



Legislation Text

File #: 2021-0339, **Version:** 2

To: Board of Supervisors

Department or Agency Name(s): Probation Department

Staff Name and Phone Number: Brad Michnevich, (707) 565-6310

Vote Requirement: Majority

Supervisory District(s): Countywide

Title:

Juvenile Probation Restorative Justice

Recommended Action:

Authorize the Chief Probation Officer to amend the Professional Services Agreement with Restorative Resources by \$50,000 (fifty thousand) and extend the term by six (6) months to December 31, 2021, and to amend the Professional Services Agreement with The Redwood Empire Conflict Resolution Service dba RECOURSE Mediation Services, by six (6) months to December 31, 2021.

Executive Summary:

The California Legislature passed AB1913, the Schiff-Cardenas Crime Prevention Act (later renamed Juvenile Justice Crime Prevention Act (JJCPA) in September 2000. This effort was designed to provide a stable funding source to counties for juvenile programs that have proved effective in reducing crime among at-risk and young offenders. The legislation mandates a local Juvenile Justice Coordinating Council (JJCC) to advise the Chief Probation Officer and assist in the creation of a Comprehensive Multi-Agency Juvenile Justice Plan (CMJJP). The Juvenile Justice Crime Prevention Act (JJCPA) funds Restorative Justice.

Restorative Justice services include one or more of the following components:

- Restorative Conferencing: conferences between the offending youth(s), the victim(s), and supports for either party. The victim and supports have the opportunity to convey how they were impacted by the offense, and the goal is an agreement of reparation and an apology.
- Restorative Mediation: facilitation of groups of offending youth and their family, or groups of several youth and their supports, to converse on harm caused and how to make amends and prevent harm in the future.
- Accountability Circles: facilitated peer support group of offenders going through the restorative process concurrently.
- Restorative Dialog: facilitated groups of primarily youth in custody who are not yet in restorative conferencing with victims; begins the process of understanding and engaging in conversations about conflict and impacts on relationships and harm.

Youth involved in the justice system have a negative affect on their victims as well as their immediate supports (family, friends, etc.). Accountability, acknowledging those impacts, and making amends are an important part of moving past delinquent behavior and reducing the possibility to reoffend. Too often youth make poor choices that lead to harming others when they may not have given the impact on others any consideration; Restorative Justice helps connect an offense to the impact on others. Amendments are needed to keep these valuable services in place until a proper RFP process can be conducted.

Discussion:

Restorative Justice Programs: Restorative Justice is a way of responding to criminal behavior by balancing the needs of the community, victims and offenders. Restorative Justice programs address accountability, competency development and community safety and have the following common features or goals:

- Focus on repair of harm to the victim.
- Provide a process for making amends to the community.
- Provide a process for greater understanding of how the incident affected others.
- Offer a meaningful way for the juvenile to take responsibility for their actions.
- Encourage apology or expressions of remorse.
- Involve the victim and the community in determining the accountability measures.

The current service agreements for Restorative Justice for Juvenile Probation are with Restorative Resources and The Redwood Empire Conflict Resolution Service dba RECOURSE Mediation Services; both contract terms are from July 01, 2018 to June 30, 2021. The not to exceed amount for Restorative Resources is \$312,500, and for RECOURSE the not to exceed amount is \$75,000. Each agreement has been amended once; Restorative Resources increased overall not to exceed amount with Board approval in December 2018, and RECOURSE required an administrative change in March 2019 to rates, which could be corrected without Board approval. Original agreements and First Amendments are attached. Today's action would be the Second Amendment to each agreement. Probation has invested considerable effort toward developing these services and the two providers have a long history of working with youth in the juvenile justice system.

Probation began the RPF process timely as required. However, staff resources diverted to address other significant changes within Probation including the temporary un-occupancy of Camp, DJJ Realignment, and COVID-19 staffing and tasks that resulted in the inability to give the procurement process the time and dedication deserved for the best possible outcome. As such, in order to avoid service interruption given the length of time needed to perform a thorough procurement process, the Department is requesting these contract extensions, with an intent to award the new agreement(s) by January 1, 2022.

Due to lower than typical case counts as a result of COVID-19, Probation does not expect to exceed the contract value for RECOURSE Mediation, and is therefore only asking for the term to be extended. Restorative Resources will not spend the contract limit come the end of the current contract period, but will if granted the six-month extension. In the current Fiscal Year 20-21 through March, 26 cases were referred to restorative justice programs.

Prior Board Actions:

December 11, 2018 - the Board approved Amendment #1 for Restorative Resources to increase the payment rates and maximum amount.

June 11, 2018 - Board approved contracts with Restorative Justice and RECOURSE Mediation for Restorative Justice services.

FISCAL SUMMARY

Expenditures	FY 20-21 Adopted	FY21-22 Projected	FY 22-23 Projected
Budgeted Expenses		125,000	125,000
Additional Appropriation Requested			
Total Expenditures		125,000	125,000
Funding Sources			
General Fund/WA GF			
State/Federal		125,000	125,000
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources		125,000	125,000

Narrative Explanation of Fiscal Impacts:

The appropriations for Probation's restorative justice programs are already included in its Fiscal Year 21-22 Recommended Budget.

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

Narrative Explanation of Staffing Impacts (If Required):

None

Attachments:

Recourse Mediation RJ PSA Amend #2
Restorative Resources RJ PSA Amend #2
Recourse Mediation PSA Amend #1
Restorative RJ PSA Amend #1

Recourse Mediation RJ PSA 063021

Restorative Resources RJ PSA 063021

Related Items “On File” with the Clerk of the Board:

None