/1/24 for FY 2024-25

The realignment target population for the grant program shall be defined as youth who were eligible for commitment to the Division of Juvenile Justice prior to its closure, and shall further be 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.

GROWTH

Commencing with the 2024-25 fiscal year, the allocations determined by paragraphs (4) and (5) of subdivision (a) and shall be adjusted annually by a rate commensurate with any applicable growth in the Juvenile Justice Growth Special Account in the prior fiscal year. Each year this growth shall become additive to the next year's base allocation.

Juvenile Justice Coordinating Council Subcommittee

(WIC 1995)

- Every county to create a subcommittee within JJCC as requirement to receive funding via block grant

- Probation Chief to Chair

- Members include representatives from:

- district attorney's office,
- public defender's office,
- department of social services,
- department of mental health,
- county office of education or a school district,
- the court.

- no fewer than three additional community members defined as individuals who have experience providing community-based youth services, youth justice advocates with expertise and knowledge of the juvenile justice system, or have been directly involved in the juvenile justice system.

- Does not specify who identifies community members on subcommittee.

JJCC Subcommittee continued:

- Is to develop a detailed plan for BOS on how to serve realigned youth and spend county allocation
 - *In order to receive FY 22/23 funding, county must file plan with OYCR by 1/1/22; not required to submit plan in first year but must develop one as BOS must consider it when making allocations in FY 2021/22*
 - *OYCR shall review plan to ensure it contains all elements outlined in statute and can return for revisions*
 - *Plans must be submitted annually (by May 1) and subcommittee must reconvene at least every 3 years to review plan*

What must local plans entail?

(WIC 1995)

- *Description of realignment population to be served by block grant*
 - *Numbers by age and other characteristics*
- *Description of facilities, programs, placements, services and service providers, supervision, and other responses*
- *Description of how grant funds will address a range of programming needs outlined in WIC 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*

How are Funds Awarded Locally?

(WIC 1990 & 1991)

- In awarding the realignment funds, the BOS must consider local plan
- Any “entity” receiving these funds from BOS for secure residential placement is subject to existing regulations
- Language specifies “local public agency that has primary responsibility for prosecuting or making arrests or detentions shall not provide rehabilitative and supervision services” for the realigned population

Regional Youth Programs and Facilities Grant (WIC 2250)

- \$9.6 million in one-time competitive grant funds to be awarded by BSCC. Requires report be provided to BSCC post receipt of funds.
- Funding intended for infrastructure related needs and improvements to assist counties in the development of a local continuum of care.
 - A local public agency that has responsibility for making arrests and detaining suspects as its primary responsibility, or which is responsible for prosecutions, is ineligible to apply for this grant.
- Funds from the Youth Programs and Facilities Grant Program shall not be used by counties to enter into contracts with private entities whose primary business is the custodial confinement of adults or youth in a prison or prison-like setting.

Report must include:

- (1) An accounting of expenditures.
- (2) A description of the physical and system enhancements made.
- (3) How many regional placement beds were supported with the funding.
- (4) What proportion of the regional placement beds were contracted to other counties and which counties.

Data: DOJ to Develop Plan to Replace JCPSS (PC 13015)

- Plan to be submitted to the Assembly and Senate budget committees and public safety committees by January 1, 2023
- To complete plan to replace JCPSS with a modern database and reporting system DOJ is to convene a workgroup of key stakeholders and experts, including:
 - representatives from the BSCC's Juvenile Justice Data Working Group,
 - agencies that are responsible for the collection and submission of juvenile justice data to department,
 - advocates with experience in the collection, analysis, and utilization of juvenile justice data in California,
 - academic institutions or research organizations with experience in collecting, analyzing, or using juvenile justice data in California, and
 - people directly impacted by the justice system.

(c) The plan shall consider the relevant findings and recommendations submitted by the Juvenile Justice Data Working Group in their January 2016 final report. The plan shall, at minimum, include the following:

(1) An overall description of the goals of the new data system.

(2) A description of all data elements proposed to be captured by the new system, including, but not limited to, all of the following:

(A) All data elements currently capture by JCPSS that are to be retained.

(B) Data and outcome measures needed to produce, at minimum, recidivism reports for youth organized by age, gender identity, race, ethnicity, and other demographic factors.

(C) Data and outcome measures needed to document caseload and placement changes due to the realignment of the state Division of Juvenile Justice to counties.

(D) How the revised system will document all of the following:

(i) Subsequent referrals to the justice system for violations of probation and warrants.

(ii) The use of preadjudication and postadjudication detention, including length of stay.

(iii) The use of detention alternatives, such as electronic monitoring, house arrest, or home supervision.

(iv) Dispositional placement outcomes by facility type, including length of stay in facilities.

“Facility type” includes juvenile halls, group homes, foster care, county camp or ranch, and local facilities developed as an alternative to Division of Juvenile Justice facilities.

(3) The use of individual unique identifiers.

- (4) An analysis of what features must be included to allow users to access and analyze data easily through standard or customized reports, and an analysis of how system data can be made publicly available on the department's internet website.
- (5) A discussion of how the new system can be designed to ensure that it may be modified in the future to reflect relevant changes to the juvenile justice system.
- (6) An analysis of how this new system may impact state and local agencies that provide the department with data for inclusion in JCPSS, including an assessment of how state and local data systems may need to be modified to ensure that comprehensive and high-quality data is collected and transmitted to the department.
- (7) Major challenges or obstacles, if any, to implementing a new system and recommendations for addressing those challenges.
- (8) A cost estimate or estimates for the new system and for implementing and funding a new system. These recommendations may include, but are not limited to, a phased implementation approach, providing various options based on a system with differing data capabilities, or providing funding recommendations based on specific system components.
- (10) A projected implementation timeline.
- (d) The plan shall also include an assessment of the operational and fiscal feasibility of including both of the following capacities in the new system:
 - (1) Adult court dispositions of youth.
 - (2) Youth development and wellness data including, but not limited to, education attainment, employment, mental health, housing, family connections, foster care, and other wellness outcomes as recommended by the Juvenile Justice Data Working Group in their January 2016 final report.

What to be Doing Now Locally

- Determine whether your county is going to serve youth locally (and, if so, whether you will be able to also youth from other counties) or if you are going to contract with another county to serve your youth
- Establish subcommittee of JJCC
- Develop your local plan for Realignment Block Grants for Board of Supervisors
 - *Note: First year (FY 21/22) plans do not need to be sent to OYCR*
- If appropriate, consider applying for one-time Regional Youth Programs and Facilities Grant
- Identify ways in which CPOC can support counties implementation