

County of Santa Clara Probation Department

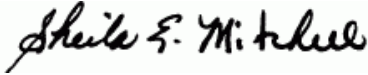


PSJC PRO01 021209

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DATE: February 12, 2009

TO: Supervisor George Shirakawa, Chairperson
Supervisor Donald F. Gage, Vice Chair
Public Safety & Justice Committee

FROM: 
Sheila E. Mitchell
Chief Probation Officer

SUBJECT: FY2009 Youthful Offender Block Grant

RECOMMENDED ACTION

Consider recommendations from Probation Department relating to the Youthful Offender Block Grant and forward to the Board of Supervisors for approval during its February 24, 2009 meeting.

Possible action:

- a. Approve Request for Appropriation Modification No. 136 - \$609,862 increasing revenue and expenditures in the Probation Department budget. (4/5 Roll Call Vote)

- b. Approve delegation of authority to the Chief Probation Officer, or designee, to submit annual renewals or extensions to the Corrections Standards Authority relating to the Youthful Offender Block Grant funding in the amount of \$2,383,972 for fiscal year 2009 and in an amount to be determined for fiscal year 2010. Delegation of authority shall expire on June 30, 2010.
- c. Approve delegation of authority to the Chief Probation Officer, or designee, to negotiate, execute, amend or terminate agreements relating to providing vocational and educational services for youth that have been recently released from the State Division of Juvenile Justice (DJJ) facilities, failed while on DJJ parole or other high-risk offenders in an amount not to exceed \$200,336 for period June 1, 2009 through June 30, 2010, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on June 30, 2010.

FISCAL IMPLICATIONS

No additional General Fund costs are associated with the approval of the recommended action. The State of California, through the Youthful Offender Block Grant (YOBG) awarded Santa Clara County Probation Department \$790,663 in Fiscal Year 2008 and \$2,383,972 in Fiscal Year 2009.

The FY 2008 funding award (\$790,663) was allocated as follows:

1. \$535,536 was used to cover the salaries and benefits of three Deputy Probation Officer (DPO) and two Senior Group Counselor (SGC) positions; and
2. \$255,127 was rolled over into the Department's FY 2009 budget to cover the cost of the vocational and educational services and other miscellaneous expenses.

The FY 2009 funding award (\$2,383,972) was allocated as follows:

1. On going funding of the FY2008 award of \$790,663;
2. \$979,921 was used to offset a ten percent funding reduction in the FY 2009 Juvenile Probation and Camps Funding Program;
3. \$3,526 to cover the FY2009 cost of living adjustment for DPO and SGC positions funded under the FY 2008 allocation; and
4. \$609,862 will be utilized by the Department in support of one or more of the eight approved strategies funded by the YOBG .

Allocation information regarding YOBG indicates that the Santa Clara County Probation Department will be granted this funding for three years with an increasing level of allocation in FY 2010. The amount of FY 2010 funding is not known at this time.

CONTRACT HISTORY

All contracts will be processed according to established Board of Supervisors policies and procedures.

REASONS FOR RECOMMENDATION

The Probation Department is in receipt of its second year of YOBG funding. The expenditure plan for the first year (FY2008) of funding included the intent to provide educational/vocational assistance for youth. The Department proposed spending \$200,336 for the purpose of contracting with a vendor to provide vocational and educational services. Educational/vocational assistance and job placement are key factors in youth becoming an independent and productive member of society, thus reducing the likelihood they will re-offend. This Department intends to release a Request for Proposal (RFP) to secure these services in February 2009.

Contracted services under this RFP will include enrollment into vocational training programs, assistance with job search/placement, removal of visible tattoos, assistance with obtaining their General Educational Development/high school diploma and assistance with enrolling in college.

Services will be provided to male and female youth between the ages of 17 to 19 that have been recently released from the State Division of Juvenile Justice (DJJ), failed while on DJJ parole and other high-risk youth. It is anticipated that these services will be provided to between 20 to 25 youth on an annual basis.

This RFP was originally scheduled to be released in August 2008, but due to staffing levels, it was placed on hold until January 2009.

The second of year (FY2009) of funding provides an increase of \$1,593,309.. Of this amount, \$979,921 was utilized to offset the 10% reduction in FY2009 funding through the Juvenile and Camp Funds grant. The additional \$609,862 will be utilized on one or more of the following eight approved YOBG funding strategies:

1. Implementing risk and needs assessment tools and evaluations to assist in the identification of appropriate youthful offender dispositions and reentry plans.
2. Placements in secure and semi-secure youthful offender rehabilitative facilities and private residential care programs, with or without foster care waivers, supporting specialized programs for youthful offenders.
3. Nonresidential dispositions such as day or evening treatment programs, community service, restitution, and drug-alcohol and other counseling programs based on an offender's assessed risks and needs.
4. House arrest, electronic monitoring, and intensive probation supervision programs.
5. Reentry and aftercare programs based on individual aftercare plans for each offender who is released from a public or private placement or confinement facility.
6. Capacity building strategies to upgrade the training and qualifications of juvenile justice and probation personnel serving the juvenile justice caseload.
7. Regional program and placement networks, including direct brokering and placement locating networks to facilitate out-of-county dispositions for counties lacking programs or facilities.
8. Other programs, placements, services, or strategies.

The Department will provide its expenditure plan for the additional funding to the County Executive for review in February 2009; prior to its FY2010 budget presentation to the Public Safety and Justice Committee.

BACKGROUND

On September 1, 2007, the State Division of Juvenile Justice (DJJ) discontinued accepting juvenile court commitments and parole violators, except those convicted of violent, serious, or sex offenses. Because of this action; juvenile offenders with less serious crimes would now be kept in their local jurisdictions, where they could benefit from programs within their communities and be closer to potential support networks; the Youthful Offender Block Grant (YOBG) was also created.

On December 13, 2007, the Probation Department presented a proposal to the Public Safety and Justice Committee, relating to submitting an application for YOBG funding and recommending that the proposal be sent to the Board of Supervisors for approval.

On December 28, 2007, the Probation Department submitted a Juvenile Justice Development Plan (JJDP) to the Corrections Standards Authority for approval. The JJDP explained services that would be provided for Santa Clara County youthful offenders who are non 707(b) Welfare and Institutions Code (WIC) offenders.

The Board of Supervisors approved the Department's proposals on January 15, 2008 (item 21); delegating authority to the Chief Probation Officer to apply for the grant and execute any agreements associated with the grant funds.

The Probation Department's JJDP and YOBG application were approved in March 2008; allocations from the grant must be used to enhance the capacity of the County Probation, Mental Health, Drug and Alcohol and other county department to provided appropriate rehabilitative and supervision services to youthful offenders. The Board of Supervisors authorized the Probation Department to accept the YOBG funds within its budget on an ongoing basis.

The YOBG was a result of the Division of Juvenile Justice (DJJ) realignment of juvenile offenders, whose commitment offenses are not described in Section 707 (b) WIC, from state facilities to local counties to assist in implementing a comprehensive program reform aimed at the effective rehabilitation of youthful offenders. Senate Bill 81 and Assembly Bill 191 outline four major changes with respect to the treatment of minors who are not offenders under 707(b) WIC or are sex offenders not required to register, pursuant to Section 290(d) (3) PC. The four major changes include:

1. An adjudicated Welfare & Institutions Code (WIC) delinquent youth can no longer be committed to the state Division of Juvenile Justice unless he or she is found to have committed a serious and violent offense listed in WIC Section 707 (b) – the section listing crimes for which minors can be tried as adults. Penal Code 290 (d) (3) – youth may no longer be committed as well. This Section of the Penal Code addresses sex offenders.
2. Non-707(b) and 290(d) (3) youth who are currently in a Division of Juvenile Justice facility, may be recalled to the County upon the recommendation of the Chief Probation Officer.
3. Non-707(b) and 290(d) (3) youth who will be eligible for release on or after September 1, 2007 are now the responsibility of the Probation Department in the County of commitment.
4. Non-707(b) and 290 youth currently under the jurisdiction of the Division of Juvenile Justice Parole Division but who are returned to custody upon the suspension, cancellation or revocation of parole shall be returned to the County of commitment.

The Department conducted a review of the Juvenile Justice Crime Prevention Act (JJCPA) and Comprehensive Multi-agency Juvenile Justice Plan, and integrated the YOBG program

services with the JJCPA Enhanced Services for High Risk Probationers (ESP) program.

Of the eight approved strategies for providing youthful offender services, the Department implemented the intensive supervision services and reentry aftercare. In order to effectively provide supervision and services to this population, three caseloads were created in our Juvenile Services Division to supervise this high-risk population.

One caseload consists of the non-707(b) youth being released from DJJ facilities and youth who may return to the County as a result of failure on DJJ Parole. The Deputy Probation Officer assigned to this High-Risk Offender caseload provides intensive supervision and services to these offenders, make contact with these offenders prior to release from a DJJ facility and attend Parole Board Hearings to assist in the offender's reintegration into the community. Prior to returning to the community, a comprehensive reentry plan is created for each youth. The parent and/or guardian will play an integral part in the reentry plan. Services available for these youth include:

- **Intensive Outpatient Mental Health Services:** Medication support, mental health treatment and case management services for approximately six months.
- **Brief Strategic Family Therapy (BSFT):** A critical component of successful reintegration of youth in the community is the development of a strong positive relationship with the family. Critical to this is addressing unresolved family system issues. This model targets conduct problems, associations with anti-social peers, early substance abuse, and problematic family relations. These services are delivered in 8 to 12 weekly, 1 to 1.5 hour sessions.
- **Aggression Replacement Training (ART):** This intervention modality is designed to alter the behavior of chronically aggressive youth. It consists of a curriculum of fifty pro-social behaviors that are systematically taught to empower and motivate youth to modify their own anger and aggressive behaviors.

Additionally, these youth will receive vocational and educational programs and job placement, if appropriate. The Deputy Probation Officer will ensure that school age youth are successfully transitioned to their home school. The Probation Departments intends to issue a Request for Proposal to secure these vocational and educational services.

Two supervision caseloads were created and two Deputy Probation Officers added to address (in a non-custodial setting) the non-707(b) youth we can no longer commit to DJJ. As a component to intensive supervision, the youth supervised on these caseloads will receive treatment services through the Enhanced Services to High Risk Youth program funded by

Juvenile Justice Crime Prevention Act (JJCPA). The scope of services available to these youth, as a result of our collaboration with community based organizations, will also include Intensive Outpatient Mental Health Services, BSFT and ART.

In addition to the three Deputy Probation Officers, two Senior Group Counselors have been assigned to monitor these youth who are placed on the Community Release and/or Electronic Monitoring Program. These programs provide intensive supervision, which includes a minimum of three field supervision contacts a week, one of which must be a home contact with the family. In addition, these Senior Group Counselors make contacts with school representatives, community-based programs for counseling requirements, and employment contacts to assist youth in obtaining jobs. These Senior Group Counselors work with the assigned Probation Officers to ensure these youth are enrolled and participating in an education/vocational program and/or are employed. They will also provide substance abuse testing.

An existing Probation Community Worker position was assigned to support the three Deputy Probation Officers. This Probation Community Worker will work in a supportive role to assist in monitoring compliance with all Court orders. Specifically, this Probation Community Worker is responsible for case management duties in support of the reentry plan specific to each youth.

CONSEQUENCES OF NEGATIVE ACTION

The Probation Department would not be able to contract with a vendor to provide vocational and educational services to non-707(b) youthful offenders and would be unable to expend the increased funding provided through the YOBG.

STEPS FOLLOWING APPROVAL

Forward to the February 24, 2009, Board of Supervisors meeting for approval.

Upon the Board of Supervisor's approval, the Clerk of the Board's Office is requested to send KeyBoard notification to Delores Nnam, Jessie Fuentes and Don Casillas of the Probation Department.

ATTACHMENTS

- FY10 Youthful Offender Block Grant - F85