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Decarceration of Girls and Young Women: Addressing the Incarcerated Youth

Population in the Los Angeles County Camps and Halls

In recent years, the incarcerated youth population has decreased in Los Angeles County to unprecedented low numbers, dipping even lower due to the COVID-19 pandemic to less than ten percent (10%) of what the population was just ten years ago. According to the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the number of juvenile arrests continue to drop significantly¹ and arrests for violent crime offenses were cut in half between 2006 and 2019².

In response, the Board unanimously supported the June 9, 2020 motion, “Maintaining the Decreased Population of Incarcerated Youth in Los Angeles County”³. The motion asked that the Probation Department and the Youth Development and Diversion (YDD) Office, with the Public Defender’s Office, the

¹ https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/media/document/DataSnapshot_UCR2019.pdf

² Ibid.

³ <http://file.lacounty.gov/SDSInter/bos/supdocs/146355.pdf>

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Alternate Public Defender's Office, the Independent Juvenile Defender's Office, the District Attorney's (DA) Office, the Juvenile Courts, the Chief Executive Office (CEO), County Counsel, Department of Mental Health (DMH), Department of Health Services (DHS), Department of Public Health (DPH), along with community stakeholders, to produce a plan to continue to maintain the reductions, if not continue to lower, the incarcerated youth population.

The report back⁴ examined looking at supporting and expanding community-based alternatives to detention, legislative and local policy changes, and evaluating the outcome of those youths who were released or were diverted since the start of the pandemic, March 2020.

The themes that were uplifted in the report centered on increasing transparency, community involvement, communication, and moving away from ineffective and inequitable practices for improving youths' well-being and community.

As of November 22, 2021, in the County's camps and halls, we have a total of 346 incarcerated youths, of which 35 are female⁵ youths (24 in the halls and 11 in the camps).

Many of the girls and young women have polytraumas, are victims and survivors of domestic violence, sexual, physical, and mental abuse, and trafficking.

In the 2021 Children's Data Network study in LA County on "The Intersection

⁴ <http://file.lacounty.gov/SDSInter/bos/supdocs/146433.pdf>

⁵ To note, the use of the word "female", "girls", or "young women" is related to the fact that Probation's incarceration process is still binary when it comes to gender identity. Youth who are incarcerated must be placed in units for "boys" and "young men" or "girls" and "young women". The "girls" unit, however, often include trans-girls and non-binary youth and they have the opportunity to choose how they wish to identify.

of Child Welfare and Juvenile Justice”⁶, dual system youth (those who are involved in the child welfare and juvenile justice systems) were more likely to be female (26% compared to 15%) and more likely to be Black (31% compared to 22%). When both the gender and race/ethnicity were examined, Black females (35%) were more likely to be dual system than just juvenile justice (28%).

Additionally, on a national scale, young women and girls are disproportionately affected by domestic violence. As we see on the adult side of incarceration, the setting and environment of camps and halls are not conducive to healing and thriving. Furthermore, the allegations of staff harming youth⁷; can increase the risk that can exacerbate and trigger existing symptoms of trauma, delaying or inhibiting healing.

Many factors give rise as to why we need to push forward on the County’s priorities to center Youth Justice Reimagined values like continuing to explore and move to shift youths from Probation to the new Department of Youth Development and decarcerating youth out of the camps and halls.

The relevant County departments and public safety partners, with the continued support from community stakeholders, including impacted youth, can and should do more to actively look at this population on a case-by-case basis through evaluations conducted by a multi-disciplinary team to advance on strategies to significantly lower this population, in a safe, evidence-based, and trauma-informed manner. By doing so, it will keep at the forefront public safety, but also the needs and well-being of the affected youths and their families.

⁶ <https://www.datanetwork.org/wp-content/uploads/LADS-study.pdf>

⁷ <https://witnessla.com/when-la-county-probation-officials-got-repeated-reports-that-a-staff-member-sexually-assaulted-a-teenager-why-did-they-do-nothing/>

Concurrently, the Youth Justice Advisory Group continues to move forward and progress on assessing and developing strategies for the County to transition to the new Department of Youth Development, which includes expanding the work of YDD. Much of the work is occurring through its workgroups, therefore, should lead on the efforts related to the decarceration of girls and young women.

Lastly, additional effort needs to be made to ensure that our Board's priority and approach to "care first, jail last" is also inclusive of the incarcerated youth in LA County.

! WE, THEREFORE, MOVE THAT THE BOARD OF SUPERVISORS:

1. Direct the Youth Justice Advisory Group's Youth Development Network, Secure County Facilities Workgroups (Advisory Group), and other relevant workgroups, in collaboration with applicable County departments and community stakeholders, to:
 - a. Provide an initial report in 90 days with recommendations for and include in the Advisory Group's quarterly reports to the Board a specific implementation plan focusing on the decarceration of the girls and young women in the Probation camps and halls, that should, among others, include:
 - i. Availability of appropriate placements in the community.
 - ii. Eligibility criteria.
 - iii. A pilot plan for a secure-track, home-like option for girls awaiting trial and adjudicated to secure-track settings.

2. Direct the Public Defender to create and develop a Transition Multi-Disciplinary Team (MDT) within 45 days, and instruct members from YDD, Probation Department, including a representative from the Probation Placement Unit, Alternate Public Defender, District Attorney, Department of Mental Health, Department of Public Health, Los Angeles County Office of Education, and the Independent Juvenile Defender's Office to establish procedures and protocol to provide all detained girls and young women an MDT evaluation in preparation for the court's review to determine release, including types of wraparound services (employment, mental health, education...) the youth will be provided and other necessities.
 - a. Provide a written report back to the Board, in writing, 60 days from the formation of the Transition MDT, on the process, procedures, and protocols on how the MDT evaluations will be conducted, engagement with the youth, Court, and other information and details relevant to the release of girls and young women.
 - b. Report to the Probation Oversight Commission with monthly updates on the progress of work of the Transition MDT, including outcomes, upon the formation of the Transition MDT.

! WE FURTHER MOVE THAT THE BOARD OF SUPERVISORS:

3. Grant delegated authority to the Director of the Department of Health Services or designee to amend YDD's existing diversion contracts to expand referral sources for diversion consistent with recommendations made in prior reports, in consultation with County Counsel.
4. Direct the CEO, in collaboration with YDD, to provide a report-back to the Board in 60 days on the dedicated funding YDD will need to implement strategies to reduce the population of incarcerated girls and young women, including a plan for hiring additional YDD staff and funding needed for community-based organizations, to ensure appropriate implementation.
5. Direct YDD and Probation, in collaboration with CIO, to provide meaningful and consistent data and data reports to the Youth Justice Transition Advisory Group and the Probation Oversight Commission to be incorporated in quarterly updates and posted on the Open Data Portal, including:
 - a. YDD provide data on all referrals to diversion, including the number of referrals, referral sources, related offenses, demographics (age, gender, and race and ethnicity), and outcomes; and
 - b. Probation provide data on all petitions for detention considered by the Department, including related offenses, demographics (age, gender, and race and ethnicity), and outcomes, including dismissals.
 - i. In addition, at minimum, the following data points should be posted and published publicly:
 1. Population levels for Detention Services Bureau;

2. Population levels for Residential Treatment Services Bureau;
 3. Number of releases to community (camps and halls);
 4. Number of youth in community placements;
 5. Total number of new admission(s) and reason(s) for detention at Barry J. Nidorf Juvenile Hall;
 6. Total number of new admission(s) and reason(s) for detention at Central Juvenile Hall;
 7. Number of youth with current or past DCFS involvement;
 8. Number of youth who are on track with school credits and number of youth who are not on track; and
 9. Number of completed mental health services sessions by location and frequency.
- c. Probation and YDD provide non-reoccurring reports of detailed written decision-making protocols, eligibility criteria, detention, and diversion practices.
- d. Probation provides and post data on the Open Data Portal, as part of the Criminal Justice Data Sharing Initiative, requested by the Probation Oversight Commission and the Youth Justice Advisory Group as it relates to decarceration or diversion efforts of youth in the camps and halls.

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