ROBERT B. TAYLOR
Chief Probation Officer

COUNTY OF LOS ANGELES
PROBATION DEPARTMENT

9150 EAST IMPERIAL HIGHWAY — DOWNEY, CALIFORNIA 90242

(562) 940-2501

May 25, 2007

TO: Supervisor Zev Yaroslavsky, Chairman
Supervisor Gloria Molina
Supervisor Yvonne B. Burke
Supervisor Don Knabe
Michael D. Antonovich

FROM: Robert B. Taylor
Chief Probation Officer

SUBJECT: **GOVERNOR SCHWARZENEGGER'S PROPOSED JUVENILE JUSTICE INITIATIVE (RELATES TO 5/29/07 BOARD AGENDA)**

On May 22, 2007, by motion of Supervisor Molina, the Board directed the Chief Probation Officer to report back to the Board regarding the Governor's Prison Reform proposal for the Division of Juvenile Justice. A separate comprehensive report regarding the proposed development of the Fred C. Nelles correctional facility property, located in the City of Whittier, is currently being prepared in conjunction with the Chief Administrative Officer (CAO) and the Director of the Department of Mental Health.

Background:

On January 16, 2007, by motion of Supervisor Yaroslavsky, the Board directed the Chief Probation Officer to take the following actions:

1) Investigate and assess Governor Schwarzenegger's proposed State initiative, which seeks to shift a substantial number of youth presently housed in the State juvenile facilities to County custody, as well as analyze its impact on County resources and on its ongoing reform efforts; and

2) Prepare a report with an assessment, analysis, and recommendations for presentation to the Board within 30 days.

Following the instructions of the Board, the Probation Department submitted the requested document February 13, 2007 (Board Agenda, Item #72) – see attachment.

GOVERNOR'S PROPOSED INITIATIVE

On December 21, 2006, the Governor unveiled a prison reform proposal to address the State's prison overcrowding of correctional facilities and to reduce recidivism. As reflected in his FY 2007-08, Proposed Budget released on January 10, 2007, public safety through corrections reform is the Governor's top priority. His budget documents indicate that:

Beginning July 1, 2007, the Division of Juvenile Justice (DJJ) formerly the California Youth Authority, will begin the process of shifting the population of youth housed in state facilities to local facilities, and will provide resources to support their program and housing needs. The DJJ will reduce its population so that only the most serious and violent youth are housed in DJJ facilities. Youth with sustained lesser offenses will remain at the county level where they can benefit from programs provided by their local communities and be closer to potential support networks. The DJJ will accomplish this shift by narrowing the scope of intake and phasing out a portion of its current population. DJJ will:

- Stop intake of female youth and no longer house female offenders in DJJ facilities;
- Stop intake for parole violators with an original non-violent offense;
- Stop intake of non-violent juveniles who are adjudicated by the court and who are currently committed to DJJ until age 21; and
- Return non-violent juveniles who are the responsibility of the DJJ until the age of 21, to the jurisdiction of counties.

These changes are projected to result in DJJ's population being reduced by 1,338 youth by June 30, 2008. To provide adequate programs and services to youth that are sent back to counties, or who otherwise would have been committed to the DJJ, but will now be held at the county level, the state will provide counties with funding through a block grant to support local programs for these youth. The block grant methodology will be evaluated to determine if it results in an equitable distribution of funds. An estimated $53 million will be allocated to counties. Because the state's cost to provide housing and programming is greater than the funding to be provided to counties, this approach will result in a State General Fund savings of $32.9 million in FY 2007-08.

Estimated $53 Million Statewide Allocation – To provide adequate programs and services to youth that are sent back to counties or who otherwise would have been committed to the DJJ, but will now be held at the county level, the state will provide counties with funding through a block grant to support local programs for these youth. The block grant methodology will be evaluated to determine if it results in an equitable distribution of funds. An estimated $53 million will be allocated to counties.

Because the state's cost to provide housing and programming is greater than the funding to be provided to counties, this approach is projected by the State to result in a State General Fund savings of $32 million in FY 2007-08, and greater savings in every year thereafter.

The May Revision reflects a net decrease of $7.2 million in the General Fund as a result of adjusting the per capita cost for housing youth within the DJJ. This reflects FY 2007-08 costs and revising the number of youth that will be housed locally based on updated estimates of intake. The Governor's Budget assumed that the DJJ's institution population would be reduced by 1,338 youth by June 30, 2008. The DJJ's institution population is now projected to decrease by 931 youth by June 30, 2008. This revision in the Governor's Proposed Budget (May Revision), appears to reflect the Governor's modified budget initiative that is being discussed by the state legislature, DJJ, and the Governor's Office.

Originally the Governor's budget initiative proposed that the state would no longer accept category 5, 6, and 7 youth after July 1, 2007; that they would not accept any youth who had mental or special health needs; that any youth with mental health or physical health issues would have to be assessed by them; that no females would be accepted and that they would reimburse the counties for those youth not sent to the state, at a rate of $94,000 per youth per year. The Governor's proposed budget initiative also asked for $400 million in construction funds.

The DJJ and Governor's staff met with the Chief Probation Officers of California (CPOC) and CPOC told them that the Governor's proposed budget initiative was not acceptable. As a result of negotiations, the proposed budget initiative was modified to indicate that the counties would no longer send non 707(b) youth to the state and agreed to only send youth who were convicted of a 707(b) offense (Serious & Violent Offenses – see attachment **A**). The restrictions on mental health, physical health and gender were removed. The Governor's State budget initiative is now gender neutral and the county would be responsible for youth who were non 707(b) and had mental health or physical health issues, and the state would be responsible for youth sent to them who had mental health or physical health issues. The only issue remaining to be resolved is the question of how the counties would be reimbursed. The state has an offer of $94,000 on the table and CPOC believes that $130,000 is more realistic given what the state is currently paying somewhere between $160,000-$220,000. California State Association of Counties (CSAC) has indicated that the amount should be higher than $130,000 to accommodate Northern Counties.

The Los Angeles County Probation Department and CPOC support the Governor's modified budget initiative for three primary reasons. First, the Department believes in the basic premise of the Governor's State budget initiative, which is to treat more youth at the local level. Local treatment generally provides better outcomes. Second, the Department is currently paying the state approximately three million dollars a year based upon a sliding scale of services for non 707(b) youth housed in

state facilities. This fee for service was a result of legislation passed several years ago which allowed the state to charge for some of its services. If the county no longer sent these youth to the state, the county would realize this savings. Third, it is estimated that the proposed budget initiative would cost the Department about $96,000 per youth to provide basic care and services (this does not include mental health and health services provided outside of Probation facilities). The Auditor-Controller has approved the Los Angeles County Camp Daily Rate, for FY 2007/2008, at $252.65 per day, which computes to $92,217.25 per youth annually.

The Department believes that the Governor's State budget initiative is a move in the right direction in terms of providing localized treatment for youth. Although, the Probation Department is interested in keeping future non 707(b) youth in the county, adequate funding must be made available; the Department is not interested in having non 707(b) youth, currently housed in DJJ, transferred back to the County for housing.

The Probation Department has the capacity to handle these additional youth, which are estimated to be 200-300 a year. If a capacity issue does arise, the Department plans to address the problem by moving a portion of the 707(b) youth from camp(s) to a state facility, which would be permissible under the proposal. However, the vacant Fred C. Nelles State Correctional facility, located in the City of Whittier, would not be used. Neither the Governor's State budget initiative, nor the CPOC modified proposal impacts the proposed legislation for the sale and conversion of Fred C. Nelles to a non-correctional facility. Although, the Department has adequate housing, there is a need for state facilities funding to pay for future maintenance, upgrades and modernization of aging facilities and possibly the development of some new housing better suited to the needs of youth with health, mental health and co-occurring disorders.

The Governor's State budget initiative is scheduled to move to the Budget Conference committee by June 1, 2007. It is believed the financial details will be resolved in committee.

The Board is respectfully requested to oppose the Governor's State budget initiative in its current form and to support CPOC's modified proposal, which provides for increased funding at a minimum of $130,000 annually, per youth (capped at a minimum of 200 youth).

The Department will keep your Board apprised of any significant developments. If you have any questions, please contact me or Dave Davies, Chief Deputy at (562) 940-2511.

c: Sachi A. Hamai, Executive Officer, Board of Supervisors
David E. Janssen, Chief Administrative Officer
Dr. Marvin J. Southard, Director, Department of Mental Health

Attachment A

W&I 707(b) offenses

(1) Murder.

(2) Arson, as provided in subdivision (a) or (b) of Section 451 of the Penal Code.

(3) Robbery.

(4) Rape with force or violence or threat of great bodily harm.

(5) Sodomy by force, violence, duress, menace, or threat of great bodily harm.

(6) Lewd or lascivious act as provided in subdivision (b) of Section 288 of the Penal Code.

(7) Oral copulation by force, violence, duress, menace, or threat of great bodily harm.

(8) Any offense specified in subdivision (a) of Section 289 of the Penal Code.

(9) Kidnapping for ransom.

(10) Kidnapping for purpose of robbery.

(11) Kidnapping with bodily harm.

(12) Attempted murder.

(13) Assault with a firearm or destructive device.

(14) Assault by any means of force likely to produce great bodily injury.

(15) Discharge of a firearm into an inhabited or occupied building.

(16) Any offense described in Section 1203.09 of the Penal Code.

(17) Any offense described in Section 12022.5 or 12022.53 of the Penal Code.

(18) Any felony offense in which the minor personally used a weapon listed in subdivision (a) of Section 12020 of the Penal Code.

(19) Any felony offense described in Section 136.1 or 137 of the Penal Code.

(20) Manufacturing, compounding, or selling one-half ounce or more of any salt or solution of a controlled substance specified in subdivision (e) of Section 11055 of the Health and Safety Code.

(21) Any violent felony, as defined in subdivision (c) of Section 667.5 of the Penal Code, which would also constitute a felony violation of subdivision (b) of Section 186.22 of the Penal Code.

(22) Escape, by the use of force or violence, from any county juvenile hall, home, ranch, camp, or forestry camp in violation of subdivision (b) of Section 871 where great bodily injury is intentionally inflicted upon an employee of the juvenile facility during the commission of the escape.

(23) Torture as described in Sections 206 and 206.1 of the Penal Code.

(24) Aggravated mayhem, as described in Section 205 of the Penal Code.

(25) Carjacking, as described in Section 215 of the Penal Code, while armed with a dangerous or deadly weapon.

(26) Kidnapping, as punishable in subdivision (d) of Section 208 of the Penal Code.

(27) Kidnapping, as punishable in Section 209.5 of the Penal Code.

(28) The offense described in subdivision (c) of Section 12034 of the Penal Code.

(29) The offense described in Section 12308 of the Penal Code.

(30) Voluntary manslaughter, as described in subdivision (a) of Section 192 of the Penal Code.

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PROBATION DEPARTMENT

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ROBERT B. TAYLOR
Chief Probation Officer

February 12, 2007

TO: Supervisor Zev Yaroslavsky, Chairman
Supervisor Gloria Molina
Supervisor Yvonne B. Burke
Supervisor Don Knabe
Supervisor Michael D. Antonovich

FROM: Robert B. Taylor
Chief Probation Officer

SUBJECT: **GOVERNOR SCHWARZENEGGER'S PROPOSED JUVENILE JUSTICE INITIATIVE (RELATES TO 2/13/07 BOARD AGENDA, ITEM #72)**

On January 16, 2007, on motion of Supervisor Yaroslavsky, the Board directed the Chief Probation Officer to take the following actions:

1) Investigate and assess Governor Schwarzenegger's proposed State initiative, which seeks to shift a substantial number of wards presently housed in the State Juvenile facilities to County Custody, as well as analyze its impact on County resources and on its ongoing reform efforts; and

2) Prepare a report with an assessment, analysis, and recommendations for presentation to the Board within 30 days.

The Governor's proposed initiative is in its very preliminary stages and does not contain sufficient details to enable us to determine an accurate programmatic and fiscal impact. This report provides: 1) an overview of the initiative; 2) an overview of our County's commitments to the Division of Juvenile Justice (DJJ), formerly California Youth Authority, as well as a description of minors' characteristics; 3) a preliminary overview of the impact on County resources and ongoing reform efforts; 4) preliminary issues, concerns, and benefits; 5) a proposed model system of juvenile justice; and 6) our recommendations and next steps.

I. GOVERNOR'S PROPOSED INITIATIVE

DJJ Shift in Juvenile Population to Local Counties – On December 21, 2006, the Governor unveiled a prison reform proposal to address the State's prison overcrowded correctional facilities and to reduce recidivism. As reflected in his FY 2007-08 Proposed Budget, the Governor's top priority is public safety through corrections reform. The Governor's budget documents indicate that:

> Beginning July 1, 2007, the DJJ will begin the process of reducing the population of juvenile offenders housed in state facilities by using local facilities, and will provide financial resources to support their program and housing needs. The DJJ will reduce its population so that only the most serious and violent juvenile offenders are housed in state facilities. Offenders convicted of lesser crimes will remain at the county level where they can benefit from programs provided by their local communities and be closer to potential support networks. The DJJ will accomplish this shift by narrowing the scope of intake and phasing out a portion of its current population. DJJ will:
>
> - Stop intake of female juvenile offenders and no longer house female offenders in DJJ facilities;
> - Stop intake for parole violators with an original non-violent offense;
> - Stop intake of non-violent juveniles who are adjudicated by the court and who are currently committed to DJJ until age 21; and
> - Return non-violent juveniles who are the responsibility of the DJJ until the age of 21 to the jurisdiction of counties.

These changes are projected to result in DJJ's population being reduced by 1,338 juvenile offenders by June 30, 2008, which is about a 45 percent decrease in their current population.

Estimated $53 Million Statewide Allocation – To provide adequate programs and services to wards that are sent back to counties or who otherwise would have been committed to the DJJ but will now be held at the county level, the state will provide counties with funding through a block grant to support local programs for these offenders. The block grant methodology will be evaluated to determine if it results in an equitable distribution of funds. An estimated $53 million will be allocated to counties. Because the state's cost to provide housing and programming is greater than the funding to be provided to counties, this approach is projected by the State to result in a State General Fund savings of $32.9 million in FY 2007-08, and a greater savings every year thereafter.

At this time, additional clarification is necessary to determine our estimated share of these funds since DJJ representatives have indicated that reimbursement may be

handled on a case by case basis. However, we believe that the level of funding should include a method for annual cost increases based on industry-recognized factors, including annualized cost or funding adjustments for inflation or other considerations.

Overall, the Governor has recommended building more prisons, improving infrastructure, creating secure community-based re-entry centers and moving non-violent women out of prisons and into community-based facilities. In 2006, Dr. Joan Petersilia, University of California, Irvine, published a report, "Understanding California Corrections", which acknowledges that "Reforms that treat only prisons fail to address significant structures, such as jails and probation – that actually handle the vast majority of the state's convicted criminals". Not only do probation departments supervise offenders in the community, but through the revocation process they send over 17,000 offenders to state prison each year.[1] A conservative estimate of the cost of sending these probationers to prison, assuming that each offender stays in prison for two years at a cost of $34,000 per year[2] would be $1,156,000,000 (over $1.1 billion). A 10 percent reduction in the prison bound probation population could save the state over $115 million in prison costs. As these numbers show, intervening with this population of prison bound probationers to increase supervision and treatment services can have a significant impact on prison admissions and help to reduce prison overcrowding in California.

The importance of the role of probation has been clearly shown in Taxman et.al.'s 2006 report on Proactive Community Supervision (PCS) in Maryland. When the role of the probation officer is "broadened from surveillance of the offender to engaging the offender in the change process and facilitating the offender's involvement in treatment programs and pro-social activities that focus on building skills to be productive in society" the rates of re-arrest and warrants filed can be lowered. The PCS model is based on the five major components:

1) The use of a risk/need assessment to determine criminogenic traits;
2) The development of a case plan based on the risk/need assessment;
3) The need to hold the offender accountable for progress on the plan;
4) The creation of environments and interactions that are conducive to facilitating change; and
5) The development of collaborative community partners.

- [1] In 2005, San Diego county revoked approximately 9% of its total probationers to prison (1,625 revoked to prison out of 17,500 active probationers)
- In 2005, Orange County revoked approximately 5% of its total probationers to prison (822 revoked to prison out of 15,000 active probationers)
- In 2003, there were 353,477 active probationers in the state of California (Using the most recent number from the Ag's web site)
- There are between 17,673 (5%) and 31,813 (9%) prison bound probationers in California
- Conclusion – using a conservative estimate – there are over 17,000 prison bound probationers who could be diverted from prison each year.

[2] Estimates on average length of stay and cost per year are taken from J. Petersilia's May 2006 CPRC report.

As previously indicated, the Governor's proposal is in its very preliminary stages, and as the saying goes, the devil is in the details. We have been in communication with DJJ and with the Governor's staff, and we are working with the CAO's legislative staff and local legislative representatives to ensure that any changes in the current system do not negatively impact Los Angeles County or any of its departments. The meetings that are currently being conducted are fleshing out some of the issues in the proposal so that it can be better understood as to what is meant by diverting certain offenders. For example, the state uses a classification system for offenders where offenders are classified between the number 1 and the number 7, one being the most serious offender. The state has indicated that it would like offenders in categories 4-7 to remain at the county level. There is a need to ensure that there is validity in the classification system and that it is consistent with the system used by the County. Pursuant to Title I5 of the California Code of Regulations, the offenses, by category, are delineated in Attachment I.

II. OVERVIEW OF LOS ANGELES COUNTY COMMITMENTS TO DJJ

According to the State of California, the total DJJ institution population for the state on June 30, 2007, is projected to be 2,630, 30 lower than the spring 2006 projection of 2,660. The institution population is projected to drop during the following year approaching 2,490 by June 30, 2008, (40 lower than the spring 2006 projection of 2,530). The institution population will continue to decrease slowly in the foreseeable future, even without the proposed recommendations. This is largely due to fewer minors being sent to the state by local counties.

Despite increases in the population of young people, the rate minors are being arrested and incarcerated is at its lowest point in 30 years. Los Angeles County currently sends 75 percent fewer minors to the state than it did two decades ago. The following table and Attachment II provide a perspective of the significant decline in Los Angeles County's average monthly youth population at DJJ in recent years.

PROBATION DEPARTMENT'S MONTHLY AVERAGE POPULATION OF YOUTH AT DJJ

Offense Category	FY 2002-03	FY 2005-06	Estimated FY 2006-07	Estimated FY 2007-08 w/Proposal	Variance FY 2002-03 vs. Est. FY 2006-07
1-4	501	249	234	234	- 53%
5	302	122	99	0	- 67%
6	241	72	56	0	- 77%
7	7	7	0	0	-100%
Parolees	59	38	32	0	- 46%
Total	1,110	488	421	234	- 62%

Data from DJJ Expenditures on Institutional Housing & Parole Placements 5-Year Summary Report.

Consequently, in-lieu of being committed to DJJ facilities, youth have been housed at Probation Department facilities which has resulted in higher gang activity and more youth-on-youth violence. According to DJJ's Wards in Institutions Committed from Los Angeles County January 21, 2007 data, of the approximate 413 Los Angeles County youth detained at DJJ facilities in categories 4, 5, and 6, 241 youth (77%) had one prior camp commitment; 49 youth (16%) had two prior camp commitments; 20 youth (6%) had three prior camp commitments; and four youth (1%) had four prior camp commitments. The conclusion is that the system is ineffective for this profile of minors as demonstrated by the 314 youth (76%) of the 413 minors who recidivated. Of the 413 minors, 314 minors had at least one prior camp commitment. This further supports the need for the implementation of new or enhanced programs that are proven to work to target more serious offenders.

We have conducted a preliminary analysis of Los Angeles County minors housed at DJJ facilities to project the number of beds that would be required to house these minors in our juvenile camps. The number of beds will be contingent on the length of stay. For example, where DJJ currently detains Category 5 minors for 18 months, the Los Angeles County Probation Department detains such minors for an average of 9 months. Consequently, we will be using the County length of stay rather than the State length of stay to determine the impact on Probation camp bed space.

Current Department Camp Profile – A snap-shot of the Department's current camp profile indicates that approximately 25 percent of the minors were sent to camp for violent offenses which include robbery, assault, violent sexual assault, manslaughter and kidnapping. Another 17 percent are in camp for property offenses, 15 percent for weapons and obstruction of justice offenses and 5 percent for drug-related offenses. The remaining 38 percent are in camp for probation violation. This last group consists of minors that may or may not have been previously in camp. In either case, they were not in compliance with their conditions of probation in the community.

III. IMPACT ON COUNTY RESOURCES & ONGOING REFORM EFFORTS

Impact on County Resources – The Governor's proposal appears to provide $94,000 per juvenile annually to cover both capital and programming costs. However, it is currently unclear if this reimbursement cost will be applicable to all minors or only certain minors. Further, as previously indicated, since the overall proposal does not contain sufficient details, additional time will be required to fully analyze all elements of the preliminary and revised proposals to determine whether this cost is sufficient to cover basic services and facility infrastructure, including the following:

- ***Supervision***
- ***Health Care***
- ***Admin. Support***
- ***Mental Health***
- ***Aftercare***
- ***Juvenile Hall***
- ***Substance Abuse***
- ***Facilities***
- ***Transportation***

In addition, any increased responsibility for educational services and costs should be assessed by the Los Angeles County Office of Education.

Impact on Department's Ongoing Reform Efforts – As part of our strategy to transform the Department's operations while striving to ensure a continuum of service delivery and reduce recidivism, the following reform efforts may be impacted due to an increase in camp population:

- ***Department of Justice Settlement Agreement*** – The Department's top priority is the timely and effective implementation of corrective action pursuant to the settlement agreement with the Department of Justice (DOJ) to improve juvenile confinement practices, and health, mental health, and education services delivered to minors at our three juvenile halls. As you are aware, the DOJ has begun a review of our camp operations. Depending on the resource need created by the influx of DJJ youths, there may be a temporary or ongoing backlog of youth within the juvenile hall population while they await vacant camp bed space. Additional resources would be required to accommodate a potential increase in juvenile hall population associated with the proposed initiative that has not been factored into our Department's juvenile hall needs.

- ***Camp Redesign*** – We are moving toward having our Challenger Memorial Youth Center (CMYC) camps focus on addressing the criminogenic needs of medium and high-risk juvenile delinquents rather than simply detaining juveniles in camps due to their history of WIC 707(b) violent offenses such as murder, rape, and kidnapping. In addition, CMYC camps will also utilize one or two camps to house extremely high-risk juvenile delinquents that need very close supervision and specific Evidence-Based Practices (EBP) interventions, such as Aggression Replacement Therapy to address their responsivity issues before such juveniles can be housed and schooled with medium and high-risk juveniles within CMYC camps. CMYC camps would establish an Intervention Center with DPOs that have had additional training in specific EBP interventions to provide treatment/services in conjunction with juvenile case plans. Additional resources would be required to accommodate an increase in population that has not been factored into our Department's camp unmet needs.

- ***Community Corrections & Community-Based Treatment*** – The Department has embraced a concept of Community-Based Corrections (CBC), recognizing that evidence suggests that there is a greater likelihood of successful rehabilitation if the offender is able to be supported by family and community resources. Community-based corrections is a probation and corrections option that provides an offender with sanctions, supervision, and treatment in a community setting instead of in prison. Community-based corrections began to develop in the 1960s. Through the late 1960s and early 1970s, federal grants were available to establish community corrections programs, and programs began to develop across the country. While Los Angeles County does engage in

community corrections, there is a need to develop a broader community corrections strategy commensurate with the increased demands that will be placed on the County. In order to successfully employ this strategy, it will be necessary to develop greater capacity within the community to treat offenders. This will require greater collaboration with community partners and other County Departments.

- ***Continued Commitment to Implementation of Evidence-Based Practices*** – Several months ago, the Department committed to move towards implementation of EBP and improved offender outcomes throughout its operations: juvenile halls, juvenile camps, and adult and juvenile field offices. This commitment necessitated reevaluating juvenile assessments, camp program designs, camp staffing skills, and the camp nexus to aftercare and community-based EBP interventions and service delivery. The effective implementation of EBP interventions and services may be at-risk if the Department is burdened with the uncertainties of operational and expenditure issues associated with the Governor's proposed initiative.

- ***Expansion of Aftercare Services*** – Aftercare becomes an increasingly important component of a continuum of services to minors in order to mitigate their reoffending, thereby reducing recidivism and warding off the tendency for this population's criminal behavior to progress toward County jail or State prison. The Department is currently working to improve departmental service integration in the continuum of juvenile assessments, case plan development, EBP-related services at camp, and aftercare planning for EBP interventions/services in the community. We anticipate that additional staff will be required to ensure timely and effective aftercare planning along with families' involvement to address any increase in population resulting from the proposed initiative. The extent of the staffing need is dependent upon the availability of specific refinements within the State's reform plans.

IV. PRELIMINARY ISSUES, CONCERNS & BENEFITS

Issues & Concerns

The Department has identified specific issues and concerns, most of which may require additional resources and will need to be further explored, including:

- ***Clear Definition of "Non-Violent" Offenders*** – The Department needs to obtain a clear definition of "non-violent" offenders as referenced in the proposed initiative. The Department is uncertain whether these include only categories 5 through 7 minors, or whether category 4 minors, such as WIC 707(b) are included – this will have a significant impact on staffing and facility planning needs.

- ***Risk of Insufficient Appropriation of Ongoing Funds*** – In keeping with County policy intended for preservation and maximization of County funds, we need to ensure that sufficient ongoing funds are allocated to cover expenditures. State funding will be the means to provide the necessary services to enable these criminally sophisticated minors a realistic opportunity to break the criminogenic cycle, reform their lives, and to successfully reintegrate into their communities as law-abiding and self-sufficient emerging adults. We do not know if the State-cited amount of $94,000 per youth will be sufficient, or if it will be applicable to all minors or only certain minors.

- ***Establishment of Length of Stay in Medically-Fragile Rejected Cases*** – The Department needs to obtain a clear understanding of who determines the length of stay if a case is rejected on medically-fragile minors.

- ***Overcrowding of Local Detention Facilities*** – Approximately 50 percent of our current camp population have three month stays. In light of our current reform efforts and our movement toward the enhanced implementation of evidence-based programming, we anticipate our current camp length of stay will be longer. Consequently, with an increase in population, we are certain to have a need for expansion, renovation, or building of new facilities. As indicated in Attachment III, the Department is considering various County and State facility options, including Challenger Memorial Youth Center, Camp Barley Flats, and Fred Nelles School which will require significant funding to restore the facilities.

  The Governor's initiative proposes to raise $500 million Statewide for juvenile facilities consisting of $400 million in bond financing which will require voter approval, and a 25 percent or $100 million county match. Since the certainty of these funds is undetermined, and the timing of their availability is unknown, there will be an undetermined amount of funds necessary to proceed with immediate implementation to expand our capacity should there be a substantial increase in population. It is anticipated the population increase will arrive substantially sooner than new or renovated facilities can be brought on line, all contingent on facility renovation funding, and on additional resources to hire, train, and staff new facilities.

- ***Increase in Staffing Levels*** – Increase staffing levels in institutions to achieve a staff to minor ratio of 1:8 which is consistent with recommendations made to the State by the Independent Review Panel on Corrections in 2004. Los Angeles County currently operates its camps on a 1:15 staffing ratio with plans to reduce the ratio to 1:10, and 1:8 for high-risk minors.

- ***Decrease Population Size of Juvenile Halls*** – Current juvenile halls have a population of 600 minors, which strains physical plant, space, staffing and service resources, and increases the density of housing, thus increasing the

likelihood of tension among youth, and impeding the ability of juvenile halls to provide effective individualized treatment services.

- ***Camp Redesign -- Redesign Camps*** to small group podular designs rather than lineal models, to help incorporate treatment in the facility design.

- ***Expand Gang Investigation and Apprehension Unit*** – Some of the proposed population group will require greater supervision because of gang involvement. The primary focus of the unit is aggressive investigation and apprehension of violent, predatory gang members, and those identified in the County gang database. The gang investigation and apprehension unit collaborates with state, federal and local law enforcement, including other county probation departments. An undetermined number of DJJ youth will likely be a part of the gang investigation workload, and thus will necessitate increased ongoing staffing. The County has experienced an increase in gang-related crime which should be factored into the proposal.

- ***Intensive Re-entry Caseload Management*** – Intensive re-entry is designed to increase public protection by early detection and prevention of probation violations, and to provide maximum services during the most critical period, e.g., the transition from institutional to community living. Caseload ratios should be no greater than 1:15. Each area unit should provide a wide array of re-entry services where it is geographically feasible. Intensive re-entry services include two contacts per week for the first 30 days and weekly contacts for the duration of the re-entry period. Also included is twice per month substance abuse testing for probationers with substance issues, employment, education or job training assistance, individual and group counseling, and other services as needed in collaboration with government and community organizations. It is anticipated additional resources may be needed to service the needs of youth transferred from State facilities, and for the ongoing higher service levels for youth who would otherwise have been transferred to DJJ facilities.

- ***Specialized Caseload*** – Each region in the County should have a unit with one or more specialized caseloads, based on local needs. Specialized Caseload Deputy Probation Officers are assigned fewer cases (1:30 budgeted ratio) than those with minimum service case management caseloads. Specialized caseloads provide concentrated, intensive services for offenders with special needs, e.g., severe substance abuse, sex offenses, mental health problems, needs for specialized placement, and heavy gang activity. Specialized caseloads increase the likelihood of offender's successful adjustment as self-supporting and contributing members of the community, and enhance the ability of the Deputy Probation Officer to identify potentially dangerous behavior at the earliest possible time. Offenders typically remain on specialized caseloads until they have exhibited stable behavior for a significant period of time and no longer pose a major threat to public safety or need intensive services. It is unknown at this

time what level of additional burden and commensurate resources will be needed to service DJJ transfers and youth who would otherwise be sent to DJJ facilities.

- ***Case Management Caseloads*** – Offenders are transferred to case management after intensive re-entry or upon transitioning from a specialized caseload. Offenders are seen a minimum of twice per month if classified as maximum supervision/services, and once if classified medium. The purpose of case management is to assist the probationer in maintaining acceptable levels of behavior, school, job, and at home, and a variety of collateral contacts. Additional resources may be required.

Benefits

Joint State-Local Partnership Working Towards Common Mission – As your Board is aware, over the past year the Probation Department has undertaken a major effort to reform juvenile justice – one that entails moving away from "what doesn't work" – custodial philosophy – to "what works" – community treatment and rehabilitation, a commonality with the Governor's proposal. The Probation Department's recently revised vision is to *"Rebuild Lives and Provide for Healthier and Safer Communities"*, while its mission is to *"Enhance Public Safety, Ensure Victims' Rights and Effect Positive Probationer Behavioral Change."* The mission of the Department of Corrections and Rehabilitation (CDCR) is to *"Improve Public Safety Through Evidence-Based Crime Prevention and Recidivism Reduction Strategies."*

Placing lower-level offenders in county facilities in-lieu of state facilities will allow them to be closer to their communities and families to enhance successful reintegration into the community, while strengthening public safety by placing the highest-level offenders at State facilities. Furthermore, the lowest level of offender likely would benefit more from remaining in the community rather than being exposed to more criminally sophisticated youths.

On January 31, 2007, the California State Association of Counties (CSAC) convened their Administration of Justice Policy Committee meeting and invited Mr. James Tilton, Secretary, Department of Corrections and Rehabilitation (CDCR) to provide an overview of the Governor's Corrections Reform Plan. Secretary Tilton is working with the Governor's Office and expressed a keen interest and commitment to work with counties to ensure that our concerns are raised in order to develop the most effective State and local solution via a shared commitment to rehabilitate offenders, reduce overcrowding and recidivism.

In addition, Mr. Tilton indicated that the State's correction system is anticipated to be at an absolute maximum capacity by June 2007, and that the agency could not be viewed in isolation as both State and counties are out of beds. Mr. Tilton reiterated the State's responsibility to impact inmate behavior by changing their approach to providing programs and identifying the right population of inmates, and to invest in the inmates by

providing services and programs that work to enable their reintegration into the community and reduce recidivism. We agree.

Mr. Tilton indicated that the focus would be on keeping short-term inmates at the local level and long-term inmates at the State level, and that the best public safety is making people change their ways to become more successful, not changing laws. As it pertains to the juvenile aspect of the proposed initiative, Mr. Tilton indicated that "non-violent" juvenile offenders would stay at the local level. Mr. Tilton acknowledged his awareness of the Governor's commitment to sit down with high-level representatives and understand the both the cost and service impact of his proposal. The Governor's overall corrections reform proposal is anticipated to undergo further legislative and fiscal review.

V. ADOPT A MODEL SYSTEM OF JUVENILE JUSTICE

Los Angeles County should adopt a model system of juvenile justice based on the following core beliefs:

- ***Unconditional Care*** – All youth, regardless of the severity, complexity, or difficulty of their problems, have the right to rehabilitative services and to a long-term commitment of support.

- ***Coordinated Continuum of Care*** – A broad array of community-based program and service options are sequenced and combined to create a range of intervention options that ensure the appropriate treatment, education, training, and care compatible with the youth's specific needs.

- ***Community-Based*** – Instead of removing youth from their home environment, community-based services impact the youth's total environment by addressing problems in the community where they develop, and by establishing the long-term support necessary to sustain progress.

- ***Individualized Programming*** – Sufficiently intensive and comprehensive services accommodate the individual needs and potentials of the children and their families.

- ***Normalization*** – Treatment programs integrate youthful offenders into situations of living and interacting that are consistent with a healthy, stable and nurturing, family-like environment.

- ***Aftercare & Reintegration*** – Youth continue receiving the support of treatment services following their active rehabilitation in a confined facility to prevent the relapse or regression of progress achieved during the recovery process.

VI. RECOMMENDATIONS & NEXT STEPS

- Continue ongoing discussions with key stakeholders and work with the Chief Administrative Officer and professional organizations and associations such as the Chief Probation Officers of California and CSAC to ensure the development of productive and equitable negotiations, effective solutions, and a strong and committed state-local partnership.

- Ensure that negotiations with the State include that all services are adequately funded with a dedicated, ongoing funding stream, tied to industry-specific inflation factors, to ensure successful outcomes for offenders.

- Consistent with Board-approved policy, identify and enhance programs at the County level that have been proven to enhance outcomes including reducing State and local detention populations and recidivism.

- Adopt a model system of juvenile justice based on specific core beliefs as referenced in this report.

- Establish clear definitions of State and County responsibilities and commensurate guidelines.

We will continue working with the DJJ, the Governor's staff, the CAO's legislative staff, local legislative representatives, and professional organizations and associations throughout this process, and will keep your Board apprised of any significant developments.

If you have any questions, please contact me or your staff may contact Virginia Snapp, Acting Deputy Director, Juvenile Institutions at (562) 940-2513.

RBT:VS:dn

Attachments (3)

c: David E. Janssen, Chief Administrative Officer
Sachi A. Hamai, Executive Officer, Board of Supervisors
Michael Nash, Presiding Judge, Juvenile Court
Steve Cooley, District Attorney
Michael Judge, Public Defender
Janice Fukai, Alternate Public Defender
J. Tyler McCauley, Auditor-Controller
Raymond G. Fortner, Jr., County Counsel
Dr. Bruce Chernof, Director, Department of Health Services
Dr. Marvin J. Southard, Director, Department of Mental Health
Dr. Darline P. Robles, Superintendent, Los Angeles County Office of Education

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
TITLE 15. CRIME PREVENTION AND CORRECTIONS
DIVISION 4.5. YOUTHFUL OFFENDER PAROLE BOARD
CHAPTER 2. BOARD RULES RELATING TO WARDS IN INSTITUTIONS AND CAMPS
ARTICLE 3. OFFENSE CATEGORIES AND CLASSIFICATION
This database is current through 12/08/06, Register 2006, No. 49.

§ 4951. Category 1 Offenses.

A parole consideration date interval of seven years shall be established for those cases committed to the Youth Authority for offenses in this category.

(a) Offenses.
(1) Murder-First Degree (187, 189, and 190 Penal Code).
(2) Murder-Second Degree (187, 189, and 190 Penal Code).
(3) Kidnapping with Death of Victim (207 and 209 Penal Code).
(4) Kidnapping (with substantial injury) (207 and 209 Penal Code).
(5) Torture (206 and 206.1 Penal Code).
(6) Conspiracy to commit any Category 1 offense (182 Penal Code).
(b) Panels, Deviation, and Modification.
(1) All cases in Category 1 shall be heard by a Board panel at the initial hearing and all subsequent hearings with the exception of the following:
(A) Parole consideration hearings shall be conducted by a full Board panel.
(B) Annual and progress reviews for wards housed at or committed to any non-Youth Authority facility and all Disciplinary Decision Making System (DDMS) matters may be heard by a referee.
(2) A Board panel or referee may approve a deviation or modification of six months earlier or later than the prescribed or previously established parole consideration date, except that a referee may modify a parole consideration date up to 12 months for DDMS behavior.
(3) A recommendation of a Board panel or referee for deviation or modification in excess of the foregoing shall be submitted to a full Board panel for decision.
(4) A full Board panel may modify a previously established parole consideration date by a maximum of six months in any annual review year, except that a full Board is not limited in its ability to modify a parole consideration date upward for DDMS behavior.
(5) A recommendation of a full Board panel for deviation or modification in excess of the periods of time cited in (4) of this section shall be submitted to the Full Board En Banc for decision.
(6) The Full Board En Banc is not limited in its ability to deviate or modify.

§ 4952. Category 2 Offenses.

A parole consideration date interval of four years shall be established for those cases committed to the Youth Authority for offenses in this category.

(a) Offenses.
(1) Voluntary Manslaughter (192 Penal Code).
(2) Rape (in concert or with substantial injury) (261 and all subsections and 264.1 Penal Code).
(3) Sodomy (in concert or with substantial injury) (286 and all subsections Penal Code).
(4) Sexual Assault with a Foreign Object (in concert or with substantial injury) (289 and 264.1 Penal Code).
(5) Oral Copulation (in concert or with substantial injury) (288a and all subsections Penal Code).
(6) Lewd or Lascivious Act on Child Under 14 (Age of defendant in relationship to victim to be considered as possible mitigation) (288 and all subsections Penal Code).
(7) Kidnap for Ransom, Reward or Extortion (209(a) Penal Code).
(8) Kidnap during carjacking (209.5 Penal Code).
(9) Explosion/attempt to explode or ignite a destructive device with the intent to commit murder (12308 Penal Code).
(10) Kidnap for Robbery (209[b] Penal Code).
(11) Conspiracy to commit any Category 2 offense (182 Penal Code).
(12) Attempt of any Offense in Category 1.
(13) Continuous sexual abuse of a child (288.5 Penal Code and all subsections).

(b) Panels, Deviation, and Modification.
(1) All cases in Category 2 shall be heard by a Board panel at the initial hearing and all subsequent hearings with the exception of the following:
(A) Parole consideration hearings shall be conducted by a full panel.
(B) Annual and progress reviews for wards housed at or committed to any non-Youth Authority facility and all Disciplinary Decision Making System (DDMS) matters may be heard by a referee.
(2) A Board panel or referee may approve a deviation or modification of six months earlier or later than the prescribed or previously established parole consideration date, except that a referee may modify a parole consideration date up to 12 months for DDMS behavior.
(3) A recommendation of a Board panel or referee for deviation or modification in excess of the foregoing shall be submitted to a full Board panel for decision.
(4) A full Board panel may modify a previously established parole consideration date by a maximum of six months in any annual review year, except that a full Board is not limited in its ability to modify a parole consideration date upward for DDMS behavior.
(5) A recommendation of a full Board panel for deviation or modification in excess of the periods of time cited in (4) of this section shall be submitted to the Full Board En Banc for decision.
(6) The Full Board En Banc is not limited in its ability to deviate or modify.

§ 4953. Category 3 Offenses.

A parole consideration date interval of three years shall be established for those cases committed to the Youth Authority for offenses in this category.

(a) Offenses:
(1) Sexual Assault with a Foreign Object (289(a) Penal Code).
(2) Rape (261 and all subsections Penal Code).
(3) Sodomy (286 and all subsections Penal Code).
(4) Oral Copulation (288a and all subsections Penal Code).
(5) Kidnap (207 Penal Code).
(6) Robbery (armed with dangerous or deadly weapon and with substantial injury) (211 Penal Code).
(7) Robbery of an inhabited dwelling (212.5 Penal Code).
(8) Robbery-Operator of Transportation Vehicle For Hire (212.5 Penal Code).
(9) Assault with Deadly Weapon or Force Likely to Produce Great Bodily Injury upon a peace officer, fireman, custodial officer, transportation worker or school personnel (245(a), (b), 245.2 and 245.3 Penal Code).
(10) Assault with Firearm (on a peace officer/fireman) (245(a)(2) and 245(c) Penal Code).
(11) Grand Theft Person (armed with dangerous or deadly weapon and with substantial injury) (487(2) Penal Code).
(12) Burglary (armed with dangerous or deadly weapon and with substantial injury) (459 and 460 Penal Code).
(13) Shooting at Inhabited Dwelling House, Occupied Building or Vehicle (with substantial injury) (246 Penal Code).
(14) Arson (that causes great bodily injury) or is Committed During a State of Insurrection or Emergency (451 and 454 Penal Code).
(15) Mayhem (203 Penal Code).
(16) Vehicular Manslaughter (with gross negligence) (192(c) Penal Code).
(17) Gross Vehicular Manslaughter While Intoxicated (191.5 Penal Code).
(18) Carjacking (215 Penal Code).
(19) Kidnap with the Intent to Commit Rape, Oral Copulation, Sodomy or Rape by Instrument (208(d) Penal Code).
(20) Discharging a Firearm from a Motor Vehicle with substantial injury (12034(c), Penal Code).
(21) Conspiracy to commit any Category 3 offense (182 Penal Code).

(b) Panels, Deviation, and Modification.
(1) All cases in Category 3 shall be heard by a Board panel at the initial hearing and all subsequent hearings with the exception of the following:
(A) Parole consideration hearings shall be conducted by a full Board panel.
(B) Annual and progress reviews for wards housed at or committed to any non-Youth Authority facility and all Disciplinary Decision Making System (DDMS) matters may be heard by a referee.
(2) A Board panel or referee may approve a deviation or modification of six months earlier or later than the prescribed or previously established parole consideration date, except that a referee may modify a parole consideration date up to 12 months for DDMS behavior.

(3) A recommendation of a Board panel or referee for deviation or modification in excess of the foregoing shall be submitted to a full Board panel for decision.
(4) A full Board panel may modify a previously established parole consideration date by a maximum of six months in any annual review year, except that a full Board is not limited in its ability to modify a parole consideration date upward for DDMS behavior.
(5) A recommendation of a full Board panel for deviation or modification in excess of the periods of time cited in (4) of this section shall be submitted to the Full Board En Banc for decision.
(6) The Full Board En Banc is not limited in its ability to deviate or modify.

§ 4954. Category 4 Offenses.

A parole consideration date interval of two years shall be established for those cases committed to the Youth Authority for offenses in this category.

(a) Offenses:
(1) Vehicular Manslaughter (192(c) Penal Code).
(2) Involuntary Manslaughter (192(b) Penal Code).
(3) Robbery (Armed With Dangerous or Deadly Weapon or With Substantial Injury) (211 Penal Code).
(4) Assault with Caustic Chemicals (244 Penal Code).
(5) Assault with a Deadly Weapon or Force Likely to Produce Great Bodily Injury (with substantial injury) (245(a)(1) Penal Code).
(6) Assault with Firearm (with substantial injury) (245(a)(2) Penal Code).
(7) Assault with Intent to Commit Rape, etc. (220 Penal Code).
(8) Child Cruelty Likely to Produce Great Bodily Injury or Death (273a(1) Penal Code).
(9) Extortion (518 and 520 Penal Code).
(10) Grand Theft Person (armed with dangerous or deadly weapon or with substantial injury) (487(2) Penal Code).
(11) Burglary (armed with dangerous or deadly weapon or with substantial injury) (459 and 460 Penal Code).
(12) Shooting at Inhabited Dwelling House, Occupied Building or Vehicle (246 Penal Code).
(13) Arson (451 Penal Code).
(14) Recklessly Causing a Fire of any Structure, Forest Land, or Property (with substantial injury) (452 Penal Code).
(15) Sale, Possession for Sale, Transportation, or Furnishing of Controlled Substance, Narcotics, Marijuana.
(16) Maintaining Place for Selling, Using of Certain Controlled Substances or Specified Narcotics (11366 Health and Safety Code).
(17) Any other felony including attempted felony not listed in Categories 1 through 3 (with substantial injury).
(18) Conspiracy to commit any Category 4 offense (182 Penal Code).
(19) Discharging a Firearm from a Motor Vehicle (12034(c), Penal Code)
(20) Attempt of any offenses in Categories 2 and 3.
(21) Recommitment for any offense listed in Category 5 and 6 with a prior commitment for any offense in Categories 1 through 6.

(b) Panels, Deviation, and Modification.
(1) All cases in this category may be heard by a referee at the initial hearing. The referee may approve a six-month deviation from the prescribed parole consideration date. A referee may recommend further deviation from the prescribed parole consideration date by submitting the matter to a full Board panel for decision. All subsequent hearings shall be heard by a Board panel with the exception of the following:
(A) Annual and progress reviews for wards housed at or committed to any non-Youth Authority facility and all Disciplinary Decision Making System (DDMS) matters may be heard by a referee.
(2) A Board panel or referee may in any annual review year modify an established parole consideration date by six months with the exception of the following:

(A) A Board panel or referee may in any annual review year modify an established parole consideration date downward by up to 12 months for cases in designated accelerated treatment/counseling programs which have a duration of one year or less.
(B) A referee may modify an established parole consideration date up to 12 months for DDMS behavior.

(3) A recommendation of a Board panel or referee for deviation or modification in excess of the foregoing shall be submitted to a full Board panel for decision.

(4) A full Board panel may approve an additional twelve-month deviation or modification to the prescribed or established parole consideration date in any annual review year, except that a full Board is not limited in its ability to modify a parole consideration date upward for DDMS behavior.

(5) A recommendation of a full Board panel for deviation or modification in excess of the foregoing shall be submitted to the Full Board En Banc for decision.

(6) The Full Board En Banc is not limited in its ability to deviate or modify.

§ 4955. Category 5 Offenses.

A parole consideration date interval of eighteen months shall be established for those cases committed to the Youth Authority for offenses in this category.

(a) Offenses:
(1) Assault with A Deadly Weapon or Force Likely to Produce Great Bodily Injury (245(a) Penal Code).
(2) Battery (with substantial bodily injury) (242, 243(d), 243.2, 243.3, 243.6 Penal Code).
(3) Battery Upon a Peace Officer, Fireman or Upon a Custodial Officer (243.1, 243(b), 243(c) Penal Code).
(4) Recklessly Causing a Fire of Inhabited Structure or Property (452(b) Penal Code).
(5) Robbery (211 Penal Code).
(6) Grand Theft Person (487(2) Penal Code).
(7) Burglary, 1st Degree (459 or 460 Penal Code).
(8) Accessory to Murder (32 Penal Code).
(9) Sexual Battery (243.4 Penal Code).
(10) Intimidation of Witness by Force or Fear; in furtherance of a conspiracy; for pecuniary gain; or by a repeat offender (136.1(c) Penal Code).
(11) Conspiracy to commit any Category 5 offense (182 Penal Code).
(12) Attempt of any Category 4 Offense.

(b) Panels, Deviation, and Modification.
(1) All cases in this category may be heard by a referee at the initial hearing. The referee may approve a six-month deviation from the prescribed parole consideration date. A referee may recommend further deviation from the prescribed parole consideration date by submitting the matter to a full Board panel for decision. All subsequent hearings shall be heard by a Board panel with the exception of the following:
(A) Annual and progress reviews for wards housed at or committed to any non-Youth Authority facility and all Disciplinary Decision Making System (DDMS) matters may be heard by a referee.
(2) A Board panel or referee may in any annual review year modify an established parole consideration date by six months with the exception of the following:
(A) A Board panel or referee may in any annual review year modify an established parole consideration date downward by up to 12 months for cases in designated accelerated treatment/counseling programs which have a duration of one year or less.
(B) A referee may modify an established parole consideration date up to 12 months for DDMS behavior.
(3) A recommendation of a Board panel or referee for deviation or modification in excess of the foregoing shall be submitted to a full Board panel for decision.
(4) A full Board panel may approve an additional twelve-month deviation or modification to the prescribed or established parole consideration date in any annual review year, except that a full Board is not limited in its ability to modify a parole consideration date upward for DDMS behavior.
(5) A recommendation of a full Board panel for deviation or modification in excess of the foregoing shall be submitted to the Full Board En Banc for decision.
(6) The Full Board En Banc is not limited in its ability to deviate or modify.

§ 4956. Category 6 Offenses.

A parole consideration date interval of one year shall be established for those cases committed to the Youth Authority for offenses in this category.

(a) Offenses:
(1) Concealable Firearms (12021, 12025 Penal Code).
(2) Possession of Explosives, Flammable Matter or Fire Bomb (452(a) Penal Code).
(3) Recklessly Causing Fire to Uninhabited Structure or Forest Land (452(c) Penal Code).
(4) Burglary, 2nd Degree (459, 460 Penal Code).
(5) All Felony Offenses Not Listed.
(6) Conspiracy to commit any Category 6 offense (182 Penal Code).
(7) An Attempt of Any Category 5 offense.

(b) Panels, Deviation, and Modification.
(1) All cases in this category may be heard by a referee at the initial hearing and all subsequent hearings. At the initial hearing, the referee may approve a six-month deviation from the prescribed parole consideration date.
(2) A referee may in any annual review year modify an established parole consideration date by six months with the exception of the following:
(A) A referee may in any annual review year modify an established parole consideration date downward by up to 12 months for cases in designated accelerated treatment/counseling programs which have a duration of one year or less.
(B) A referee may modify an established parole consideration date upward up to 12 months for DDMS behavior.
(3) A recommendation of a referee for deviation or modification in excess of the foregoing shall be submitted to a full Board panel for decision.
(4) A full Board panel may approve an additional twelve-month deviation or modification to the prescribed or established parole consideration date in any annual review year, except that a full Board is not limited in its ability to modify a parole consideration date upward for DDMS behavior.
(5) A recommendation of a full Board panel for deviation or modification in excess of the foregoing shall be submitted to the Full Board En Banc for decision.
(6) The full Board en banc is not limited in its ability to deviate or modify.

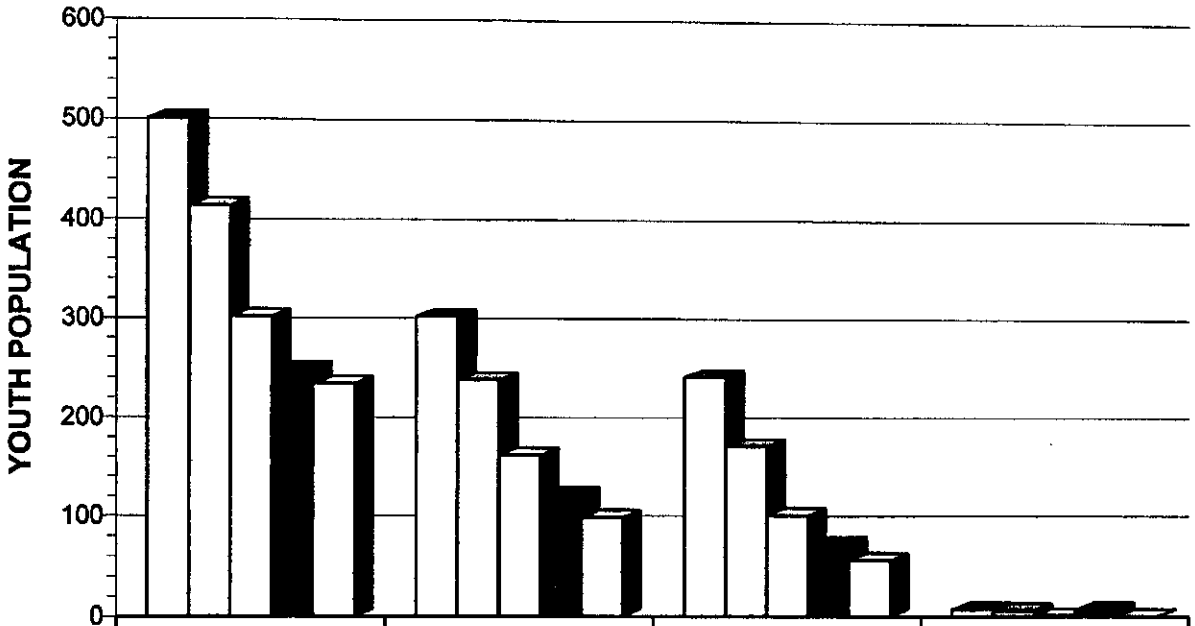
§ 4957. Category 7 Offenses.

(a) A parole consideration date of one year or less shall be established for those cases committed to the Youth Authority for offenses not listed in Categories 1 through 6. This provision also applies to a case in which parole has been revoked for technical violation.

(b) Panels, Deviation, and Modification.

(1) All cases in this category may be heard by a referee at the initial hearing and all subsequent hearings. At the initial hearing, the referee may approve a six-month deviation from the prescribed parole consideration date.
(2) A referee may in any annual review year modify an established parole consideration date by six months with the exception of the following:
(A) A referee may in any annual review year modify an established parole consideration date downward by up to 12 months for cases in designated accelerated treatment/counseling programs which have a duration of one year or less.
(B) A referee may modify an established parole considerate date up to 12 months for DDMS behavior.
(3) A recommendation of a referee for deviation or modification in excess of the foregoing shall be submitted to a full Board panel for decision.
(4) A full Board panel may approve an additional twelve-month deviation or modification to the prescribed or established parole consideration date in any annual review year, except that a full Board is not limited in its ability to modify a parole consideration date upward for DDMS behavior.
(5) A recommendation of a full Board panel for deviation or modification in excess of the foregoing shall be submitted to the Full Board En Banc for decision.
(6) The full Board en banc is not limited in its ability to deviate or modify.

LOS ANGELES COUNTY
MONTHLY POPULATION COMPARISON OF YOUTH AT DJJ
5 YEAR SUMMARY



	CAT 1-4	CAT 5	CAT 6	CAT 7
FY 02-03	501	302	241	7
FY 03-04	414	238	171	6
FY 04-05	302	162	101	1
FY 05-06	249	122	72	7
Est. 06-07	234	99	56	0

CATEGORIES BY FISCAL YEAR

DIVISION OF JUVENILE JUSTICE TRANSFERS
PRELIMINARY SPACE PROPOSALS

The Probation Department proposes the following scenarios to assimilate the minors proposed to be transferred by the Division of Juvenile Justice to the Los Angeles County Probation Department. The facilities targeted for ensuring appropriate housing for these youths are Challenger Memorial Youth Center, the U.S. Forest Service's Camp Barley Flats, and the potential use of State-owned sites.

CHALLENGER MEMORIAL YOUTH CENTER

This facility is situated on a 65-acre site in Lancaster. The property offers ample expansion room on its south side for the construction of a facility that would meet the requirements for the juveniles being transferred by the State. The proposal would consist in the construction of two, 60-Bed (120 minors, total), single occupant, two-story buildings in the "new generation" design required by the Corrections Standards Authority. Other buildings or functions that would be part of this new facility would be Administration, Staff Sleeping Quarters, Infirmary, School, Mental Health and Health Services offices, recreation areas, vehicle sallyport, staff and public parking, access road and mechanical plant. Additionally, a perimeter fence and other security systems would be installed. Other support services would be provided by the existing Challenger facility.

Preliminary Project Cost: $60,000,000

CAMP BARLEY FLATS

This camp is located off the Angeles Crest Highway in the San Gabriel Mountains; it was previously occupied by Probation up to 1994. Probation has expressed to the U. S. Forest Service a new interest in re-occupying the facility. The Forest Service is also interested in this proposal under a long-term Special Use Permit. This camp can accommodate approximately 90 minors or young adults. This camp has been vacant for many years and its buildings have not been maintained; therefore, the entire facility would be retrofitted to meet current building codes and accessibility standards as well as any environmental requirements from the Forest Service. Additionally, a perimeter fence and security systems would be installed throughout the property.

Preliminary Project Cost: $8,000,000

FRED NELLES SCHOOL

We are considering the potential use of State-owned sites, such as Fred Nelles School in Whittier. However, this option requires further exploring since the property is privately owned by a family who placed restrictions in that the property must be used solely for youth purposes and cannot be sold or transferred without the family's authorization. This property has been declared a historical site and restoration could be overly expensive.

Preliminary Project Cost: $20,000,000