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CHIEF PROBATION OFFICERS
OF CALIFORNIA

January 13, 2023

The Honorable Gavin Newsom
Governor of California
State Capitol Building
Sacramento, CA 95814

Dear Governor Newsom,

On behalf of the 59 Chief Probation Officers, we are following up on CPOC's letter dated December 16, 2022, with additional details on additional supports needed for counties before the state Division of Juvenile Justice (DJJ) facilities close. In previous correspondence we shared our concern about destabilizing the existing local juvenile justice system and services by transferring existing youth at the state facilities to counties upon the DJJ's final closure on June 30, 2023. The aggressive timeline to close these facilities must be mitigated urgently in order to also avoid any negative impacts to the youth and young adults at DJJ who are mid-program. Service gaps vary by region of the state and **must** be addressed to mitigate the effects of the transition of these youth and young adults to the care and custody of county probation departments.

Without additional actions to assist counties in assuming this current state responsibility, we continue to be extremely concerned about the impact of this transfer on the youth and young adults currently at DJJ. Service gaps remain that if left unaddressed, will hinder probation's ability to appropriately serve the remaining estimated 360 youth who will be transferred from DJJ to county probation by the end of this fiscal year. The closure of DJJ will essentially double the population of youth and young adults currently being served in secure youth treatment facilities. As of August 2022 there were 256 youth in SYTFs - within months the state's reform is requiring county probation departments to be prepared to serve double the number of youth and young adults, many of whom present with the most complex needs and highest risk factors.

The urgency is real. In this letter, we outline specific county probation needs and request to meet as soon as possible to discuss.

New Specialized Programs Needed

Gaps in services are more acute for a subset of the youth and young adults at DJJ as well as youth and young adults returning to smaller and/or rural counties. The relative older age of the population at DJJ also poses challenges for finding an appropriate placement. Further, certain youth and young adults at DJJ would be more appropriately served in small, specialized, regional programs where they can program with a small group of their peers and have access to specialized treatment staff. ***To form these small, specialized regional programs that can serve youth from multiple counties relatively quickly, counties need resources and supports as we outline below.***

More discussion of the specific types of specialized programs follows:

1. **Young Adults with Adult Convictions.** In some cases, young adults returning from DJJ to their county of commitment also have adult convictions and, according to the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) guidelines, this requires sight and sound barriers between these young adults and other youth over the age of 18. ***If the federal government does not address this interpretation, county probation will require additional funding to set up a separate regional program for this population.*** If counties cannot establish small, specialized regional programs, the state runs the considerable risk of these young adults being separated and having limited to no interaction with others except for the supportive probation and contracted personnel that provide services to these young people.
2. **Sex Behavior Treatment.** DJJ is currently serving both 707(b) and non-707(b) commitments with sex offenses. DJJ has a specialized sex behavior treatment program, and several youth/young adults will need to complete their treatment program upon transfer to county probation. ***County probation needs support setting up small, specialized regional programs – especially in northern and central California – to serve youth who have committed sex offenses. Reproducing the quality of the program currently at DJJ will require, in the short-term, the loan of DJJ clinical staff to these small, specialized regional programs. Additionally,*** current law will require that non-707(b) commitments be discharged directly to probation supervision, even if the youth/young adult has not completed their treatment program. ***If there is no change in law, additional funding for intensive supervision and transitional housing will be required for this population. Many counties do not currently serve youth in need of sex***

behavior treatment programs; technical assistance and training for facility staff are also needed.

3. **Serious Behavioral Health Treatment and Support.** The largest gap in services and continuum of supports are for youth/young adults in need of serious behavioral health treatment and support. Appropriate treatment spaces and programs do not currently exist in the community to replace the 40 plus beds at DJJ that currently serve this population of youth and young adults. The state is in the process of awarding funds for the behavioral health infrastructure continuum. It is critical that these funds prioritize the development of programs that can serve youth and young adults who are justice-involved. In addition, DJJ has access to licensed level of care beds for youth under and over the age of 18 who are experiencing a mental care crisis. Counties do not have access to these critical resources and have no behavioral health alternative to address the needs of a youth returning from DJJ who presents with a mental health crisis. The following is needed for youth and young adults with the need for serious behavioral health treatment and supports:

- a. ***County probation needs support to set up small, specialized regional programs that can deliver serious mental health treatment and support for both males and females.***
- b. ***Given the relative scarcity of qualified clinicians to work in these programs, in the short-term, the state should authorize and fund the loan of DJJ clinical staff to county treatment programs to support the transition of youth/young adults transferring to county probation.***
- c. ***The state must make short-term crisis placements available at the Department of State Hospitals (DSH) for young adults who need this level of care. A similar level of care also needs to be identified for youth under 18.***

4. **Female Youth.** The small number of females transferred from DJJ to county probation makes this population particularly challenging to serve statewide. In addition, most of the female youth at DJJ have serious mental health needs. ***County probation needs support to develop small, gender responsive regional programs to serve this small population appropriately and effectively statewide.***

Investments to Increase Capacity of Secure Youth Treatment Facilities

Counties have been working to increase secure youth treatment facility capacity to accommodate the youth and young adults transferring to county probation secure youth treatment facilities. These efforts are critical to avoid disrupting existing programs that are still in the early phase of operations. At the same time, staffing challenges have hindered the activation of the additional units needed to provide of secure treatment.

Overall, there is the lack of staff to deliver services. ***County probation needs funding to support recruitment bonuses to quickly staff up the living units needed to accommodate the transfer of youth and young adults as well as to support the costs of immediately training newly hired personnel (1). As we noted at the beginning of this letter, the transfer of roughly 360 youth from DJJ to county SYTFs will be doubling the population of high need youth be served locally in just a matter of months.***

These placements also need to be accompanied by meaningful education and vocational training opportunities. In many cases, counties may not have existing programming that is appropriate for this young adult population, and programs need to be developed¹. ***County probation needs additional support to develop appropriate education and vocational training programs.***

Investment to Support Immediate Crisis Response and Stabilization

Many of the youth and young adults being transferred from DJJ have history of complex trauma triggering crisis requiring additional staffing and supports. ***To be able to swiftly address any immediate need that may arise, county probation requests that the state establish a contingency fund for the DJJ population transferring to county probation.*** This fund could be utilized for services such as, but not limited to: one-on-one staffing, increasing program contracts for prosocial and/or therapeutic activities to mitigate harmful behavior, consultation services for specialized medical or behavioral health care among other items as identified by probation and others involved in the treatment and care of the youth.

Investment in Enhanced Supports for Community Supervision

Not all youth will transfer from DJJ to a secure youth treatment facility in the county, and county probation needs funding to support housing and supportive transition services for youth and young adults who are ordered onto probation supervision. Some youth may not have reliable and/or suitable housing options available to them. ***Funding for housing and transition services to support young adults that will allow counties to provide or contract out for services for these youth will be imperative to reduce recidivism and help guide these youth and young adults to independence.***

Shared Investment and Responsibility for the Welfare of DJJ Realigned Youth

California has vested responsibility for the youth who would otherwise be at DJJ after June 30, 2023 to county probation departments. ***There should be supports for the counties that mitigate any legal liability arising from the transition of this population.*** The sudden change in jurisdiction should not equate to an abdication of state's responsibility. The closure of DJJ should not have the effect of transferring the state's legal liability to local governments.

¹ County probation departments' current educational and vocational programming is centered around younger youth up through age 18 primarily who are just entering SYTFs from county court commitments and starting vocational programming or entering introductory college courses. The closure of DJJ requires programs to be initiated that are further along than the courses currently available at the county level.

Ongoing Support for Pine Grove

Pine Grove Youth Conservation Camp can serve approximately 100 youth and has been a valuable program and placement for older youth who have done well at DJJ. With the closure of DJJ, and the transfer of Pine Grove to the Division of Adult Institutions, it is critical that the program maintain its focus on serving youth and young adults. Many probation departments have made Pine Grove a part of their DJJ realignment plans because it is a well-established program with opportunities for education and vocational training. ***Continuity in staffing and programming will be vital; therefore, the state should work to transition DJJ staff and cross train DJJ staff with staff at the Pine Grove facility to provide greater continuity to young adults transitioning from DJJ to the Pine Grove Youth Conservation Camp.***

We look forward to meeting with you about how we can work together to collectively address the needs of the youth and young adults transferring from the state to county probation. Please have your office contact Karen Pank, Executive Director of CPOC, at 916.447.2762 or karen@cpoc.org to discuss further.

Respectfully,



Chief Jennifer Branning
Lassen County Probation
CPOC President



Chief Kelly Vernon
Kings County Probation
CPOC President Elect



Chief Steve Jackson
San Joaquin County Probation
CPOC Secretary/Treasurer



Chief Mark Bonini
Amador County Probation
CPOC Past President



Chief Brian Richart
El Dorado County Probation
CPOC Past President



Chief John Keene
San Mateo County Probation
CPOC Past President

Attachment: Summary of Investments and Support Needed

Cc: The Honorable Toni Atkins, Senate President Pro Tempore
The Honorable Anthony Rendon, Assembly Speaker
The Honorable Nancy Skinner, Chair, Senate Budget and Fiscal Review Committee
The Honorable Phil Ting, Chair, Assembly Budget Committee

Attachment: Summary of Investments and Support Needed to Facilitate Successful Transfer of DJJ Youth

1. Resources and financial investment to support specialized programming for young adults.
2. Solution to federal interpretation of sight and sound guidelines and its application to juvenile facilities.
3. Resources and financial investment to support regional specialized programming for youth in need of sexual behavior treatment.
4. Adoption of process to loan DJJ clinical staff to counties who can provide services at specialized programming sites to assist in the delivery of sex behavior treatment programs.
5. Resources to provide housing and transitional services to youth/young adults placed onto community supervision including those who are in DJJ for non-707(b) sex offense(s) and for whom, without a legislative fix, will require intensive supervision and housing support in the community.
6. Resources and financial investment to support regional specialized programming for youth with serious mental health treatment needs.
7. Adoption of process to loan DJJ clinical staff to counties who can provide services at specialized programming sites to assist in the delivery of mental health treatment.
8. Make available short-term crisis placements at the Department of State Hospitals (DSH) for young adults who require this level of care. Additionally, a similar level of care needs to be established for youth under the age of 18.
9. Resources and financial support for regional gender responsive female youth program(s).
10. Funding to support recruitment bonuses for staff to support county probation having sufficient personnel to safety support and supervise the additional youth and young adults in the SYTFs.
11. Funding to support training of newly hired personnel who will support and supervise the additional youth and young adults in the SYTFs.
12. Funding to support additional education and vocational investments to expand offerings available within SYTF for your returning from DJJ.

13. Establishment of a contingency fund to the DJJ population returning to counties to address any immediate needs that arise.
14. Additional supports for community supervision for youth being released from DJJ and who are placed on probation for supervision in the community. Funds will be utilized by probation to provide, and/or contract out for housing and other supportive transition services.
15. State supports for counties that mitigates any legal liability arising from the transition of the DJJ youth to counties.
16. Ongoing support for Pine Grove to sustain its mission and culture as it transitions from DJJ to the Division of Adult Institutions.