

# COUNTY OF EL DORADO

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August 30, 2020

The Honorable Gavin Newsom  
Governor of California  
1303 10<sup>th</sup> Street, Suite 1173  
Sacramento, CA 95814

**RE: Senate Bill 823 / Assembly Bill 1868 - DJJ Realignment - OPPOSE**

Dear Governor Newsom:

From the time your office introduced the concept of shifting responsibility for youth with the most serious and complex treatment needs to counties, Probation Chiefs and counties have been working tirelessly to provide guidance and expertise to craft a framework for success that would provide appropriate resources to serve this population while still supporting local control and innovation. We were shocked and disappointed to learn that the Administration and Legislature cut a three-party deal that dismisses our expertise as well as many of our stated needs.

The current proposal amounts to a hastily crafted wholesale reform of the juvenile justice system that ignores the input of counties and Chief Probation Officers. This result creates the appearance of duplicity and ill intent and comes at a time when counties are grappling with a global pandemic and resulting economic crisis, and while Chief Probation Officers are preparing for the potential implementation of Pre-trial bail reform. This is simply too critical an issue to be rushed and it is irresponsible to disregard the expertise and effectiveness that Chief Probation Officers have demonstrated, successfully serving nearly 90 percent of the State's youth currently being rehabilitated under counties' care. Our youth need us to be more thoughtful and give them something better.

Local control and innovation, together with appropriate funding, are absolutely necessary for the successful realignment of any program. The current proposal represents a stark departure from these principles, which have been, and should continue to be, hallmarks of realignment. County governments and our Probation Departments are being required to accept a sensitive and vital responsibility – one that shapes the future paths of youth in our juvenile justice system – in a form that is unworkable, does not reflect county or probation input on critical aspects, and cannot assure delivery of improved outcomes for the young people we are being asked to serve. We join CSAC, CPOC, UCC, and RCRC in unequivocal opposition to the current proposal, and want to bring your attention to the following problematic provisions:

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- Establishment of a new, untested state bureaucracy with overly expansive authority, including the power to exert broad control over existing local programs despite the historic success of these programs in diverting youth out of detention;
- Expectation of considerable and costly local data collection and reporting requirements that span the entire juvenile justice system, which – while offering benefits – will impose a large, potentially unfunded state mandate;
- Inference that counties, through their probation departments, cannot be fully trusted with this realigned responsibility or their decades old responsibilities, even while the state appears eager to offload to counties a very challenging, costly, and sensitive service responsibility on the juvenile justice service continuum;
- Transfer of existing, critical funding streams under the purview of a new layer of state bureaucracy with the intent of disrupting the fund flow for long-standing, successful programs that represent foundational support for our core local services;
- Creation of multiple processes and bureaucracy to define and plan for realignment that will hamper rather than promote innovation, most likely delaying implementation efforts and diverting critical funding away from direct services to youth;
- Mere intent language to protect against an increase in adult court commitments, rather than a thoughtful or complete process;
- A July 1, 2021, DJJ intake closure date that, under this proposal, does not provide counties and probation departments with sufficient time to prepare local programs and facilities for the population being shifted to local government.

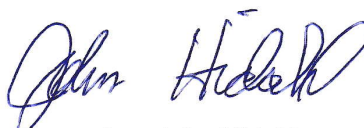
The state consistently relies on counties for extensive partnership in the delivery of programs for our mutual constituents. We are routinely asked to help solve complex societal problems and drive innovation in delivering services to the most vulnerable in our communities. The DJJ realignment approach in SB 823/AB 1868 lacks any reflection of this long-standing approach, which has produced so many positive outcomes in the past through various realignments. The proposal to close DJJ facilities and realign the responsibility to counties as drafted in SB 823/AB 1868 is unacceptable. While the overarching policy of realignment is not unattainable, the State cannot expect local practitioners to fulfill this responsibility while not taking into account our needs and expertise.

We ask that you support resuming discussions with counties and Probation Officers to craft a solution that will provide our most troubled youth with the services they truly need and deserve. Doing anything less may result in a missed opportunity for positive change.

Sincerely,



Supervisor Brian K. Veerkamp  
Chair, Board of Supervisors



Supervisor John Hidahl  
CSAC Board of Directors

- c. Senator Brian Dahle  
Assemblyman Frank Bigelow  
Assemblyman Kevin Kiley  
California State Association of Counties  
Rural County Representatives of California  
Probation Officers Association