

SUBSTITUTE MOTION BY SUPERVISORS HOLLY J. MITCHELL
AND SHEILA KUEHL

July 27, 2021

Preparing for the Closure of the Division of Juvenile Justice Plan

On May 14, 2020, Governor Gavin Newsom announced, as part of the revised budget, that the California Department of Corrections and Rehabilitation’s Division of Juvenile Justice (DJJ) would be closing. The decision recognized the longstanding problems associated with the state youth prison system and the need to better support youth’s rehabilitation and redefine public safety through providing age-appropriate treatment and keeping them closer to their communities and families. Under subsequent legislation passed in 2020 and 2021, intake of new youth to DJJ ended July 1, 2021, with certain exceptions, and counties will begin receiving annual funding to meet the needs of the population currently served by DJJ. Youth currently at DJJ may remain there until the facilities close on June 30, 2023.

State law set forth a collaborative process to develop plans to meet the needs of youth realigned to county care. As a result, all counties must establish a subcommittee of their Juvenile Justice Coordinating Council (JJCC) to develop and submit plans for local alternatives to DJJ to a new State agency, the Office of Youth and Community Restoration, by January 1, 2022.

Ahead of the legislation eventually adopted by the State of California, on May 26, 2020, the Los Angeles County (County) Board of Supervisors (Board) unanimously

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approved a motion asking the County's Youth Justice Work Group (YJWG) – already convened and comprised of diverse experts – to begin to immediately prepare for the transition of youth who would have been committed to DJJ to instead be in the County's custody and care. The County was uniquely positioned to fold its vision for DJJ alternatives into the YJWG's existing collaborative process to transform the County's youth justice system into a rehabilitative, health-focused and care-first system. The motion thus requested that the YJWG also begin developing local plans for DJJ's closure. In late 2020, the YJWG submitted recommendations to the Board for a comprehensive, phased approach to transforming the County's youth justice system titled "Youth Justice Reimagined," and the YJWG's DJJ Subcommittee submitted specific recommendations for developing and using alternatives to DJJ guided by the vision and principles of Youth Justice Reimagined.

Subsequently, the JJCC Subcommittee was created in January 2021, as required under State legislation, to further develop a plan for the County to assume responsibility for the custody, treatment and supervision of youth who would have otherwise been committed to DJJ. On February 9, 2021, the Board instructed the committee, called the Juvenile Justice Realignment Block Grant (JJRBG) subcommittee, whose membership is established by State legislation, to consult with local justice, health, community, and other relevant stakeholders, to report back in writing in 120 days with: 1) recommendations that consider and incorporate, where appropriate, the YJWG's recommendations, including those from the report titled, "Youth Justice Reimagined: Recommendations of the Youth Justice Work Group DJJ Transition Team"; 2) a DJJ plan (Plan) for approval by the Board prior to submitting the Plan to the State and 3) a mechanism that institutes an annual report back in writing to the Board with updates to the Plan as needed.

After conducting site visits at the County's various secure facilities and considering their current use, capacity and ability to be adapted to safely and effectively serve as a "secure youth treatment facility" (SYTF) that is consistent with the County's commitment to a care-first approach, the JJRBG recommended that, beginning July 1, 2021, Campus

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Kilpatrick in Malibu temporarily serve as the SYTF dispositional option. Under new state law, this site will house male youth who would have otherwise been committed to DJJ, until a renovation plan can be developed and proposed for a small group model environment at Camps Scott or Scudder, located in Santa Clarita, to serve as the ongoing SYTF.

Campus Kilpatrick is the only location where the [LA Model](#) is currently being implemented. The Campus was opened in July 2017 and provides a therapeutic treatment model that is youth focused. The grounds consist of small cottages instead of traditional open dormitory settings, classroom spaces, and a modern and bright dining facility. It has a capacity and is permitted to house 120 youth, has served up to 42 youth previously and is currently serving 24 youth. Although the Campus is permitted to house 120 youth, in light of the Department's current efforts to reduce the spread of COVID-19, capacity has been reduced to approximately 60 youth. The reduced capacity is likely to remain in place for the duration of the pandemic. Moreover, the Campus has limited green space, classroom space, and staff sleeping quarters. It is anticipated that, while temporarily serving as a SYTF, as many as 60 youth will need to be housed over the course of a year and approximately 16 additional staff. Housing this many youths at the Campus could have an adverse impact on the youth who are currently placed there, as well as the number of youths who could potentially be placed there in the future. It would also impact the County's ability to move forward with implementing the LA Model (an effort that has been placed on hold due to impacts from the Woolsey fire and then the COVID-19 pandemic). For this reason, it is imperative that a permanent location be selected and operationalized for the male DJJ population as expediently as possible, and that the number of DJJ youth housed at Campus Kilpatrick be limited to no more than half of the total capacity (including reduced capacity based on COVID-19 best practices). In addition, minor physical improvements to Campus Kilpatrick are needed for this short-term use consisting mostly of camera installation and relocation of lighting. Operations will be consistent with existing conditions and staffing levels are not expected to exceed

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past operations at the facility as they historically have fluctuated depending on the number of youth served. The existing facility has more than sufficient capacity to serve this purpose. There would, therefore, be no negligible change in the use of the facility.

The JJRBG Subcommittee also recommended that the Dorothy Kirby Center permanently serve in a limited capacity as a SYTF for girls to preserve the one location that is designated as a mental-health specific level 14 placement. The Dorothy Kirby Center has capacity and is permitted to house 92 girls, has served up to 85 youth previously and is currently serving 52 youth. It is anticipated that less than 15 additional girls will be housed at the facility as a SYTF, and less than 16 additional staff. No physical improvements to the facility are needed for this use. The existing facility has more than sufficient capacity to serve this purpose. Operations will be consistent with existing conditions and staffing levels are not anticipated to exceed past operations at the facility as they have historically fluctuated depending on the number of youths served. There would, therefore, be no or negligible change in the use of the facility.

Camps Scott and Scudder are currently vacant but have the licensed capacity to house 113 and 105 youth, respectively. Historically, these camps have served 122 youth and 111 youth respectively, and the number of staff and youth has varied according to need. It is anticipated that 125 male youth may need to be housed at these camps. In order for these camps to be considered as the permanent SYTF for male youth, renovations, which are anticipated to be minor, to the facilities may be needed to create a small group model environment similar to Campus Kilpatrick.

In addition, Campus Gonzales would continue to be reserved for a vocational training program (and a possible step-down facility) as set forth in the [motion](#) adopted by the Board on May 15, 2018. Similarly, the Challenger Memorial Youth Center in Lancaster would continue to be reserved for a residential vocational training facility for young adults as set forth in the [motion](#) adopted by the Board on October 30, 2018.

Other facilities, including the juvenile halls, and Camps Munz and Mendenhall, were considered and ruled out as a SYTF for reasons that included being overly

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institutional and lacking capacity to be used without serious disruption to the youth populations currently housed there. Juvenile facilities that have been closed for several years were considered and rejected, in light of years of declining numbers of incarcerated youth, the County's commitment to continue reducing its reliance on detention, and the costs of repurposing facilities that have fallen into significant disrepair.

These considerations and recommendations echo and are consistent with those articulated in the W. Haywood Burns Institute's final report issued in December 2020 based on last year's multi-stakeholder DJJ Transition Team that convened intensely over six months. Beyond the designation and physical preparation of facilities, the JJRBG Subcommittee's recommendations and ongoing work focus on the importance of multi-disciplinary decision-making and staffing; a continuum of comprehensive, restorative programs and supports; and less restrictive placement options in the community for youth to step down in alignment with best practices around youth development and comprehensive public safety.

The youth who might have otherwise been committed to DJJ are some of the most vulnerable and most in need of an alternative rooted in harm repair and healing. While their offenses and adjudications may stoke the fears of some, they are children who have seen, experienced and endured a great deal. The current systems of incarceration only perpetuate the harms they experienced because they are built out of punishment and isolation. In creating an alternative model that comports with Youth Justice Reimagined, we have the opportunity to work towards ending system-involvement for these youth.

WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

- 1) Find the following, with respect to the Juvenile Justice Realignment Block Grant (JJRBG) Subcommittee recommendations, for Campus Kilpatrick to be the temporary secure youth treatment facility (SYTF) location for male youth, and Dorothy Kirby Center to be the permanent SYTF location for girls; Find that the temporary use of Campus Kilpatrick as the SYTF for up to 40 male youth, and the use of the Dorothy Kirby Center as the SYTF for up to 15 girls, does not constitute

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a project under CEQA because it is an organizational or administrative activity of government that is excluded from the definition of a project by Section 21065 of the California Public Resources Code and Section 15378(b)(5) of the State CEQA Guidelines. The proposed actions will not result in direct or indirect physical changes to the environment. Additionally, find that the proposed minor actions described herein to improve Campus Kilpatrick are categorically exempt from the California Environmental Quality Act (CEQA), pursuant to section 15301(a) and (f) and section 15303(e) of the State CEQA Guidelines and Classes 1 (d) and (i) and 3(b) of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G because they are within certain classes of projects that have been determined not to have a significant effect on the environment. This exemption applies to the operation, repair and minor alteration of the interior and exterior of existing public facilities, and structures, installation of safety devices in conjunction with existing facilities and installation of small new equipment in small structures. There would be no or negligible expansion of existing and former use of the facilities, which serve youth in the care of the Probation Department. In addition, based on the proposed project records, use of these facilities as proposed will comply with all applicable regulations; they are not located in a sensitive environment; and there are no cumulative impacts, unusual circumstances, damage to scenic highways, listing on hazardous waste site lists compiled pursuant to Government Code section 65962.5, or indications that their use may cause a substantial adverse change in the significance of a historical resource that would make the exemption inapplicable. Upon the Board's approval of the proposed project and related actions, the Probation Department will file a Notice of Exemption for the use of Campus Kilpatrick and the Dorothy Kirby Center with the Registrar-Recorder/County Clerk in accordance with section 21152 of the California Public Resources Code.

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- 2) Adopt the Juvenile Justice Realignment Block Grant (JJRBG) Subcommittee recommendations for Campus Kilpatrick to be the temporary SYTF location for 40 male youth, and Dorothy Kirby Center to be the permanent SYTF location for up to 15 girls.
- 3) Recognize that any and all alternatives to the Division of Justice Juvenile (DJJ) shall be rooted in the vision of Youth Justice Reimagined (YJR).
- 4) Instruct the Chief Probation Officer, in collaboration with the Youth Justice Transition Advisory Group and the JJRBG Subcommittee, to: (a) develop a plan for proposed renovations at Camps Scott and Scudder that would make the camps safe and ready for use in accordance with the values of YJR and recommendations of the JJRBG subcommittee, and in compliance with California Building Standards Code, Title 24 mandates; (b) commence appropriate environmental review of the proposed plan in compliance with CEQA; and (c) report back in writing in 90 days with the proposed renovation plan, proposed CEQA findings or plan for CEQA compliance, and feedback received from community stakeholders.
- 5) Instruct the Executive Director of the Probation Oversight Commission and Youth Justice Transition Advisory Group, in collaboration with the JJRBG, to report back to the Board in writing in 30 days with a plan to conduct community stakeholder engagement regarding the proposed use of Camps Scott and Scudder for SYTF; and report back in writing in 60 days on the results of the community stakeholder engagement that must be completed within 60 days, including a description of feedback received by community stakeholders; and an exploration and overview of the following facilities: Camps Munz, Mendenhall, and Holton.
- 6) Instruct the Chief Probation Officer, the Youth Justice Transition Advisory Group, and the JJRBG Subcommittee to work collaboratively on proposed plans to ensure supportive programming (including, among other needs, community-based programming inside facilities to link youth to re-entry services) and to include a transformative staffing model (e.g., a co-staffing model, and employing credible

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messengers outside of the Probation Department) that facilitates a safer, more therapeutic environment at all SYTFs (including Camps Scott and Scudder, Campus Kilpatrick and the Dorothy Kirby Center), as well as to ensure that a continuum of less restrictive options would be available; and report back in writing in 45 days with an update on progress, and report to the Board in writing every 60 days thereafter to keep the Board informed of the status and progress of the DJJ transition, including ongoing community stakeholder feedback and alignment with the values of YJR, until such time as the selection and implementation of a permanent SYTF is finalized.

- 7) Instruct the JJRBG Subcommittee to develop and submit funding recommendations for the first allocation of JJRBG funds to the Board of Supervisors (Board) in writing in 45 days.
- 8) Instruct the JJRBG Subcommittee to further develop and submit the JJRBG plan in writing to the Board for approval within 75 days.
- 9) Instruct the Chief Probation Officer, Chief Executive Officer and relevant departments to report back in writing in 90 days on the viability of using any closed juvenile Probation facilities and properties as sites for expanded therapeutic mental health beds given the countywide shortage.

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(CAS/JM)