
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Aisha Wahab, Chair

2023 - 2024 Regular

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Author: Menjivar
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Consultant: SJ

Subject: *Juvenile justice coordinating council*

HISTORY

Source: Alliance for Boys & Men of Color
California Alliance for Youth and Community Justice
Center on Juvenile and Criminal Justice
Children's Defense Fund-California
Communities United for Restorative Youth Justice
Fresh Lifelines for Youth Bay Area
National Center for Youth Law
Sigma Beta Xi Youth and Family Services

Prior Legislation: AB 702 (Jackson), not heard in Assembly Public Safety in 2023
AB 505 (Ting), Ch. 528, Stats. 2023
SB 493 (Bradford), held in Senate Appropriations in 2021
AB 1007 (Jones-Sawyer), not heard in 2020 due to COVID-19
AB 1998 (Campos), Ch. 880, Stats. 2016
Proposition 30, as approved by the voters on November 6, 2012
AB 109 (Com. on Budget), Ch. 15, Stats. 2011
SB 81 (Com. on Budget & Fiscal Rev.), Ch. 175, Stats. 2007
AB 1913 (Cardenas), Ch. 353, Stats. 2000
Proposition 21, as approved by the voters on March 7, 2000
AB 2261 (Aguiar), Ch. 325, Stats. 1998
SB 1760 (Com. on Budget & Fiscal Rev.), Ch. 133, Stats. 1996

Support: Access Reproductive Justice; Arts for Healing and Justice Network; California Public Defenders Association; Californians United for a Responsible Budget; Children Now; Collective for Liberatory Lawyering; Courage California; Ella Baker Center for Human Rights; Freedom 4 Youth; Haywood Burns Institute; Immigrant Legal Resource Center; Initiate Justice; Los Angeles Youth Uprising Coalition; Meztli Projects; MILPA Collective; Pacific Juvenile Defender Center; Silicon Valley De-Bug; Students Deserve; UnCommon Law; Underground GRIT; Urban Peace Institute; Women's Foundation California; Young Women's Freedom Center

Opposition: Association of Orange County Deputy Sheriffs; Association of Probation Supervisors; BU 702- SEIU 721 Joint Council; California District Attorneys Association; California State Association of Counties; Chief Probation Officers'

of California; Coalition of Probation Unions; County of Fresno; County of Kern; County of Mendocino; County of Orange; County of San Luis Obispo; California Santa Barbara; Inyo County Probation Department; Los Angeles County Probation Managers Association, AFSCME Local 1967; Los Angeles County Probation Officers Union, AFSCME Local 685; Mendocino County Board of Supervisors; Monterey County Probation Association; Rural County Representatives of California; Sacramento County Probation Association; San Diego County Probation Officers Association; San Joaquin County Probation Officers Association; San Luis Obispo County Probation Peace Officers Association; State Coalition of Probation Organizations; Urban Counties of California

PURPOSE

The purpose of this bill is to: 1) explicitly require a county or city and county to establish a juvenile justice coordinating council in order to obtain Juvenile Justice Crime Prevention Act (JJCPA) funding; 2) require the Board of Community and State Corrections (BSCC) to evaluate if a county or a city and county has complied with the requirements of these provisions and authorize the BSCC or any state agency overseeing the administration of the JJCPA funds to determine an appropriate remedial action or to withhold funding if a county or city and county fails to create a juvenile justice coordinating council; 3) change the membership requirements of a juvenile justice coordinating council to require each county juvenile justice coordinating council to consist of at least 50% community representatives and specifies the governmental agencies that may hold the remaining seats on the council; and 4) require a council to select 2 co-chairs from its members, and requires one of the co-chairs to be a community representative.

Existing law establishes in each county treasury a Supplemental Law Enforcement Services Account (SLESA). (Gov. Code, § 30061, subd. (a).)

Existing law requires the county auditor, in any fiscal year for which a county receives moneys to be expended, to allocate the moneys in the county's SLESA within 30 days of the deposit of those moneys into the fund. Specifies how the moneys are allocated. (Gov. Code, § 30061, subd. (b).)

Existing law requires fifty percent of the money allocated to the county or city and county to implement a comprehensive multiagency juvenile justice plan, as provided. Requires the juvenile justice plan to be developed by the local juvenile justice coordinating council in each county and city and county. Requires the plan to be reviewed and updated annually by the council. (Gov. Code, § 30061, subd. (c)(4).)

Existing law provides that the plan or updated plan may, at the discretion of the county or city and county, be approved by the county board of supervisors. Requires the plan or updated plan to be submitted to the BSCC by May 1 of each year in a format specified by the board. (Gov. Code, § 30061, subd. (c)(4).)

Existing law requires the multiagency juvenile justice plan to include, but not be limited to, all of the following components:

- An assessment of existing law enforcement, probation, education, mental health, health, social services, drug and alcohol, and youth services resources that specifically target at-risk juveniles, juvenile offenders, and their families.
- An identification and prioritization of the neighborhoods, schools, and other areas in the community that face a significant public safety risk from juvenile crime, such as gang activity, daylight burglary, late-night robbery, vandalism, truancy, controlled substances sales, firearm-related violence, and juvenile substance abuse and alcohol use.
- A local juvenile justice action strategy that provides for a continuum of responses to juvenile crime and delinquency and demonstrates a collaborative and integrated approach for implementing a system of swift, certain, and graduated responses for at-risk youth and juvenile offenders.
- A description of the programs, strategies, or system enhancements that are proposed to be funded. (Gov. Code, § 30061, subd. (c)(4)(A).)

Existing law requires that programs, strategies, and system enhancements proposed to be funded satisfy all of the following requirements:

- Be based on programs and approaches that have been demonstrated to be effective in reducing delinquency and addressing juvenile crime for any elements of response to juvenile crime and delinquency, including prevention, intervention, suppression, and incapacitation.
- Collaborate and integrate services of all resources to the extent appropriate.
- Employ information sharing systems to ensure that county actions are fully coordinated, and designed to provide data for measuring the success of juvenile justice programs and strategies. (Gov. Code, § 30061, subd. (c)(4)(B).)

Existing law requires each county or city and county to submit an annual report to the county board of supervisors and to the BSCC on the programs, strategies, and system enhancements funded in order to assess their effectiveness. Requires the report to be in a format specified by the board and to include all of the following:

- An updated description of the programs, strategies, and system enhancements that have been funded in the immediately preceding fiscal year.
- An accounting of expenditures during the immediately preceding fiscal year for each program, strategy, or system enhancement funded.
- A description and expenditure report for programs, strategies, or system enhancements that have been co-funded during the preceding fiscal year using JJCPA funds and Youthful Offender Block Grant funds.
- Countywide juvenile justice trend data available from existing statewide juvenile justice data systems or networks, as specified by the BSCC, including, but not limited to, arrests, diversions, petitions filed, petitions sustained, placements, incarcerations, subsequent petitions, and probation violations, and including, in a format to be specified by the board, a summary description or analysis, based on available information, of how the programs, strategies, or system enhancements funded pursuant to this chapter have or may have contributed to, or influenced, the juvenile justice data trends identified in the report. (Gov. Code, § 30061, subd. (c)(4)(C).)

Existing law requires the BSCC to compile the local reports and, by March 1 of each year following their submission, make a report to the Governor and the Legislature summarizing the programs, strategies, and system enhancements and related expenditures made by each county and city and county. Requires the annual report to the Governor and the Legislature to also summarize the countywide trend data and any other pertinent information submitted by counties indicating how the programs, strategies, or system enhancements supported by appropriated have or may have contributed to, or influenced, the trends identified. Requires the annual report to be posted for access by the public on the website of the board. (Gov. Code, § 30061, subd. (c)(4)(E).)

Existing law establishes the Juvenile Crime Enforcement and Accountability Challenge Grant Program that is administered by the BSCC for the purpose of reducing juvenile crime and delinquency. Requires this program to award grants on a competitive basis following request-for-proposal evaluation standards and guidelines developed by the board to counties that develop and implement a comprehensive, multiagency local action plan that provides for a continuum of responses to juvenile crime and delinquency, including collaborative ways to address local problems of juvenile crime; and demonstrate a collaborative and integrated approach for implementing a system of swift, certain, graduated responses, and appropriate sanctions for at-risk youth and juvenile offenders. (Welf. & Inst. Code, § 749.21.)

Existing law provides that to be eligible for the grant, each county is required to establish a multiagency juvenile justice coordinating council that develops and implements a continuum of county-based responses to juvenile crime. Requires the coordinating councils include, at a minimum, the chief probation officer, as chair, and one representative each from the district attorney's office, the public defender's office, the sheriff's department, the board of supervisors, the department of social services, the department of mental health, a community-based drug and alcohol program, a city police department, the county office of education or a school district, and an at-large community representative. (Welf. & Inst. Code, § 749.22.)

Existing law requires a coordinating council to include representatives from nonprofit community-based organizations providing services to minors. Requires the board of supervisors to be informed of community-based organizations participating on a coordinating council. Requires the coordinating councils to develop a comprehensive, multiagency plan that identifies the resources and strategies for providing an effective continuum of responses for the prevention, intervention, supervision, treatment, and incarceration of male and female juvenile offenders, including strategies to develop and implement locally based or regionally based out-of-home placement options for youths. (Welf. & Inst. Code, § 749.22.)

Existing law provides that counties may utilize community punishment plans developed pursuant to grants awarded from funds included in the 1995 Budget Act to the extent the plans address juvenile crime and the juvenile justice system or local action plans previously developed for this program. Requires the plan include, but not be limited to, the following components:

- An assessment of existing law enforcement, probation, education, mental health, health, social services, drug and alcohol and youth services resources which specifically target at-risk juveniles, juvenile offenders, and their families.
- An identification and prioritization of the neighborhoods, schools, and other areas in the community that face a significant public safety risk from juvenile crime, such as gang

activity, daylight burglary, late-night robbery, vandalism, truancy, controlled substance sales, firearm-related violence, and juvenile alcohol use within the council's jurisdiction.

- A local action plan for improving and marshaling the resources described above to reduce the incidence of juvenile crime and delinquency in the targeted areas and the greater community. Requires the councils to prepare their plans to maximize the provision of collaborative and integrated services of all the resources described above, and to provide specified strategies for all elements of response, including prevention, intervention, suppression, and incapacitation, to provide a continuum for addressing the identified male and female juvenile crime problem, and strategies to develop and implement locally based or regionally based out-of-home placement options for youths.
- Develop information and intelligence-sharing systems to ensure that county actions are fully coordinated, and to provide data for measuring the success of the grantee in achieving its goals. Requires the plan to develop goals related to the outcome measures that will be used to determine the effectiveness of the program.
- Identify outcome measures which must include, but not be limited to, the following: the rate of juvenile arrests, the rate of successful completion of probation, and the rate of successful completion of restitution and court-ordered community service responsibilities. (Welf. & Inst. Code, § 749.22.)

This bill explicitly provides that in order for a county or city and county to be eligible for funding, it must establish a juvenile justice coordinating council.

This bill authorizes the BSCC or any state agency overseeing the administration of these funds to determine appropriate remedial action or withhold funding if a county or city and county fails to establish a juvenile justice coordinating council.

This bill revises the components of the multiagency juvenile justice plan. Specifically, requires the plan include:

- An assessment of existing law enforcement, probation, education, mental health, health, social services, drug and alcohol, and community-based youth development services and resources that specifically center at-risk youth, youth involved in the juvenile court system, and their families. Assessments shall prioritize soliciting direct feedback on youth participants' satisfaction with existing services and resources.
- An identification and prioritization of the neighborhoods, schools, and other areas in the community that are vulnerable to court system involvement due to high rates of poverty, a lack of educational and employment opportunities, racial discrimination, the incarceration of an at-risk youth's family members, and a high prevalence of community violence and crime.
- A local juvenile justice action strategy that provides for a continuum of care to prevent and respond to young people experiencing juvenile court system involvement that is modeled on a framework of positive youth development and demonstrates a healing-centered, culturally competent, restorative, community-based, collaborative, and integrated approach for at-risk youth and youth involved in the juvenile court system.
- A description of the target population for the program strategies that are proposed to be funded pursuant to this paragraph, including a description of the target population's race, ethnicity, age, gender identity, and ZIP Code of residence.

- Input from at-promise youth, youth involved in the juvenile court system and their families, and a description of the programs and strategies that are proposed to be funded pursuant to this subparagraph, including documentation of their effectiveness, specific objectives, and outcome measures.

This bill revises the requirements for JJCPA-funded programs and strategies. Specifically, requires a program or strategy to:

- Be based on programs and approaches that have been demonstrated to be effective in creating positive youth development outcomes, helping young people avoid engagement with law enforcement agencies, and reducing community violence and crime. Requires these programs and approaches to be modeled on healing-centered, culturally competent, restorative, trauma-informed, and positive youth development approaches.
- Collaborate and integrate services of law enforcement, probation, education, mental health, health, social services, drug and alcohol, and community-based youth development services and resources that specifically center at-promise youth, youth involved in the juvenile court system, and their families, to the extent appropriate, and prioritize collaboration with community-based organizations.
- Employ information sharing systems to ensure that county actions are fully coordinated, and designed to provide data for measuring the success of programs and strategies funded by this paragraph, while still protecting participant confidentiality in pre-arrest and pre-bookings diversion programs. Prohibits personally identifying information from being shared across agencies without the informed, voluntary, revocable, and written consent of youth participants, or their parents or legal guardians on behalf of minors.

This bill requires the local agency overseeing the request for proposals process for funds provided to engage community stakeholders, including, but not limited to, at-promise youth, youth involved in the juvenile court system and their families, and the juvenile justice coordinating council in the process of selecting which entities to which to distribute funds. Requires the local agency to take into account the county's juvenile justice plan and equity of funding across the county in the final selection of proposals to be funded. Provides that the local agency overseeing the request for proposals process for funds may be any county agency that is not a law enforcement-related agency, with preference for behavioral health-related local agencies.

This bill requires the report regarding funded programs and strategies that each juvenile justice coordinating council must submit annually to the county board of supervisors and the BSCC to include, in addition to the existing requirements, the following information:

- Descriptions of the programs and strategies that include evidence supporting the programs and strategies, including feedback from youth participants.
- An updated list of juvenile justice coordinating council members, including their assigned seat and profession, if applicable, and dates for all council meetings in the immediately preceding fiscal year.
- Countywide juvenile justice trend data that is required under current law to be disaggregated by race, ethnicity, gender identity, age, and ZIP Code of residence.

This bill defines “at-promise youth” to mean young people up to 25 years of age, inclusive, who are vulnerable to court system involvement due to high rates of poverty, a lack of educational and employment opportunities, racial discrimination, the incarceration of one or more of their family members, and a high prevalence of community violence and crime.

This bill defines “community representative” to mean an individual who is currently or formerly justice system-involved, a system-impacted family member, or a representative from a nonprofit, community-based organization that provides services to youth and that does not include law enforcement employees or staff.

This bill provides that in order to be eligible for a grant, each county is required to establish a juvenile justice coordinating council that must develop and implement a continuum of care to prevent and respond to young people experiencing juvenile court system involvement that is modeled on a framework of positive youth development and demonstrates a healing-centered, restorative, community-based, collaborative, and integrated approach for at-promise youth and youth involved in the juvenile court system.

This bill requires a juvenile justice coordinating council to, at a minimum, consist of at least 50 percent community representatives and requires the remainder of seats to be allocated to representatives from governmental agencies.

This bill requires the juvenile justice coordinating council to include an at-promise youth, and either a person with experience in the juvenile court system or a system-impacted family member. Provides that the juvenile justice coordinating council may include one representative each from the public health department, the district attorney’s office, the county probation department, the public defender’s office, the board of supervisors, the county department of social services, the county department of mental or behavioral health, a community-based drug and alcohol program, a city police department, the county office of education or a school district, and the county department of children, youth, and families, if one exists.

This bill provides that if a county board of supervisors or a county’s juvenile justice coordinating council’s bylaws establish term limits, all individuals of the council, including co-chairs, are subject to these term limits.

This bill requires a juvenile justice coordinating council to elect two co-chairs from among its members, at least one of whom must be a community representative.

This bill requires the board of supervisors to be informed of any community-based organizations participating on a juvenile justice coordinating council.

This bill requires a juvenile justice coordinating council to meet no less than three times per year and announce meetings at least 10 days in advance. Requires a juvenile justice coordinating council to make meetings accessible to the public through remote participation, such as streaming and remote call-in options. Requires the council to choose meeting times that optimize and encourage public participation.

This bill requires a juvenile justice coordinating council to develop a comprehensive multiagency juvenile justice plan, as specified, that identifies the resources and strategies for providing an

effective continuum of care for at-risk youth, youth involved in the juvenile court system, and their families.

This bill includes uncodified findings and declarations.

This bill makes other technical and conforming changes.

COMMENTS

1. Need For This Bill

According to the author:

California has committed to ending the era of tough-on-crime approach to youth incarceration while ushering in a new, health-based approach to youth development. While we have made great strides, there remain opportunities for improvement. One urgent opportunity is rectifying the injustices created by the flawed implementation of the Juvenile Justice Crime Prevention Act (JJCPA). The JJCPA was enacted over twenty years ago to service youth in their communities and keep them from entering the justice system. However, the lack of community representation on counties' local Juvenile Justice Coordinating Council (JJCC) has caused us to fall short of that goal.

SB 1057 seeks to remedy this problem by creating a more equitable JJCC composition. The expertise of those who are most impacted by the system, and those working alongside them with a trauma-informed, healing-focused lens, are invaluable to implementing the JJCPA. SB 1057 would require counties to bring these experts to the table. However, it is not enough simply to have a seat at the table. System impacted young people, credible messengers, and trusted community stakeholders must feel safe; SB 1057 will add a community co-chair to JJCCs to ensure community voice does not become illusory. This bill does not defund probation, nor does it require that probation or other county agencies are left behind – SB 1057 simply supplements the current efforts by adding community voice to the decision-making process.

2. Juvenile Justice Crime Prevention Act

The JJCPA was enacted in 2000 to provide a stable funding source to counties with the goal of helping them reduce crime among young people. According to the author statement included in the Assembly Public Safety Committee analysis of AB 1913:

AB 1913 is a necessary counterpart to Proposition 21, recently passed by the voters. AB 1913 would provide needed support and reform of the juvenile justice system. It would reduce the public safety problems associated with juvenile delinquency in California by implementing programs proven to reduce recidivism among juveniles. (Assem. Com. on Public Safety, Analysis of Assem. Bill 1913 (1999-2000 Reg. Sess.) as amended Mar. 23, 2000, p. 5.)

The JJCPA involves collaboration between the state, local county agencies, and community-based organizations in order to accomplish the goal of reducing delinquency. The target demographic includes youth on probation and in juvenile halls and camps, as well as at-risk youth. The JJCPA requires that each county establish a juvenile justice coordinating council made up of representatives from various local government agencies, CBOs, and the community. The coordinating council is required to develop a comprehensive multiagency juvenile justice plan for the county. State law specifies the four components that must be included in every county's juvenile justice plan which taken together, generally summarize a county's holistic efforts to reduce juvenile crime. The JJCPA requires counties to base their programs on approaches that are effective in reducing juvenile crime and delinquency and requires JJCPA-funded programs and strategies to be designed to provide data for measuring their success. Each county must submit its plan to the BSCC annually, along with a year-end report that describes the county's JJCPA-funded programs and how those programs may have affected the county's juvenile justice trends. The BSCC then compiles the information it receives from the counties and submits an annual report to the Governor and Legislature.

The state provides JJCPA funding to counties based on population. Funding is provided through an annual guaranteed funding amount, referred to as base funding, and if funds are available, an additional variable amount, referred to as growth funding. Because growth funding varies from year to year, counties do not know how much growth funding they will receive in any given year which has resulted in counties not spending their entire JJCPA allocations. During the 2021-2022 fiscal year, the statewide base allocation of JJCPA funds was \$107.1 million with an additional \$69.9 million allocated from growth funding. (Board of State and Community Corrections, *Juvenile Justice Crime Prevention Act and Youth Offender Block Grant Annual Report to the Legislature* (Mar. 2023), p. 12 available at <<http://www.bscc.ca.gov/wp-content/uploads/2023-JJCPA-YOBG-Legislative-Report-FINAL.pdf>>.)

Counties enjoy broad discretion in how JJCPA funds are used to support and enhance their juvenile justice systems. According to a report published by the Children's Defense Fund-California in 2018, "[JJCPA funds] ha[ve] been allocated for a range of programs, including policing and probation supervision in schools, public housing and park services, mental health screening and treatment, and community-based arts and after-school programs." (Soung et al., *Juvenile Justice Crime Prevention Act in Los Angeles: A Case Study on Advocacy & Collaborative Reform* (Dec. 2018), p. 3 available at <https://www.cdfca.org/wp-content/uploads/sites/4/2019/01/juvenile-justice-crime-prevention-act-in-los-angeles.pdf?_ga=2.215258129.705757938.1618379732-177568109.1618379732>.) The report noted that there were 150 JJCPA programs administered by the counties in 2014-2015 which served 84,450 at-risk and probation youth. (*Id.*)

3. State Auditor's Report

At the request of the Joint Legislative Audit Committee, the State Auditor conducted an audit to assess five counties' spending and reporting of JJCPA funds, and decision-making processes related to and evaluations of their JJCPA-funded programs. The report containing the audit findings was published in May 2020. The overall conclusion of the report was that weak oversight of the JJCPA by the state and counties had resulted in some counties not having a Juvenile Justice Coordinating Council at all, some counties having vacancies on their council, and several counties making only limited revisions to their comprehensive juvenile justice plan over the last two decades despite significant changes in the statewide juvenile justice landscape.

(State Auditor, *Juvenile Justice Crime Prevention Act: Weak Oversight Has Hindered Its Meaningful Implementation* (Report 2019-116), pp. 1-4, available at <<http://auditor.ca.gov/pdfs/reports/2019-116.pdf>>.)

The State Auditor made the following recommendations for legislative action:

- To ensure that counties adequately identify how they serve at-risk youth, the Legislature should require counties to define at-risk youth in their comprehensive plans. The Legislature should also require the BSCC to review counties' comprehensive plans to ensure that each contains an adequate definition of at-risk youth.
- The Legislature should direct the BSCC to monitor reports that counties submit to ensure that they include meaningful descriptions or analyses of how their JJCPA-funded programs may have contributed to or influenced countywide juvenile justice trends.
- To enable the BSCC to provide effective oversight of the required elements of the JJCPA, the Legislature should amend state law to describe a process for restricting the spending of JJCPA funding by counties that do not meet JJCPA requirements. As part of that process, the State should prohibit counties from spending JJCPA funds if they have not established Coordinating Councils.
- To make JJCPA funding more stable and predictable, the Legislature should amend state law to increase the amount of guaranteed JJCPA funding the State provides to counties. (*Id.* at p. 5.)

4. Major Provisions of the Bill

This bill makes several changes to the JJCPA and the county juvenile justice coordinating councils.

Juvenile Justice Coordinating Councils

This bill explicitly provides that in order for a county or city and county to be eligible for funding, it must establish a juvenile justice coordinating council, and authorizes the BSCC or any state agency overseeing the administration of these funds to determine appropriate remedial action or withhold funding if a county or city and county fails to establish a juvenile justice coordinating council. This bill also requires a juvenile justice coordinating council to meet no less than three times per year.

This bill additionally requires a juvenile justice coordinating council to consist of at least 50 percent community representatives, and specifically requires the juvenile justice coordinating council include an at-risk youth and either a person with experience in the juvenile court system or a system-impacted family member. With regard to the rest of the rest of the juvenile justice coordinating council's membership, the bill provides that the juvenile justice coordinating council may include one representative each from the public health department, the district attorney's office, the county probation department, the public defender's office, the board of supervisors, the county department of social services, the county department of mental or behavioral health, a community-based drug and alcohol program, a city police department, the county office of education or a school district, and the county department of children, youth, and families, if one exists. Finally, this bill requires a juvenile justice coordinating council to elect

two co-chairs from among its members, at least one of whom must be a community representative.

Multiagency Juvenile Justice Plan

This bill revises the components of the multiagency juvenile justice plan as well as the requirements for JJCPA-funded programs and strategies.

This bill requires the local agency overseeing the request for proposals process for funds provided to engage community stakeholders, including, but not limited to, at-risk youth, youth involved in the juvenile court system and their families, and the juvenile justice coordinating council in the process of selecting which entities to which to distribute funds. This bill also requires the local agency to take into account the county's juvenile justice plan and equity of funding across the county in the final selection of proposals to be funded, and provides that the local agency overseeing the request for proposals process for funds may be any county agency that is not a law enforcement-related agency, with preference for behavioral health-related local agencies.

RFP Process

This bill requires the local agency overseeing the request for proposals process for funds to engage community stakeholders, as specified, and the juvenile justice coordinating council in the process of selecting which entities to which to distribute funds. Notably, this bill requires the local agency overseeing the request for proposals process for funds may be any county agency that is not a law enforcement-related agency, with preference for behavioral health-related local agencies.

Annual Report

This bill requires the report regarding funded programs and strategies that each juvenile justice coordinating council must submit annually to the county board of supervisors and the BSCC to include the following information in addition to the requirements under existing law:

- Descriptions of the programs and strategies that include evidence supporting the programs and strategies, including feedback from youth participants.
- An updated list of juvenile justice coordinating council members, including their assigned seat and profession, if applicable, and dates for all council meetings in the immediately preceding fiscal year.
- Countywide juvenile justice trend data that is required under current law to be disaggregated by race, ethnicity, gender identity, age, and ZIP Code of residence.

5. Argument in Support

The bill's co-sponsors write:

...SB 1057...would help California fully realize the Juvenile Justice Crime Prevention Act's (JJCPA) vision of providing health-centered, culturally competent, and community-based approaches for at-risk youth and youth involved in the juvenile court system by ensuring equitable community

representation and improved decision-making within county Juvenile Justice Coordinating Councils (JJCCs).

...

In 2000, the Schiff-Cardenas Juvenile Justice Crime Prevention Act was created to support youth in their communities and limit their involvement in the justice system. The grant requires that each county establish a Juvenile Justice Coordinating Council that consists of representatives from a variety of local agencies and community groups to ensure the county's multi-agency juvenile justice plan is collaborative and comprehensive.

However, in 2020, the California State Auditor released a report which found that most counties left mandatory stakeholder seats vacant. In fact, 20 percent of counties lacked a Council entirely during the audit review period. Of those counties that did complete plans, the State Auditor found that counties generally made limited revisions to their plans over the past 20 years although youth arrest have declined by 89 percent from 243,090 in 2000 to 26,000 in 2022, and California has also seen a decline in referrals to probation...from 187,296 in 2006 to 16, 252 in 2022. Additionally, counties' reporting failed to evaluate whether their JJCPA-Funded programs have been effective.

Across the state, inequitable decision-making by JJCCs has continued in the years since the Auditor's report. The Riverside County JJCC was required to add five community member seats following a 2020 settlement centered on the county's Youth Accountability Team (YAT) program. the lawsuit argued that the YAT program spent millions of dollars funneling children into an unconstitutional probation system that denied them their due process rights and subjected them to oppressive, invasive policies, such as surprise searches, unannounced home visitations, strict restrictions on who participants could speak to, curfews, and interrogations into intimate details of their lives. In 2021 and 2022, Fresno and Sacramento Counties were both found to be unlawfully holding meetings on juvenile justice reform behind closed doors. Dismal data reporting has continued, allowing for incidents such as in Los Angeles County, where probation was found to have spent nearly \$400,000 yearly on a youth diversion program that served zero youth participants while simultaneously hoarding almost \$100 million in JJCPA funding, thus preventing the delivery of much-needed resources to parks and recreation, arts, education, and behavioral health oriented programming.

6. Argument in Opposition

According to the Chief Probation Officers of California:

SB 1057...would repurpose and reprioritize new processes thereby redirecting the expenditure of critical juvenile justice investments which are expended in accordance with research-based standards and producing highly effective results. This funding has been foundational to supporting positive youth outcomes resulting in a 60 percent decline in youth detention rates and a 73 percent decline in juvenile arrest rates over the last decade. Additionally, the bill seeks to revise

the composition of local Juvenile Justice Coordinating Councils and make changes to multiagency juvenile justice plans. In doing so, this bill seeks to do away with collaborative and multi-agency approaches currently relied upon which have been essential tools in supporting an entire continuum that prevents juveniles from becoming more formally system involved through effectuating successful and expeditious re-entry post system involvement....

First, it is important to understand that the current system supports both transparency and multi-disciplinary voices as fundamental pieces to advise the direction of these plans in each of the 58 counties. ... JJCPA supports our ability to provide cognitively designed, evidence-based and trauma-informed care. These efforts manifest in either partnerships with other system stakeholders, contracts with non-governmental entities where appropriate, or specific skill building within the probation department to deliver direct prevention services and programming. SB 1057 would create further instability at a time when we are absorbing the responsibility and liability of moving the entire continuum to probation and counties to continue to advance the historical progress made to divert youth away from detention.

Second, SB 1057 would impact county funding in several ways.

New language in the bill would allow the State via the Board of State and Community Corrections to withhold the funding if a county fails to establish a juvenile justice coordinating council. This mechanism is subjective, unclear, and sets a precedent for funding to counties to be withheld for service delivery that is provided by counties.

...

Redirection of important investments in local systems in local systems would create instability and diminution for the provision of necessary supports and services for youth in our communities. We would reiterate the constitutional concerns associated with the requirement to redirect JJCPA resources, given that this funding resides within the 2011 fiscal structure that is constitutionally protected under the provisions of Proposition 30 (2012). \

...

Third, ... we are concerned that the changes proposed in this bill will have the adverse impact to its stated goals. ... Counties and probation are statutorily responsible for the safety and rehabilitation of all youth across the juvenile continuum, yet this bill removes probation from the role of coordinating the planning process with these statutory duties. Therefore, probation and counties take on the responsibility and accountability for outcomes of juvenile services without the ability to coordinate and guide the plans to meet the goals, outcomes and requirements.

...[I]t is unclear how the approach in this bill ... would support the advancement of integrated and coordinated delivery of juvenile prevention and diversion

services. ... It is also unclear why this change is being proposed in light of the evolution and decline of youth in detention and with counties' significant focus on preventing youth from coming into contact with the juvenile justice system through efforts such as JJCPA over the last decade.

-- END --