

MOTION BY SUPERVISORS KATHRYN BARGER AND

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July 27, 2021

Substitute to Item 20: Identifying a Compliant Location to House, Care, and Support Former Department of Juvenile Justice Youth

In September 2020, Governor Gavin Newsom signed into law Senate Bill 823 ("SB 823") – the Juvenile Justice Realignment: Office of Youth and Community Restoration which declared the intent of Legislature to close the California Department of Juvenile Justice ("DJJ") and transferred the responsibility of the custody, treatment, and supervision of future DJJ youth to counties effective July 1, 2021. SB 823 further required the creation of the Juvenile Justice Realignment Block Grant ("JJRBG") assigned with the preparation of the DJJ transition plan and the allocation of funding to counties in preparation for the reception of DJJ youth. On May 14, 2021, Senate Bill 92 was enacted which declared June 30, 2023 as the actual closure date of DJJ.

In order to meet the requirements of the JJRBG, SB 823 directed counties to form the Juvenile Justice Realignment Block Grant (JJRGB) subcommittee, chaired by the Probation Department, whose membership shall include a representative from the District Attorney's Office, the Public Defender's Office, the Department of Social Services, the Department of Mental Health, Los Angeles County Office of Education (LACOE), and the Court, as well as a minimum of three community members, to develop a plan that included but was not limited to a description of the facilities, programs, services and supervision appropriate to both rehabilitate and supervise the DJJ youth. The recommendation by

the JJRBG Subcommittee was to use Campus Kilpatrick as an interim location and Camps Scott and Scudder as the permanent location for male population, and the Dorothy Kirby Center for the female population.

Following the release of their recommendations, it was apparent that none of the surrounding communities or cities of Santa Clarita (location of Camps Scott and Scudder) or Commerce (location of the Dorothy Kirby Center) were made aware of this recommendation. Subsequently, the City Attorney for the city of Santa Clarita issued a letter to the County raising concerns and questions around the County's due diligence in selecting these sites, specifically, alleging the County's failure to comply with California Environmental Quality Act (CEQA). The County's JJRGB Plan, for Fiscal Year 22-23, is due to the State by January 1, 2022 which affords the County adequate time to conduct the necessary and thoughtful planning to identify a site or sites in accordance with CEQA.

For background, in consideration of the two temporarily recommended housing sites: Campus Kilpatrick, opened July 2017, and consist of small cottages instead of traditional open dormitory settings, classroom spaces, and a modern and bright dining facility. It has a capacity and is permitted to house 120 youth, has served up to 42 youth previously and is currently serving 24 youth. Although the Campus is permitted to house 120 youth, currently, in light of the Department's efforts to reduce the spread of COVID, capacity has been reduced to approximately 60 youth. The reduced capacity is likely to remain in place for the duration of the pandemic. It is anticipated that, while temporarily serving as SYTF, as many as 60 formerly DJJ youth will need to be housed over the course of a year and approximately 16 additional staff will be required to maintain minor

to staff ratios. In addition, minor physical improvements to Campus Kilpatrick may be needed for this short-term use including camera installation, relocation of lighting and new and upgraded fencing at the site. Operations will be consistent with existing conditions and staffing levels are not expected to exceed past operations at the facility as they historically have fluctuated depending on the number youth served. The existing facility has more than sufficient capacity to serve this purpose. There would, therefore, be no or negligible expansion of the use of the facility.

With the youth who are going to be temporarily placed at Campus Kilpatrick, , it is important that they be placed with expediency in an identified permanent SYTF upon a robust, comprehensive, evidence-based, trauma-informed assessment and evaluation by medical and mental health staff, aligning with YJR and JJRBG's recommendations that are sensitive to the needs of the youth.

The County cannot conduct meaningful community outreach absent a plan that includes site selection, recommended improvements, and necessary improvements. These efforts must also include transparency with the communities directly impacted by these efforts.

WE, THEREFORE, MOVE that the Board of Supervisors:

1. Find the following, with respect to the Juvenile Justice Realignment Block Grant (JJRBG) Subcommittee recommendations, for Campus Kilpatrick to be the temporary Secure Youth Treatment Facility (SYTF) location for male youth, find that the temporary use of Campus Kilpatrick as the SYTF for up to 45 male youth , does not constitute a project under CEQA because it is an organizational or

administrative activity of government that is excluded from the definition of a project by Section 21065 of the California Public Resources Code and Section 15378(b)(5) of the State CEQA Guidelines. The proposed actions will not result in direct or indirect physical changes to the environment. Additionally, find that the proposed minor actions described herein to improve Campus Kilpatrick are categorically exempt from the California Environmental Quality Act (CEQA), pursuant to sections 15301(a) and (f) , 15303(e) and 15311 of the State CEQA Guidelines, Classes 1 (d) and (i) and 3(b) and Class 11 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G because they are within certain classes of projects that have been determined not to have a significant effect on the environment. This exemption applies to the operation, repair and minor alteration of the interior and exterior of existing public facilities, and structures, installation of safety devices in conjunction with existing facilities, installation of small new equipment in small structures and accessory structures. There would be no or negligible expansion of existing and former use of the facilities, which serve youth in the care of the Probation Department. In addition, based on the proposed project records, use of these facilities as proposed will comply with all applicable regulations; they are not located in a sensitive environment; and there are no cumulative impacts, unusual circumstances, damage to scenic highways, listing on hazardous waste site lists compiled pursuant to Government Code section 65962.5, or indications that their use may cause a substantial adverse change in the significance of a historical resource that

would make the exemption inapplicable. Upon the Board's approval of the proposed project and related actions, the Probation Department will file a Notice of Exemption for the recommended actions with the Registrar-Recorder/County Clerk in accordance with section 21152 of the California Public Resources Code

2. Adopt the JJRBG Subcommittee recommendation for Campus Kilpatrick to be the temporary SYTF location, until a permanent location is identified;
3. Recognize that any and all alternatives to the Division of Juvenile Justice (DJJ) shall be aligned with the vision of Youth Justice Reimagined (YJR);
4. Instruct the Probation Department, in consultation and coordination with the Youth Justice Advisory Committee and, JJRBG Subcommittee to:
 - a. Work with County Counsel, the Chief Executive Office, Internal Services Department, and the Department of Public Works, to initiate an assessment of all licensed probation facilities to identify and rank the feasibility of the use of each campus to house DJJ youth, and report back findings to the Board in 60 days. This assessment should include but not be limited to: existing site conditions and identification of necessary improvements to bring each facility up to relevant standards, including the "Care First" vision, in terms of livability, programming, and security, as well as any improvements required pursuant to environmental findings or studies associated with the state legislative change. The assessment should also include operational and programmatic flexibility for the Probation Department and community service providers;

- b. The above report shall include a community outreach plan which will guide community meetings that will follow upon the selection of the site(s) by the Board; and,
 - c. Report back to the Board with the results of the community outreach meeting(s) 30 days thereafter.
- 5. Direct the JJRBG, Youth Justice Transition Advisory Group, YDD, JCHS, and DMH to develop a plan and report back to the Board, in writing in 60 days, on how youth who are temporarily placed at any temporary SYTFs, will be placed with expediency in an identified permanent SYTF upon a robust, comprehensive, evidence-based, trauma-informed assessment and evaluation by medical and mental health staff, aligning with YJR values and JJRBG's recommendations, that will be sensitive to the needs of the youth
- 6. Instruct the JJRGB Subcommittee to devise a plan, with input from the Youth Justice Transition Advisory Group, community service providers, and Probation Department labor partners that includes supportive programming (including, among other needs, community-based programming inside facilities to link youth to re-entry services), a transformative staffing model (e.g. co-staffing model and employment of credible messengers from outside of the Probation Department) that facilitates a safer more therapeutic environment at all SYTFs, as well as a plan to ensure that a continuum of less restrictive options, including diversion, will be available and report back in writing in 45 days with an update on progress, and report to the Board every 60 days thereafter to keep the Board informed of the

status and progress of the DJJ transition, including ongoing community stakeholder feedback and alignment with the values of YJR, until such time as the selection and implementation of a permanent SYTF is finalized.

7. Instruct the JJRBG Subcommittee to work with the Chief Executive Office to develop and submit funding recommendations for the first allocation of the JJRBG funds to the to the Board in 75 days; and,
8. Instruct the JJRBG subcommittee to further develop and submit the DJJ Transition plan to the Board of Supervisors for approval within 90 days.

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