Legislation Text

File #: 2020-1015, **Version:** 2

To: Board of Supervisors
Department or Agency Name(s): Probation Department
Staff Name and Phone Number: Chief David M. Koch, (707) 565-2732
Vote Requirement: Majority
Supervisorial District(s): County Wide

Title:
Juvenile Probation Camp

Recommended Action:
Authorize the Chief Probation Officer to engage in the necessary administrative and programmatic steps to temporarily un-occupy the Sonoma County Probation Camp.

Executive Summary:
As the number of delinquent youth population referred to Probation and held in Juvenile Hall and Probation Camp continues to decline, the Probation Department (Department) has made the very difficult decision to temporarily un-occupy the Probation Camp. Due to the COVID-19 pandemic as well as on overall decline in delinquency throughout the County (and indeed the State of California), the Department believes this to be the most prudent action to take. The term “un-occupy” is recommended for use by the Board on State and Community Corrections (the State agency charged with regulating operation of juvenile custodial facilities) as this term represents a temporary suspension of operations as a custodial facility in the regulatory vernacular. This recommendation is not made lightly given the impact this will have on Probation staff as well as youth and families we serve. We hope to mitigate the latter by transitioning all current youth out of the program upon successful completion, rather than returning them to Juvenile Hall with the exception that the Camp will not operate if there is only one youth remaining. With the Board’s concurrence today, the program will cease accepting new youth immediately and existing staff will be reassigned within the Probation Department. There are no layoffs anticipated as a result of this action.

This period of un-occupancy is temporary, however it will continue through the end of fiscal year 2020-21. During the period of un-occupancy, the Department will create an internal program in Juvenile Hall for youth who otherwise would have been committed to Probation Camp. Further, this action today allows Probation leadership the capacity to create appropriate programming for youth in response to the recent passing of Senate Bill 823 (Division of Juvenile Justice Realignment), and probable passage of Senate Bill 899 (the Elevate Justice Act) in 2021. The latter extends juvenile court jurisdiction to young adults, ages 18-19, when referred on a criminal matter, and makes all juvenile programs, including commitment to juvenile custodial facilities, available to this cohort.

The Department will return to your Board by the end of the fiscal year to present a long-term program and fiscal plan for the Probation Camp facility, likely in February or March 2021.

Discussion:
As the number of delinquent youth population referred to the Probation Department and held in Juvenile Hall and Probation Camp continues to decline, the Department is recommending the temporary un-occupancy of the Probation Camp, located at 7400 Steve Olson Ln. in Forestville. Sonoma County Probation Camp is a 24-bed, short-term treatment facility for 15 ½ to 18 year-old males committed by the Juvenile Court. The program focuses on positive behavior change that addresses anti-social behaviors and thinking patterns in an effort to prevent recidivism. The program has fully equipped industrial woodworking and metal shops to provide vocational training and employability skills to youth.

On October 1, 2019 the population in Juvenile Hall was 40, in Probation Camp it was 13 and youth on Juvenile Probation was 205. Currently the population in Juvenile Hall is 12, Probation Camp 6, and youth on Juvenile Probation is 144. Due to the COVID-19 pandemic as well as an overall decline in delinquency throughout the County as well as the State of California, the Department believes this to be the most prudent action to take.

As noted in the Financial Summary Table below, this un-occupancy plan may save the County approximately $100,000 in the current year. The Department currently maintains contracts with neighboring counties (Lake, Marin, Mendocino, Napa) to house their youth suitable for Probation Camp. These agreements have been mutually beneficial over the past several years; Camp's population has remained fairly stable and the County receives some revenue from partner counties, while youth in neighboring counties are able to access behavioral and vocational programs that may not be available in their home counties. However, due to the prevailing trends noted elsewhere in this report, we are not currently housing any out of County youth nor do we anticipate additional referrals in the near future.

In order to mitigate any disruption to services provided to current Probation Camp youth, the Department intends to transition all current youth out of the program rather than returning them to Juvenile Hall, with the exception that the Probation Camp will not operate if there is only one youth remaining. The program would cease taking new youth immediately upon Board endorsement of this action.

During the period of un-occupancy, the Department intends to create an internal program in Juvenile Hall for all youth who otherwise would have been best served in the Probation Camp. Further, this allows time to engage internal and external stakeholders in the planning process to meet the needs of youth that will be in custody in the future at either location as a result of the recent passing of Senate Bill 823 (DJJ closure/realignment), and potential passage of Senate Bill 899 (the Elevate Justice Act) in 2021. This planning process will be further informed by the recommendations that came out of the Council of State Governments Improving Outcomes for Youth ("IOYouth") initiative, a Juvenile Justice system review conducted in 2019 (On File with the Clerk of the Board).

Senate Bill 823: Summary of legislation approved in 2020

- Division of Juvenile Justice will cease taking new admissions beginning July 1, 2021.
- Establishes the age of jurisdiction at age 23 for youth adjudicated of Welfare and Institutions Code (WIC) 707(b) offenses (designated serious and violent offenses) and age 25

for youth adjudicated on these 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).

Senate Bill 899: Summary of proposed legislation for 2021

- Raises age for juvenile court jurisdiction to age 19 (20th birthday)
- Aligns maximum amount of time in custody (custodial sentence) so as to not exceed the amount of custodial time an individual would receive in criminal court
- Extends record sealing to those adjudicated in juvenile court regardless of age
- Maintains judicial discretion for transfer to adult court
- Allows juveniles to remain on juvenile probation supervision through age 24
- Enhances training on adolescent brain development for Probation employees and treatment providers

The Board of State and Community Corrections (BSCC) has been contacted regarding the temporary un-occupancy of the Probation Camp. BSCC representatives indicate there is no foreseeable reason the Department would not be able to re-occupy Camp at a later date provided all mandated inspections continue during the period of un-occupancy. Further, per the BSCC, with Sonoma County Board of Supervisors and County Counsel consent, the Department may continue to use the Probation Camp for limited correctional purposes, including allowing adult offenders from Supervised Adult Crews (SAC) to access the shop equipment for vocational training purposes and in order to continue with Probation Camp production activities. This will enable Probation Camp to maintain all current and future shop orders and utilize current Probation Camp shop staff. By maintaining production, this ensures that upon Probation Camp re-occupancy, there is still a built-in vocational program to serve the Camp population. Per BSCC compliance requirements, the facility would not allow adult offenders to co-mingle with juvenile delinquents and would only be open during the hours of 0730 and 1800.

At this time, the Department does not anticipate staff will be demoted or laid off as a result of this temporary transition. Probation Camp staff, including 12 sworn Juvenile Correctional Counselors & Supervisors, 1 Division Director, 1 Admin Aide, and 1 Chef will be integrated into the Juvenile Division staffing plan. Currently, over one-third of staff assigned to the Juvenile Hall (40 individuals) are on some form of protected leave related to the COVID-19 public health emergency or routine health conditions. Re-assigned staff will also be instrumental in workgroups tasked with developing appropriate services for the future Camp program as well as programming for older youth serving longer commitments. As vacancies occur naturally throughout the year, due to retirements or promotions, they will be managed to reflect current populations and future needs. The Board's action today enables Department leadership and Human Resources Employee Relations staff to begin to engage the relevant bargaining groups (SCLEA, SCLEMA, and SEIU) in identifying potential impacts of this management decision on their members. These groups have been provided appropriate notice of the

Department's intentions.

Though this action is temporary, there is no re-occupancy date identified at this time. The Department will return to the Board with a strategic plan for the best use of this facility in the early part of 2021, including program and fiscal recommendations, prior to the Fiscal Year 2021-22 budget hearings.

Prior Board Actions:

FISCAL SUMMARY

Expenditures	**FY 20-21 Adopted**	**FY21-22 Projected**	**FY 22-23 Projected**
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:
The Camp Fiscal Year 20-21 Adopted Budget is $3.6 million with a General Fund Net Cost of $2.22 million. As a result of un-occupying Camp and consolidating residents in the Juvenile Hall the Department is anticipating a savings of approximately $100,000 in the current year. These savings primarily result from reducing the costs associated with resident services at Camp including meals, medical and behavioral health care and some utilities. Additionally, overtime and extra help costs should be reduced at the Juvenile Hall with the consolidation of staff in one facility. As noted above, the Camp Products program expenditures and revenues should remain fairly consistent assuming the program is able to access adult offender participation to fulfill product orders. The Camp Products budget is managed in a distinct Enterprise Fund and therefore does not impact General Fund net cost.

Staffing Impacts:			
Position Title (Payroll Classification)	**Monthly Salary Range (A-I Step)**	**Additions (Number)**	**Deletions (Number)**

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Narrative Explanation of Staffing Impacts (If Required):
N/A

Attachments:
N/A

Related Items "On File" with the Clerk of the Board:
Council of State Governments IOYouth Executive Summary