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Assembly California Legislature

REGINALD BYRON JONES-SAWYER, SR.
ASSEMBLYMEMBER, FIFTY-NINTH DISTRICT

COMMITTEES
CHAIR: PUBLIC SAFETY
AGRICULTURE
BUDGET
GOVERNMENTAL ORGANIZATION

SUBCOMMITTEE
BUDGET SUBCOMMITTEE NO. 5 ON
PUBLIC SAFETY

April 16, 2018

The Honorable Shirley Weber
Chair
Assembly Budget, Subcommittee No. 5 on Public Safety
State Capitol, Room 3123
Sacramento CA 95814

Dear Assemblymember Weber,

I and the undersigned legislators respectfully request \$100 million to establish the Youth Reinvestment Fund to improve the outcomes of vulnerable youth populations using trauma informed, community based, and health based interventions.

Summary of Proposal:

- \$15 million to fund Social Workers in Public Defender Offices: to hire social workers to support cases where minors are arrested and prosecuted in either juvenile or criminal court, depending on the need of the office. The social workers may also support youth re-entry and other critical youth related needs of the public defender office.
- \$10 million to fund Tribal Diversion Programs for Native American youth using trauma informed, community based, and health based interventions.
- \$75 million to fund Local Diversion Programs for at-risk youth over a 3 year period

Social Workers in Public Defender Offices

Juvenile defender offices that include social workers have demonstrated an ability to employ holistic, cost-effective strategies that can improve youth outcomes and reduce recidivism. According to the National Juvenile Defender Center, utilizing this multidisciplinary approach allows a holistic representation where “juvenile defenders not only prepare and litigate the legal aspects of the cases in the courtroom, but also be prepared to address the underlying causes that bring troubled children into the delinquency system, such as mental illness, drug and alcohol dependency, co-occurring disorders, developmental disability, homelessness, abuse, and trauma.” Integrating social workers with public defenders will allow our justice system to better address root causes of youth delinquency. Some states, including Colorado, have passed legislation to require public defender offices to hire social workers to assist in defending youth defendants.

Counties like Los Angeles, San Francisco, and Contra Costa have already hired a limited number of social workers that support public defender offices. These counties have a grossly insufficient number of social workers compared to the caseload of each office. For example, in Los Angeles County, public defenders refer certain cases to social workers based on their discretion. In total, social workers only see about 5-10% of the total cases that come through in Los Angeles. Funding for social workers has varied but have included the Federal Juvenile Justice Accountability Block Grant, Title IV(e), and AB 109 funding. Without a dedicated resource, public defender offices have had difficulty receiving sufficient, dependable resources to fund these positions. Contra Costa has one social worker to assist in adult matters and more recently requested AB 109 funding to fund a social worker to support juvenile matters but was denied.

Request: Provide one time funding of \$15 million for county public defender offices to apply for funding to add social workers to the county public defender office to support juvenile matters. Funding will be distributed by the Board of State and Community Corrections in the following manner:

- Grants will be a minimum of \$45,000 to a maximum of \$500,000 to any one county.
- Funding will be prioritized in counties that: 1) have high rates of juvenile arrests in the county, 2) have high arrest rates of youth of color in the county, 3) have had public defender offices that have attempted to secure funding or additional funding for social workers in the last 6 years but have been unsuccessful (demonstrated by past applications and proposals) and 4) have average high school graduation rates that are lower than 75%.
- Counties will provide a 25% match to the grant (i.e. if a county receives a \$50,000 grant award, the county will provide \$12,500, totaling \$62,500 to the public defender office.

Trauma Informed Diversion Programs for Native American Youth

Today's American Indian youth have inherited the legacy of centuries of eradication and assimilation-based policies directed at Indian people in the United States, including removal, relocation, and boarding schools. This intergenerational trauma continues to have devastating effects among children in Indian country, and has resulted in substantial social, spiritual, and economic deprivations, with each additional trauma compounding existing wounds over several generations. Statistics highlight the magnitude of the problem. Although they represent 1% of the U.S. population, Native American juveniles represent 2% to 3% of youth arrests in categories such as theft and alcohol possession. Similarly, they are committed to adult incarceration at a rate 1.84 times that of whites and are placed under the jurisdiction of the criminal justice system at a rate 2.4 times that of whites. In California, where we have a substantial Native American population, they represent from 29% to 42% of juveniles held in secure confinement. The alcohol-related death rate among Native American youth stands at 17 times the national rate. Their suicide rate is triple the national average among males aged 15 to 24. Their high school dropout rate is the highest of any racial group. While at first glance these numbers are bad enough, what makes them even harsher is the fact

that the Native American population is a relatively young one: according to the Indian Health Service, in 2008 the median age of the Native American population was 28.0 years versus 35.3 years for the U.S. population as a whole. This means these issues impact a relatively larger portion of the total Native American population

Request: Provide one time funding of \$10 million for Diversion Programs for Native American youth that use trauma informed, community based and health based interventions. (*Membership in a federally recognized American Indian tribe is treated as a political classification, distinct from classifications based on race, ethnicity and national origin*). Funding will be distributed by the Board of State and Community Corrections in the following manner:

- Funding will be prioritized for programs that address the needs of Native American Youth who experience 1) high rates of juvenile arrests, 2) have high suicide rates, 3) high rates of alcohol and substance abuse, and 4) average high school graduation rates that are lower than 75%.
- Tribes can apply jointly on regional efforts and receive the aggregate amount of funds they would have received (according to the formula or RFP allocation) if awarded independent jurisdictions.

Trauma-informed Youth Diversion Programs

Of the approximately 62,000 annual juvenile arrests in California, two-thirds of the arrests are for status offenses or misdemeanors. Approximately 8 out of 10 youth arrested are referred to probation and of these youth, a quarter of them are detained. Research has shown that non-detention alternatives, particularly for low level offenses, are more appropriate responses to curb delinquent behavior, avoiding pushing youth deeper into the juvenile justice system. Most importantly, communities that have intentional diversion programs show improved outcomes for youth *and* public safety. Effective diversion programs in the state already exist including San Francisco's Huckleberry Youth Program's CARC, which serves as a single point of entry for crisis intervention, assessment, service integration and referral of arrested youth and San Diego's Community Assessment Teams which provides alternatives to more formal juvenile justice or school interventions. Researchers found diversion and mentoring programs produced \$3.36 of benefits for every dollar spent in terms of reduced crime and the costs of crime to taxpayers. This proposal will fund the creation and expansion of trauma-informed, developmentally-appropriate, culturally-relevant community diversion programs for youth as an alternative to detention for low level offenses. Youth in conflict with the law who are provided responses to their behavior that directly address their immaturity and underlying health and mental health needs see far better health and educational outcomes; they earn more money and contribute more tax revenue, and do not draw down as much public support, such as housing assistance and food stamps. This more appropriate approach can have the added benefit of reducing the disproportionate impact the juvenile justice system has on youth of color, children with disabilities, girls, LGBTQ youth, and foster children.

Request: Provide one time funding of \$75 million for distribution to counties by the Board of State and Community Corrections (BSCC) through a competitive grant process. Grants shall be provided according to the following provisions:

- 3% of funds for grant administration costs to the BSCC.
- 10% of funds go to a lead public agency to coordinate with local law enforcement, social service agencies, and non-profit organizations on implementation of diversion programs and alternatives to incarceration and system involvement;
- 87% of funds pass-through lead agency to non-governmental, non-law enforcement community-based organization to deliver services in under-served communities with high arrest rates for children and youth;
- Counties can apply jointly on regional efforts and receive the aggregate amount of funds they would have received (according to the formula or RFP allocation) if awarded independent jurisdictions.

Factors for grant consideration:

1. Existing need identified as:
 - a. Jurisdictions with above the state average rates of youth arrests for misdemeanors and status offenses including school districts;
 - b. Jurisdictions with disproportionately high rates of arrests of youth of color, LGBTQ youth, dependent youth and other vulnerable populations
2. Service Design with the following criteria:
 - a. Services must be community based, located in communities of local jurisdictions with greatest need;
 - b. Services must be evidence-based or research supported, trauma-informed, culturally-relevant, and developmentally-appropriate;
 - c. Direct service providers must be non-governmental, non-law enforcement or probation entities;
 - d. Direct service providers must have experience effectively serving vulnerable and at-risk youth populations;
 - e. Services must include:
 - i. Diversion programs and alternatives to arrest, incarceration, and formal system involvement;
 - ii. Education services, including, academic and vocational;
 - iii. Mentoring services;
 - iv. Behavioral health services; and
 - v. Mental health services.
3. Plans prioritized with the following criteria:
 - a. Lead application for local jurisdiction is a public agency who will coordinate inter-agency collaboration,

- b. Local jurisdiction has established buy-in and collaboration with law enforcement, for diversion programs and community-based services;
- c. Local jurisdictions have identified and committed matching and braided funds of at least 25% of the total amount needed for project;
- d. Funds are not to supplant or otherwise replace existing funding allocations for community-based programming.

Grant Administration Oversight and Accountability by the Board of State and Community Corrections in coordination with the Department of Health and Human Services and the Department of Education.

The BSCC, in collaboration with partner agencies, will perform the following duties:

1. Provision of guidance to the local jurisdictions including:
 - a. Guidance regarding available federal, state, and local funds for the purposes of braiding and matching funds
2. Support with data collection and analysis to identify and target jurisdictions with the highest need and for measuring program outcomes and impacts.
3. Tracking of fund allocations and disbursement in accordance with applicant's proposed plans.
4. The BSCC shall secure/set-aside sufficient funds to **contract with a research firm or university** to conduct a statewide evaluation of the grant programs and outcomes over the three year grant period. The BSCC will provide a public report of grantees, projects, and outcomes at state and local levels upon completion of the grant period. The BSCC and collaborating agencies will assist the research firm or university by providing relevant, existing data for the purposes of tracking outcomes. Measures may include but not be limited to:
 - a. Reductions in law enforcement responses to youth for low-level offenses, court caseloads and processing, days youth spend in detention, youth placement in congregate care, school and placement disruptions, and facility staff turnover.
 - b. Improvement in youths' health and wellbeing, school and community stability, educational attainment, and employment opportunities.
 - c. Projected state and local cost savings as a result of the programming.

Grant Thresholds:

1. Grants can be no less than \$100,000 and no more than \$5 million

Local jurisdictions must provide at least a 25% match of funds

1. Funds include federal, state, local, or private braided or matching funds.

2. Exceptions of at least 10% match can be made for those local jurisdictions identifying high need and low or no local infrastructure for programming.

The Youth Reinvestment Fund will strengthen the partnerships between nonprofits and community based organizations and agencies to deliver critical services, and support trauma informed, culturally relevant and health based interventions. By reinvesting in our youth and diverting them from the prison pipeline, we can ensure that millions of young Californians succeed.

For these reasons, we request your support to fund the Youth Reinvestment Fund. If you have any questions, please contact Alana Troutt at (916) 319-2059.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Reginald Byron Jones-Sawyer, Sr." The signature is written in a cursive style with a large initial 'R' and a long, sweeping tail on the 'y'.

REGINALD BYRON JONES-SAWYER, SR.
State Assemblymember, 59th District