

November 9, 2018

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY INFORMATION NOTICE NO. I-68-18

The purpose of this All County Information Notice (ACIN) is to provide information regarding the allocation of funding provided pursuant to Assembly Bill (AB) 1811. This notice is intended for, but not exclusive to, all county child welfare departments, county probation, county behavioral health departments, county public health departments, foster family agencies, group home providers, short-term residential therapeutic providers, and private non-profit community-based agencies. The Department is issuing this notice because it has been tasked with allocating the funds to chosen lead agencies developing programs specific to AB 1811's goals.



WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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EDMUND G. BROWN JR.
GOVERNOR

November 9, 2018

ALL COUNTY INFORMATION NOTICE (ACIN) NO. I-68-18

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL FOSTER FAMILY AGENCIES
ALL GROUP HOME PROVIDERS
OUT-OF-STATE GROUP HOME PROVIDERS
ALL MENTAL HEALTH DIRECTORS
ALL STRTP PROVIDERS
TITLE IV-E TRIBES
ALL COMMUNITY-BASED ORGANIZATIONS

SUBJECT: REDUCTION IN THE FREQUENCY OF LAW ENFORCEMENT INVOLVEMENT AT RESIDENTIAL FACILITIES

REFERENCE: [ASSEMBLY BILL 1811 \(CHAPTER 35, STATUTES OF 2018\)](#)
[HEALTH AND SAFETY CODE SECTION 1531.6](#)
[HEALTH AND SAFETY CODE SECTION 1538.75](#)
[HEALTH AND SAFETY CODE SECTION 1536.1](#)
[HEALTH AND SAFETY CODE SECTION 1538.7](#)

The purpose of this ACIN is to provide information regarding the allocation of funding provided pursuant to [Assembly Bill \(AB\) 1811](#) for the purpose of providing training and community-based services in order to reduce the frequency of law enforcement involvement and delinquency petitions arising from incidents at facilities licensed to provide residential care to dependent children.

Background

The Budget Act of 2018 appropriated a total of \$5 million dollars (\$4 million dollars General Fund) statewide for the purpose of providing training and community-based, culturally relevant, trauma-informed services in order to reduce law enforcement involvement with residential facilities. This funding is a one-time appropriation for liquidation until June 30, 2023. The funds are to be allocated by the California

Department of Social Services (CDSS) to selected lead agencies that have submitted a three-year plan via a request for proposal (RFP) developed by CDSS.

Eligible prospective lead agencies include county child welfare departments, county probation, county behavioral health departments, county public health departments, or private non-profit community-based agencies with experience providing social and mental health services to youth and families. Licensed group homes, transitional shelter care facilities, short-term residential therapeutic programs, and temporary shelter care facilities are ineligible to receive funds.

Purpose of Funding

The intent of this funding is to improve outcomes for at-risk youth through the delivery of community resources and the reduction of law enforcement calls. The funding is to be allocated on a competitive basis to selected lead agencies to fund services and support to facilities and youth in need through increased collaboration with local organizations, agencies, providers, and community groups.

Allocation Requirements

The CDSS is required to issue a RFP to solicit information from interested lead agencies and to select programs that will reduce the frequency of law enforcement involvement. To allocate these funds and select proposals, the CDSS is required to establish a methodology in consultation with stakeholders identifying facilities in need of training and for defining areas of highest need for youth services. The CDSS will publish the methodology along with the RFP. The CDSS tracks [data mandated by AB 388](#) which will be valuable in establishing this methodology.

Additionally, AB 1811 intends that funded programs focus on and prioritize youth living in areas with the highest rate of crossover and dual status youth, youth placed in probation-supervised foster care placements, foster youth placed in juvenile hall, and youth living in congregate care facilities specified in [Sections 1536.1](#) and [1538.7 of the Health and Safety Code](#), with excessive licensing complaints and excessive calls to law enforcement.

Plan Submission Requirements

To be considered for this funding, a prospective lead agency must submit a three-year plan by February 1, 2019. The plan shall provide evidence for all of the following:

- Braided or matching county funds of at least 25 percent (i.e. Medi-Cal specialty mental health, Mental Health Services Act, SB 855 funding, etc.).
- A memorandum of understanding (MOU) with local law enforcement assuring law enforcement participation in the training and diversion protocols. A plan that

does not include a direct MOU with law enforcement may be considered but plans that include the MOU will have priority for funding.

- Direct coordination of services with identified facilities and collaboration regarding the integration of services with the facility program. This coordination should include options for community referrals and community interventions that do not include contacting law enforcement.
- Youth educational and well-being outcome measures developed in coordination with the Department of Social Services.

Per [Health and Safety Code \(HSC\) Section 1538.75\(c\)\(3\)](#), funds shall be used to supplement and not supplant existing county funding for purposes of this section.

Next Steps

In **mid-October 2018** the CDSS convened a workgroup to inform finalization of the RFP and the required methodology for prioritization of facilities and areas of need. The CDSS is currently in the process of developing (1) priorities for funding and (2) the requirements and criteria for selecting lead agencies. Any agencies interested in responding to the RFP may not be involved in the workgroup. Additional information will be provided in **mid-November 2018**.

The CDSS recommends that prospective lead agencies and key stakeholders begin plan preparation and collaboration early to build a strong plan. Allocated funds will be administered by lead agencies, which may include county child welfare departments, county behavioral health departments, county public health departments, or private non-profit community-based agencies with experience providing social and mental health services to youth and families.

The CDSS will convene a webinar to provide additional information and answer questions to prospective lead agencies in late November 2018. A prospective lead agency shall indicate its interest in participating in the program by submitting a three-year plan by **February 1, 2019** and shall submit any plan modifications by **February 1 of each subsequent year**.

By **March 1, 2019**, the CDSS shall allocate the funds appropriated for these purposes in the annual Budget Act to lead agencies that submit a three-year plan via a RFP developed by the Department. Funds awarded but not expended during any year may be subject to budget re-appropriation to remain eligible for expenditure by a selected lead agency in the following year. Up to 10 percent of funds awarded may be allocated to the lead agency for the coordination and administration of the program.

The AB 1811 mandates that CDSS shall contract with a research firm or university to measure youth outcomes and justice system measures over a three-year period beginning **July 1, 2019**.

By **October 1 of each year**, the CDSS shall issue continued guidance to eligible lead agencies regarding fund and plan requirements to ensure maximum utilization of federal funding opportunities. The CDSS may periodically revise that guidance following consultation with county agencies, other state departments, advocates for children and youth, and other stakeholders.

The AB 1811 additionally requires that, separate and apart from this grant program, all group homes, transitional shelter care facilities, short-term residential therapeutic programs, and temporary shelter care facilities must develop protocols dictating the circumstances under which law enforcement may be contacted in response to the conduct of a child residing at the facility. The AB 1811 requires the protocols to, among other things, specify that contacting law enforcement shall only be used as a last resort once all other de-escalation and intervention techniques have been exhausted and only upon approval of a staff supervisor.

Examples of Successful Diversion Programs

Many successful practices for reducing law enforcement involvement have focused on initial contact with law enforcement to “prevent involvement or increased involvement in the justice system and to better address youths’ underlying needs and support their development.”¹

A key focus of this funding is to support pre-arrest diversion for both youth in care and youth in transition from care. This requires a partnership between law enforcement and social service providers – allowing staff of facilities or police officers to divert people into services instead of arresting them when the activity is likely related to normal childhood behaviors, behaviors related to trauma, unmet mental health needs, substance use/misuse, and/or extreme poverty. Youth diversion is broadly defined as an intervention that redirects system responses to prevent a young person’s involvement or further involvement in the justice system.

Los Angeles County has developed a [report](#) on diversion programs and services in Los Angeles. The report details some of the diversion programs utilized, as well as recommendations for “scaling up effective youth diversion throughout the county and addressing youths’ underlying needs through systems of care that prioritize equity, advance well-being, support accountability, and promote public safety.”²

A few examples of successful diversion programs in California are attached in Attachment A (Example Diversion Programs). This list is not exhaustive to the programs that lead agencies may consider executing.

¹ [COUNTY OF LOS ANGELES](#), A ROADMAP FOR ADVANCING YOUTH DIVERSION IN LOS ANGELES COUNTY

² [COUNTY OF LOS ANGELES](#), A ROADMAP FOR ADVANCING YOUTH DIVERSION IN LOS ANGELES COUNTY

Early plan preparation is advised. The CDSS requests that all potential lead agencies consider key local stakeholders to engage in preparation of their three-year plan. Collaboration with other entities may include, but not be limited to, youth-led organizations, law enforcement, probation, child welfare, faith-based organizations, community-led organizations, schools, and hospitals.

If you have any questions regarding this letter, please direct them to the Continuum of Care Reform (CCR) Branch Mailbox at ccr@dss.ca.gov.

Sincerely,

Original Document Signed By:

SARA ROGERS
Chief, Continuum of Care Reform Branch
Children and Family Services Division

Attachment

c: CWDA
CPOC
CBHDA

Example Diversion Programs

San Francisco:

The Huckleberry Community Assessment and Resource Center (CARC) is a single point of entry for crisis intervention, assessment, service integration and referral of arrested youth. Staff from juvenile probation, public health, the sheriff's department, the police department, and community-based organizations work together to assess, and case manage youth who are arrested for a variety of offenses, both felony and misdemeanor. The program serves young people ages 11 through 17. Youth are brought to Huckleberry CARC in police custody. Once at the Huckleberry CARC, the youth meet with a probation officer for intake, a licensed psychology technician to identify any physical or mental health crisis, and a case manager who conducts a voluntary assessment. Huckleberry CARC staff develop a case plan. Case managers have successfully worked with youth to reintegrate them into their schools, arrange for special educational services, obtain mental health services, complete community service and probation requirements, and engage the youth in positive social, arts, athletic, and youth development programs.

Community Works West operates Restorative Community Conferencing (RCC) programs in Alameda County and San Francisco. Youth ages 11 through 17 who are arrested are referred to a RCC program before a prosecutor files criminal charges, avoiding the use of expensive court time and probation resources. The RCC programs specifically focus on youth who have committed serious offenses with an identifiable victim such as robbery, burglary, car theft, assault and battery, arson, and teen dating violence. Through a facilitated dialogue, young people meet with victims and create a plan to repair the harm they caused with the support of family, community, and law enforcement. According to an evaluation of the Alameda RCC by Impact Justice, youth who went through restorative justice were 44 percent less likely to get a new sustained charge than youth who were processed through the traditional legal system. Victims who go through the RCC process appreciate the ability to hear directly from the young person.

Santa Cruz:

The Luna Evening Center Program is a short-term, immediate intervention and detention alternative program for pre- and post-adjudicated youth. Services are provided to youth who are struggling to meet their terms of probation and/or committing new offenses. In Fiscal Year 2016-17, the Luna Evening Center served 61 unique youth for a total of 164 episodes with an average of seven days each episode. Juvenile Justice Crime Prevention Act (JJCPA) funds are used for an on-call staff at the Evening Center to assist in supervision, transportation and daily programming. The JJCPA partially funds a community-based agency to provide job training and mentorship workshops one day each week and in park restoration projects throughout the county on Saturdays.

Example Diversion Programs (Attachment A)

Los Angeles:

The Los Angeles County Division of Youth Diversion & Development (YDD)

has been tasked with advancing an evidence-informed, coordinated, and comprehensive model of youth diversion and youth development that empowers community-based organizations as the primary providers of youth diversion services in lieu of arrest with the goal of equitably reducing young people's involvement with the justice system. Diversion providers who receive YDD contracts will receive funding, ongoing tailored capacity-building, connections to potential partners for referral and service coordination, and other resources for data collection, evaluation, and communication. Once a diversion partnership has been established, law enforcement agencies throughout the county will refer all eligible and suitable youth to their partnering provider in lieu of arrest or citation and in alignment with YDD standards. Diversion providers will then conduct a strengths-based intake assessment and carry out or refer clients to individualized developmentally appropriate community-based services that meet their needs, including but not limited to: case management, care coordination, and systems navigation; trauma-responsive preventive services and treatment for physical health, mental health, and substance abuse needs; housing and transportation support; educational and vocational support; credible mentorship; family engagement and support; and restorative or transformative justice practices.

Multi-Systemic Therapy (MST) services is comprised of Community-Based Organizations (CBOs) providing evidence-based intensive family and community-based treatment that focuses on addressing all environmental systems that impact chronic and violent juvenile offenders, their homes and families, schools and teachers, neighborhoods and friends. The MST works with the toughest offenders ages 12 through 17 who have a very long history of arrests. The MST interventions aim to attenuate risk factors by building youth and family strengths on a highly individualized and comprehensive basis. The MST practitioners are available 24 hours per day, seven days per week, and provide services in the home at times convenient to the family. This approach attempts to circumvent barriers to service access that families often encounter and emphasizes parental empowerment to modify children's natural social network (Henggeler et al., 1998). County of Los Angeles Department of Parks and Recreation and City of Los Angeles Department of Recreation and Parks agencies, the Los Angeles Unified School District (LAUSD), the Los Angeles County Office of Education, other school districts, community-based service providers, and the Probation Department collaborate to provide after-school enrichment programs and supervision for youths. These after-school enrichment programs take place at county and city parks, schools, and CBOs. The program goals are to provide early-intervention services and monitoring, especially between the hours of 3:00 p.m. and 6:00 p.m. Reducing risk factors and enhancing protective factors, such as positive social orientation, pro-social bonding, and clear and positive standards of behavior, can delay or prevent delinquency (OJJDP, 1995). Communities can improve youths' chances of leading healthy, productive, crime-free lives by reducing economic and social deprivation and mitigating individual risk factors (e.g. poor family functioning, academic failure) while promoting their abilities to (1) bond with pro-social peers, family members, and mentors; (2) be productive in school, sports, and work; and (3) successfully

Example Diversion Programs (Attachment A)

navigate the various rules and socially accepted routines required in a variety of settings.

The Early Intervention and Diversion Program is designed to provide at-risk youth and their families with the coordinated supportive services necessary to decrease the likelihood of ongoing delinquency and increase the potential for keeping these youth and families outside of the delinquency system. The overall goal of this program is that in lieu of delinquency, youth and families will receive health, mental health and other important services that will enhance the family unit and divert the youth from ever entering the juvenile justice system. The theoretical frameworks are predicated on the labeling theory and differential association theory. Practices include providing services in community to minimize the impact of potential dampening of positive effects of treatment and services in an institutional setting and to include direct therapeutic service based on risk, need and responsivity model.

Centinela Youth Services (CYS) established the first pre-booking juvenile diversion program in the state of California. Their program allows youth to participate in a diversion program in lieu of charges being filed in court. Police departments that partner with CYS must agree to divert all eligible youth, which helps ensure Black and Latinx youth are afforded similar opportunities as their peers.

The CYS's diversion program includes restorative justice and supportive services, including drug and alcohol treatment, mental health care, tutoring, and more. Through restorative justice young people take responsibility for their actions by meeting with the person they have harmed, learning from their mistakes, and making a plan to repair the harm.

Currently, the program is available in 11 of 21 Los Angeles city police divisions¹. Through its partnership with the Los Angeles Police Department (LAPD), Centinela Youth Services has diverted 471 youth since 2013 and only 11 percent of youth are arrested in the year following the completion of services (compared to the county youth recidivism rate of 31 percent). The CYS costs depend on the needs of the young person, but the average range is \$800 - \$4,000.

San Diego:

Community Assessment Teams (CAT) are community based and family-oriented teams who utilize a multidisciplinary approach to provide case management services to youth. The teams are comprised of case managers, probation officers, alcohol and drug specialists, parent educators, mental health professionals, and school representatives. These services are alternatives to more formal action with the juvenile justice and education systems, such as detention, court, probation, expulsion, and correctional camps, which are costly to taxpayers. The CAT program represents collaboration among the San Diego County Probation Department and various CBOs throughout the region. Youth are referred to the program by probation, schools, law

¹ <https://chronicleofsocialchange.org/news-2/lapd-rolls-youth-diversion-program-across-city-los-angeles>

Example Diversion Programs (Attachment A)

enforcement, community-based agencies and self-referral. The CAT offers a spectrum of prevention and low-level intervention support services including, but not limited to, case management, counseling, skill-building, behavioral health, academic assistance, and community services. Services are provided to address issues such as anger management problems, violence, alcohol and other drug use, gang involvement, school problems and other anti-social behaviors. After initial screening, the youth and family may be referred directly to services outside the program. Family assessments are completed as indicated and case managers collaborate with client families to develop case plans for increasing strengths and addressing issues.