

**MOTION BY SUPERVISORS MARK RIDLEY-THOMAS AND
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Advancing a Countywide Approach to Youth Diversion

National research shows that involvement with the juvenile justice system can have considerable negative consequences for youth. For low and moderate risk youth, even arrest or probation supervision not justified by safety concerns can be stigmatizing and further entangle them with the criminal justice system. Furthermore, removing youth from their families and communities through out-of-home placement can interrupt positive development and lead to an increased risk for dropping out of high school, difficulty finding employment, suffering from trauma, and experiencing homelessness. As such, keeping young people out of the traditional justice system whenever possible through diversion programs is a promising strategy for improving the social, academic, economic and health outcomes of young people and ultimately reducing recidivism and improving public safety. When diversion programs include restorative justice principles, they can also better meet the needs of crime victims than traditional approaches. Diversion is also cost effective; with the last estimate of over \$247,000 per youth for a year in a Los Angeles County (County) probation camp, serving youth in the community is a better investment.

Youth arrests, detention, incarceration and formal supervision rates are all down in the County, a function in part of declining crime rates and Probation Department (Probation) and court-led efforts to serve lower-risk youth differently. This is a positive trend to build upon. The number of youth coming into contact with the justice system

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can be reduced further though, and rates of voluntary probation for “at-risk youth” (many who have never been arrested) are on a rise. Moreover, youth of color are disproportionately impacted at all stages of the juvenile justice system, and represent 95% of youth in the County’s probation camps and juvenile halls. While nationally, African American and white youth commit minor offenses at roughly similar rates, including drug offenses, status offenses (i.e., truancy), stealing property, and fighting, African American youth are far more likely to be arrested for these offenses, far less likely to have their cases diverted pre-adjudication, and more likely to be incarcerated than their white peers. Keeping boys and young men of color safe from violence and giving all youth equal access to second chances is fundamental to juvenile justice reform and critical to implementing the *My Brother’s Keeper Community Challenge (MBK Challenge)* in the County.

A range of County and community partners have been convening over the past year to develop, assess, and ultimately expand opportunities for evidence-based diversion as aligned with the *MBK Challenge*. Led by the Department of Public Health and including law enforcement, Probation, the courts, schools, social services and community-based organizations, the group’s work and collective effort represents a promising foundation for expanding opportunities for youth diversion. Moreover, growing interest in advancing youth diversion is reflected in complementary County initiatives, including the Office of Diversion and Reentry and several Probation workgroups.

The current youth diversion interventions, however, are inconsistent and insufficient. While there are a number of promising programs, access to them and their accompanying services, like mentoring and restorative justice, depends in large part on where a young person lives and what law enforcement agency is patrolling that region. For example, results from a recent environmental scan identified limited school- or community-based diversion programs in San Fernando, Antelope Valley, and Pomona as compared to other areas of the County. Many youth who could benefit from diversion opportunities simply do not have access to them. Moreover, concerns persist about which types of diversion programs are most successful. As the number of youth on

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formal probation has decreased, the number of youth being served voluntarily by Probation through diversion-like efforts has increased, with minimal understanding of the impact. Variation in the nature of youth diversion efforts, as well as the populations being served, can reduce effectiveness and unintentionally risk “net widening” or increased justice system involvement among low-risk youth. Lastly, the County’s investment in community-based models around youth diversion has been minimal.

Additional work is needed to align, deepen, and accelerate efforts to advance a comprehensive and coordinated approach to juvenile justice system diversion across the County and in the community, with a specific emphasis on diverting young people at the earliest point of contact with the system.

WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

1. Advance a comprehensive, coordinated and expanded approach to youth diversion across Los Angeles County (County), with a goal of minimizing youth contact with the juvenile or criminal justice system, by:
 - a. Directing the Chief Executive Officer (CEO) to hire a consultant (Consultant) with expertise in youth diversion and local County context to support the development of a Countywide comprehensive and coordinated approach to youth diversion, as outlined in the directives;
 - b. Forming an ad-hoc sub-committee by the Countywide Criminal Justice Coordination Committee (CCJCC), to be chaired by the Department of Public Health’s Division of Chronic Disease and Injury Prevention (who has been convening key partners to coordinate youth diversion work), with technical assistance and guidance by the Consultant, and membership including but not limited to directors or their senior-level designees from the Probation Department, District Attorney’s Office, Chief Executive Office, Juvenile Court, Public Defender, the Office of Diversion and Reentry, the Department of Mental Health, the Department of Health Services, Department of Children and Family Services, the Sheriff’s Department, local police departments (including

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school police departments), school districts, and community-based organizations and stakeholders, to coordinate youth diversion work in the short term until otherwise directed, and report back to the Board of Supervisors in writing in 120 days on a plan to scale effective practices for youth diversion across the County that includes:

- i. The core components of an effective approach to youth diversion that minimizes youth contact with all components of the justice system, identifies which diversion approaches are best suited for various populations depending on risk level (including which youth do not need diversion), supports positive youth development, invests in community-based approaches, and is data-driven and aligned with best practices;
 - ii. Action steps necessary to implement this plan and bring partners in alignment, including necessary outreach, training, and policy and practice changes that include the ability to scale up community-based options;
 - iii. Ways to monitor and evaluate the effectiveness of such practices and the progress in scaling them; and
 - iv. Alignment with and, when appropriate, inclusion of other youth diversion work underway in the County, including Resource Development Associate's work on Probation Department reform, the Probation Workgroup's work on creating a continuum of services in juvenile justice, and Los Angeles County Metropolitan Transportation Authority efforts to decriminalize fare evasion.
2. Assess what changes in the County will be necessary to achieve this comprehensive, coordinated and expanded approach to youth diversion, including identifying the best infrastructure to lead efforts long term and a plan for rollout, funding, staffing and sustainability, by directing the CEO, in

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collaboration with the Consultant and the chair of the ad-hoc CCJCC youth diversion committee and, as necessary, in consultation with the Probation Department, other relevant members of the ad-hoc CCJCC youth diversion committee, the Office of Diversion and Reentry, and the Office of Child Protection, to report back in writing in 150 days on:

- a. Where to house this work in the County, including partnership or inclusion into existing County structures like the Office of Diversion and Reentry, as well as the potential creation of a new office;
- b. A recommended budget and staffing plan that makes recommendations on short- and long-term funding options for expanding youth diversion, including:
 - i. New and existing state, federal and local funding streams and programs to pursue, including but not limited to the Juvenile Justice and Crime Prevention Act, the Youth Offender Block Grant, Title IV-E, Prop 47 funding, and future rounds of the Whole Person Care pilot;
 - ii. Cost savings generated from reducing youth incarceration and supervision; and
 - iii. Non-governmental funding options, explored in partnership by the Center for Strategic Public-Private Partnerships.

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