

MOTION BY SUPERVISOR KATHRYN BARGER

March 15, 2022

Adopting the Probation Department Recommendation to use Barry J Nidorf as the Permanent Location for Secure Track Youth

In October 2018, the California Department of Justice (CAL DOJ) initiated an investigation into the conditions at Barry J. Nidorf (BJNJH) and Central Juvenile Hall (CJH). As a result of this investigation, in January 2021 the CAL DOJ and the County agreed on twelve (12) objectives for corrective action that include: (1) homelike environment and operations; (2) technology and data management; (3) use of force and youth safety; (4) trauma-informed and positive behavior approaches; (5) room confinement; (6) basic living needs and juvenile hall conditions; (7) programming, recreation, exercise, religious services, visitation, and telephone calls; (8) mental health, medical care, and treatment plans; (9) education, transition, and aftercare (10) staffing, hiring, and training; (11) oversight and grievance systems; and (12) compensatory services for youth.

In 2020, the Youth Justice Work Group submitted a report to the Board of Supervisors providing recommendations on how to re-imagine youth justice. That report also included nine core values for addressing the needs of the DJJ youth once SB 823 became enacted. Those values also align with the objectives identified by CAL DOJ in their investigation of the conditions at BJNJH. These standards further serve as the foundation of the Juvenile Justice Realignment Block Grant (JJRBG) Subcommittee for consideration of the permanent site selection for the Secure Youth Treatment Facility (SYTF) for Department of Juvenile Justice (DJJ) youth.

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The County is committed to reimagining its camps and halls while also lowering its juvenile justice footprint. Given the required changes to BJNJH necessary to comply with the CAL DOJ settlement agreement and this Board's commitment to Youth Justice Reimagined, the Probation Department has developed a proposal, dated February 8, 2022, that thoughtfully reimagines BJNJH and finally also addresses the concerns plaguing the facility for years.

That proposal: 1) identifies BJNJH as the permanent SYTF Track location; 2) Consolidates resources to fulfill an immediate, short term and long-term solution to house youth ordered to SYTF, and 3) utilizes a site that has the capacity to serve the entire SYTF population.

To date, BJNJH is the housing facility for the highest concentration of our most vulnerable justice impacted youth and is the only juvenile hall that has housed pre adjudicated DJJ youth through their transfer to the state, post adjudication. Since the passage of SB 823, BJNJH continues to serve as the facility for pre as well as now the post adjudicated DJJ youth until a final determination is made on the location of the SYTF.

BJNJH has the existing infrastructure, county partnerships, community partnerships, and 24/7 nursing care with Olive View – UCLA Medical Center in close proximity. DMH, LACOE, JCHS and other county agencies have staff assigned to BJNJH now with existing service providers experienced in working with this population. The Probation Department staff currently assigned to BJNJH are already prepared and trained to work with this population. Moreover, Probation employees working in BJNJH work 8 hour shifts instead of 56, like in other juvenile camps.

As of March 9, 2022, BJNJH houses 150 youth, including approximately twenty-two (22) Secure Youth Track Facility (SYTF) youth. The total population of BJNJH exceeds that of the total population of youth housed across all the County's camps combined. BJNJH is the only stand-alone facility that has the capacity to house all of the DJJ youth pre and post disposition, reaffirming this Board's commitment to lowering of our juvenile justice footprint.

There is no better time than now for the County to recommit its investment in both our youth as well as a facility that has and will continue to serve youth for generations to come. The County has a truly unique opportunity to transform BJNJH facility to be a national model where trauma-informed services, with real cognitive treatment spaces and programs can be delivered to the youth who can develop the skills needed for successful re-entry into the community.

Investing in the transformation of the BJNJH campus to respond to the issues raised by Cal DOJ as well as to create a healing living environment, programming and real cognitive treatment spaces for the SYTF youth will provide the platform for a robust and meaningful program, which will not only benefit the SYTF population but County residents as well.

I, THEREFORE, MOVE that the Board of Supervisors:

1. Find that the included actions are not subject to the California Environmental Quality Act (CEQA) because they are activities that are excluded from the definition of a project by section 21065 of the Public Resources Code and consist of organizational or administrative activities of government that will not result in direct or indirect physical changes in the environment pursuant to section 15378(b)(5) of the State CEQA Guidelines. Before approving an activity that would constitute a project under CEQA, appropriate environmental documentation and findings by the Board of Supervisors (Board) would be necessary. Upon the Board's approval of the actions herein, the Probation Department will file a Notice of Exemption with the County Clerk in accordance with section 21152 of the State CEQA Guidelines and will post the notice to the County website in accordance with section 21092.2 thereof; and,
2. Find that the Board identifies for evaluation and consideration for potential future adoption by the Board, Option 1 of the Probation Department's February 8, 2022 proposal to transform BJNJH and to establish that site as the permanent Secure Youth Treatment Facility for DJJ youth ("Option 1").

I, FURTHER, MOVE that the Board of Supervisors instruct the Probation Department, working with the JJRBG Subcommittee, the Chief Executive Office, County Counsel, the Department of Public Works and other appropriate agencies to:

1. Develop an implementation plan for the Board to evaluate in connection with the Board's consideration, and potential future adoption, of Option 1, and report back to the Board with progress reports every 90 days; and,
2. Provide recommendations on ways to reimagine the compound, including changing its name and identifying needed improvements.