AGENDA #_____, March 13, 2018

ALAMEDA COUNTY
PROBATION DEPARTMENT

P.O. Box 2059
1111 Jackson Street
Oakland, CA 94604-2059

WENDY STILL, MAS
Chief Probation Officer

February 21, 2018

Honorable Board of Supervisors
County Administrator Building
1221 Oak Street
Oakland, CA 94612

SUBJECT: APPROVE TO ESTABLISH A TRANSITIONAL AGE YOUTH UNIT TO PILOT A PROGRAM FOR YOUTH WHO WILL VOLUNTARILY SERVE THEIR CUSTODIAL TIME AT THE COUNTY JUVENILE HALL UP TO A PERIOD NOT EXCEEDING ONE YEAR.

Dear Board Members:

RECOMMENDATIONS:

Approve and authorize the Chief Probation Officer to establish a Transitional Age Youth unit at the Juvenile Hall to pilot a deferred entry of judgement program for Transitional Age Youth, aged 18-20 years old who have committed an adult felony offense but will voluntarily serve their custody time by participating in an alternative program at Juvenile Hall;

SUMMARY AND DISCUSSION:

Pursuant to Senate Bill No. 1004, September 30, 2016, the Board of State and Community Corrections (BSCC) has approved the creation of a new Welfare and Institutions Code (WIC) Section program, establishing a pilot program for Alameda, Butte, Nevada, Napa, and Santa Clara Counties. The Probation Departments of these Counties were provided the authority to operate a diversion program for eligible transitional adult youth within Juvenile Hall. This program authorized a defendant, 18 years of age or older, but under 21 years of age on the date the offense was committed, to participate in the program within the County's Juvenile Hall.

On May 10, 2016, your Board approved an amendment to the 2016 Alameda County legislative platform adopting positions on legislation. The SB 1004 (Hill) Transitional Adult Youth pilot program is among the positions your Board supported as part of the County's 2016 Legislative Platform.

On January 26, 2018, BSCC approved Alameda County Probation Department's (ACPD) application to pilot the program. Under the bill, ACPD is required to develop a plan for reentry services, to include, but not limited to, housing, employment, and education. The program will seek to divert Transitional Age Youth (TAY) who have committed a qualifying crime (non-violent, non-serious, and non-sex crimes) as an adult but under the age of 21, to serve their custodial time (no longer than one year) in the Alameda County Juvenile Hall/TAY Program.

Existing law provides that entry of judgment may be deferred with respect to a defendant who is charged with certain crimes involving possession of controlled substances, who pleads guilty to the charge or charges, with no prior convictions any offense involving controlled substances and has had no felony convictions within the five years prior. Law requires that criminal charge or charges be dismissed if the defendant has performed satisfactorily in a specified program during the period in which deferred entry of judgment was granted.

In order to be eligible to participate in the pilot program, the defendant youth shall meet the following qualifications:

1. Defendant is charged with committing a felony offense (other than an Welfare and Institutions Code (WIC) 1192.7, 667.5 or 707 (b); pleads guilty to the charges; is 18 years of age or older, but under 21 years of age on the date the offense was committed;

2. Defendant is deemed suitable post evaluation by a validated risk assessment;

3. Defendant shows the ability to benefit from services, including, but not limited to cognitive behavioral therapy (CBT), other mental health services, age-appropriate educational, vocational and supervision services under the juvenile court's jurisdiction;

4. Defendant meets the rules of Juvenile Hall as guided by Title 15 compliance;

5. Defendant has no prior or current conviction under WIC 1192.7, 667.5 or 707(b); and;

6. Defendant is not required to register as a sex offender.

Prior to the young adults being admitted to the program, they will undergo a risk and needs assessment conducted by the Deputy Probation Officer and a Mental Health Worker with the Guidance Clinic. The assessment will identify the young adult's substance abuse history (if any), educational, vocational, transitional housing, health and mental health needs.

The Suitability Screen Team (SST) comprised of the Probation, Behavioral Health and Medical will assess the potential participant to determine if he is suitable for the program. A Multi-Disciplinary Team will work with the TAY participant to develop a case plan with timeframes for meeting the objectives of the identified risk and needs.

Staffing would be based on the existing staffing levels. The pilot program will leverage existing collaborations to provide wrap around services.

Attached to this letter is the SB1004 Pilot Program Application, which details the program's description, criteria, procedures, architectural design and time phasing of the program.

FINANCING:

ACPD's cost for the TAY pilot program in FY17/18 (April to June) is $65,000 for cost of Food, Clothing & Personal Hygiene. This amount is included in the FY17/18 adopted budget. Cost annually is estimated at $277,000 and will be included in the FY18/19 MOE budget request and also in future years' budgets in org 250400.

Respectfully submitted,

Wendy Still, MAS
Chief Probation Officer

WS:jf:wd

BSCC CALIFORNIA

LINDA M. PENNER
Chair

KATHLEEN T. HOWARD
Executive Director

STATE OF CALIFORNIA
BOARD OF STATE AND COMMUNITY CORRECTIONS
2590 VENTURE OAKS WAY • SACRAMENTO CA 95833 • 916.445.5073 • BSCC.CA.GOV

EDMUND G. BROWN, JR.
Governor

January 26, 2018

Wendy Still, Chief Probation Officer
Alameda County Probation Department
400 Broadway
Oakland, CA 94607

Dear Chief Still:

The Board of State and Community Corrections (BSCC) has completed its review of Alameda County's Senate Bill (SB) 1004, Deferred Entry of Judgment Pilot Program Application for Suitability. We conducted a site visit of your juvenile hall on January 25, 2018. The site visit consisted of a review of the following: the physical plant to verify separation of juveniles and adult offenders, relevant policies and procedures, plans and programs outlined in your application, and relevant documentation associated with the Transitional Aged Youth (TAY) program. We also reviewed your housing plan, staffing plan, booking and release procedures, and the facility daily programming schedule.

During our site visit briefing with Jessica Fort and Brian Hopson, we reviewed and discussed the available programming, capacity, and overall safety of the facility for housing TAY youth. Based on the site visit and submitted application, Alameda County Juvenile Hall is approved for holding TAY youth. Additionally, the facility plan will meet Juvenile Justice and Delinquency Prevention Act (JJDPA) requirements for sight and sound separation with the modifications in place.

Based on our review, it is my pleasure to approve your SB 1004, Deferred Entry of Judgment Pilot Program Application for Suitability. The BSCC appreciates your decision to participate in this pilot program and strong commitment to providing continuous service to this transitional aged youth population.

We look forward to working with you and your staff for the duration of this pilot program. Please do not hesitate to contact me at (916) 324-9153 or any BSCC Field Representative, if you have any questions about the program.

Sincerely,

Elizabeth Gong
Field Representative
Facilities Standards and Operations Division (FSO)

cc: Esa Ehmen-Krause, Assistant Chief Probation Officer
Ian Long, Deputy Chief Probation Officer
Allison Ganter, Deputy Director, FSO Division, BSCC

Section 2: Program Description

1. Membership Roster for the Multi-Disciplinary Team
   a. Suitability Screen Team (SST)

Probation

Deputy Probation Officer

Behavioral Health- Guidance Clinic

Therapist

Medical Clinic Clinician

b. Multi-Disciplinary Team Roster

Probation

Deputy Probation Officer

Institutional Supervisor II

Guidance Clinic

Therapist

Medical Clinic Clinician

Youth Employment Program

(2) Case Managers

ACOE- Butler Academy

Public Health Nurse

Community Works

2. Provide an overall description of the program:

    a. Methodology: Alameda County Probation will seek to divert Transitional Age Youth who have committed a qualifying crime (non-violent, non-serious, and non-sex crimes) as an adult but under the age of 20 and who are otherwise deemed suitable to serve their custodial time (no longer than one year) in the Alameda County Juvenile Hall/TAY Program. The TAY adults will volunteer to participate in this yearlong program which adopts a Positive Youth Development Approach focusing on strengths and the development of positive relationships.
    b. The program separated into 3 phases will be no longer than 1 year in length;
    c. The pilot will host 20 TAY participants.
    d. See

Prior to the young adults being admitted to the program, they will undergo a risk and needs assessment conducted by the Deputy Probation Officer and a Mental Health Worker with the Guidance Clinic. The assessment will identify the young adult's substance abuse history (if any), educational, vocational, transitional housing, health and mental health needs.

- The suitability screen team (SST) comprised of the Probation, Behavioral Health and Medical will assess the potential participant to determine if he is suitable for the program.
    - Probation will conduct a risk needs assessment (COMPAS)
    - Behavioral Health will review mental health records
    - Medical personnel will review medical records
- The SST will assess the risk and needs of the potential participant to determine if the participant is suitable for the program and what services are needed.
- The TAY participant will be transported to Juvenile Hall from Santa Rita Jail representative will meet with the participant to conduct intake orientation. The TAY participant will be processed into the Hall by entering in through the causeway. The intake process will be conducted inside the unit.
- Once the needs are identified, the Multi-Disciplinary Team (Juvenile Hall Staff (IS2), Mental Health Worker, Case Manager from YEP, Community Works representative and ACOE will work with the TAY participant to develop a case plan with timeframes for meeting the objectives of the identified risk and needs. The Case Plan will be posted inside the young adult's room reinforcing the goal or goals the young adult
- The case plan will be catalyst for a reentry plan which will be facilitated by the Deputy Probation Officer and Case Workers from the Youth Employment Program.
- The assessment and program readiness phase (phase 1) will occur within Juvenile Hall and not be any longer than 90 days in duration.
- At the conclusion of the assessment phase, the TAY participant will move into Phase 2, the furlough/ community reentry which will last no longer than 6 months. Participants

will be driven to YEP for vocational and educational opportunities. At the end of the work/school day, participants will be returned to Juvenile Hall where they will engage in cognitive behavioral groups, journaling and restorative circles.

- The MDT will assist the young adult population in the areas of relationships, education, social-emotional support, employment and transition back into the community.
- While in custody, the young adult population will have access to the services afforded to the juvenile population, such as visitation, religious, therapeutic, use of the gymnasium. Multipurpose room and outside ball field. Additional programming will be in collaboration with the Volunteers in Probation Program and Community Based Organization.
- The final stage of the program, Phase 3, is the transition phase. Participants will transition back into the community. They will continue to receive services through YEP and be supervised by the TAY probation officer.

3. How will outcomes be measured
    a. Impact on Sentencing: Data will be collected
    b. Impact on Community Supervision: Data will be collected
    c. Impact on minors in the juvenile detention facility: The impact on the youth in the facility will likely be positive as with a larger overall population the opportunity for advanced educational and vocational programming.
    d. Effectiveness with respect to program participants: As a part of the program participates will take a motivation self- assessment (SOCRATES) to gauge their motivation. The self- assessment will be given at each phase of the program. Results will be compared to participant progress in the program.
        i. Data can be collected with our partnering provider looking at a comparison group of similarly situated youth engaged in their program and overall results.
            1. How many successfully completed Youth Employment Partnership (YEP) while in the TAY program as to the same aged group, on Adult community supervision probation with similar charges who were not in the program.
            2. How many successfully met milestones, (education and vocational) while in the TAY program as to the same aged group, on Adult community supervision probation with similar charges who were not in the program.

Section 3: Criteria for Suitability (Attachment)

Juvenile Hall Staff assigned to the young adult population will have working schedules as follows:

- 7:00 a.m. until 3:00 p.m. (Two Juvenile Institutional Officers assigned to the unit).
- 3:00 p.m. until 11:00 p.m. (Three Juvenile Institutional Officers assigned to the unit).
- 11:00 p.m. until 7:00 a.m. (Two Juvenile Institutional Officers assigned to the unit).

MAINTAINING SIGHT AND SOUND REGULATIONS

A. Reference Welfare and Institutions Code 207.1(h), & Federal Regulation Juvenile Justice Delinquency Prevention Act (JJDPA) Code # 31.03 (3) Co-located Facilities & California Penal Code, Title 6, Part 2, Chapter 2.55 Section 1000.7, (also known as Senate Bill No 1004, Transitional Aged Youth)

B. The recent passage of SB 1004 allows 5 specified counties, including Alameda County, to develop a pilot project for 18-20 year old transitional aged youth who have committed certain felony offenses other than those listed as serious/ violent as defined by 667.5PC and 1192.7PC, or sex offender registerable under 290PC. The basis for this pilot project is borne out of research specific to a transitional aged youth population and corresponding continued brain development.

Specifically, Alameda County Probation will seek to divert a specified portion of 18-20 year old TAY adults from the adult criminal justice system by adopting a Positive Youth Development Approach that focuses on strengths and the development of positive relationships. The participants will be provided with a hybrid program of services available to both current juvenile populations as well as adult populations. Alameda County will focus on Education, Vocational, Housing, Emotional Regulation Therapy and Cognitive Behavioral programming. TAY adults will be housed in Unit 12 within Alameda County Juvenile Hall while a formal and individual transitional plan is developed for each TAY adult utilizing a validated risk needs assessment which identifies their specific criminogenic and community transitional needs and goals.

C. Since the Senate Bill Specifically says that each participant in this program will be afforded all the same/similar services and programming available to youth within Juvenile Hall we will follow CCR Title 15 regulations as it pertains to youth in Juvenile Hall for these adult residents while they are in the custody and care of Alameda County Juvenile hall.

D. The Senate Bill also states that all Federal Regulations pertaining to Sight and Sound of youth from these adult residents in a Juvenile Hall must still be maintained. For this reason we will fall under the regulations of the Federal JJDPA as it pertains to Co-Located Facilities. This will require us to follow a very specific set of policies and procedures to ensure that federal sight and sound regulations are always maintained in our facility.

E. Separation is defined in JJDPA Section 31.303 (3) (C) (1) as "Separation between juvenile and adults such that there could be no sustained sight or sound contact between juveniles and incarcerated adults in the facility. Separation can be achieved architecturally or through time-phasing of common use nonresidential areas" and (2) "Separate juvenile and adult programs, including recreation, education, vocational, counseling, dining, sleeping and general living activities. There must be an independent and comprehensive operation plan for the juvenile detention facility which provides for a full range of separate program service. No program activities may be shared by juveniles and incarcerated adults. Time-phasing of common use non-residential areas is permissible to conduct program activities. Equipment and other resources may be used by both populations subject to security concerns.

F. We will utilize both architectural design and time-phasing as well as specific procedures as a means to maintain sight and sound separation between these two populations in our facility.

ARCHITECTURAL DESIGN

A. All adults in the TAY Program will be housed in Unit 12. No other youth will ever be allowed into or housed in Unit 12.
B. Unit 12 was selected because this unit operates on its own with no other residents housed in the neighboring unit.
C. Unit 10 is an adjoining unit and will house programming activities for participants. No other youth will ever be allowed into or housed in Unit 12.
D. Signage will be posted at the entrance and exit points of all common areas prompting staff to radio Central Control to gain permission before entering a common area with residents.

TIME-PHASING

A. There are seven common areas that both Youth and Adults will utilize for programming and activities, these include the gym, the ball field, the multipurpose room, the library, visitation, intake, the medical unit, and the main hallway. Allowing every Youth and Ault access to these common areas will require scheduling and coordination among Juvenile hall Staff. Monthly schedules will be developed providing each unit blocks of time in the common areas.

1.) **VISITATION:** (See Policy Juvenile Hall Visiting) Visitation will be scheduled during specific blocks of time. Unless specific permission given from the Chief Deputy or designee no youth will ever be allowed to visit during the adult's visitation and no adult will be allowed to use visitation during a time set aside for the youth. Special bonding visitation may be arranged during non-visitation hours to allow bonding with the TAY participant and his biological child.

2.) **INTAKE:** Since TAY Intakes are court ordered and most will be transfers from our local County Jail we will have the ability to schedule these intakes to occur. Unit 12 is connected to a secure causeway. Participants will be moved through the causeway to Unit 12 which will house an Intake area within the Unit.

There will be an increased flow of Temporary Releases and Temporary Release returns due to the TAY program. We will utilize the adjoining causeway from Unit 12.

3.) **MEDICAL UNIT:** Unit 12 has a triage area to address medial needs. When it is determined a TAY participant needs to be seen at the medical unit, the nurse will provide a sick call list to the Medical Escort. The Medical Escort will bring the TAY Youth when the medical unit is cleared.

4.) **MAIN HALLWAY:** Although movement with TAY participants will be outside of the physical building in the attached secured causeway in the event there is a need to utilize the main hallway. We will ensure sight and sound separation is maintained in the hallway by use of a procedure whereby we will radio Central Control anytime we are exiting a unit with a resident, or a resident is exiting a unit on his/her own, to ensure that no other residents are in the hallway. See process outlined below.

SPECIFIC PROCEDURES TO ENSURE SIGHT AND SOUND SEPARATION

A. Whenever staff exit a unit while escorting a resident or multiple residents they will first radio Central Control to ensure that the main hallway and their intended final destination are clear for either the Adult or Youth that they are escorting. The radio transmission will be something to the effect of "Central Control Staff XYZ escorting 2 adults to Intake, are we clear" Central Control will then check to make sure that the main hallway, all antechambers to Intake are clear of youth before radioing that staff "Staff XYZ you are clear for 2 adult to Intake."
B. Central Control will first make sure that the path to that final destination is clear and that no other *residents* are in the hallway or pathways to the final destination, that the receiving staff are ready for the resident to arrive and that Central Control has the ability to supervise the youth the entire distance to their final destination prior to radioing the sending staff "Staff XYZ you are clear to send youth XYZ to medical."

C. If there is an incident wherein a youth and an adult have contact, even such as passing in the hallway, staff will immediately have the adult turn and face the wall while the youth passes through toward their destination and out of the area as quickly as possible. Staff will ensure no communication takes place.
E. Each incident such as this will need to be logged in both the TAY unit's log book and the log book from where the youth came from. Then all staff involved will compete an incident repot (IR) explaining the facts as to how the incident occurred. The on duty ISC 2 will investigate the facts and determine where the mistake was made and document the investigation and discovery into an IR.

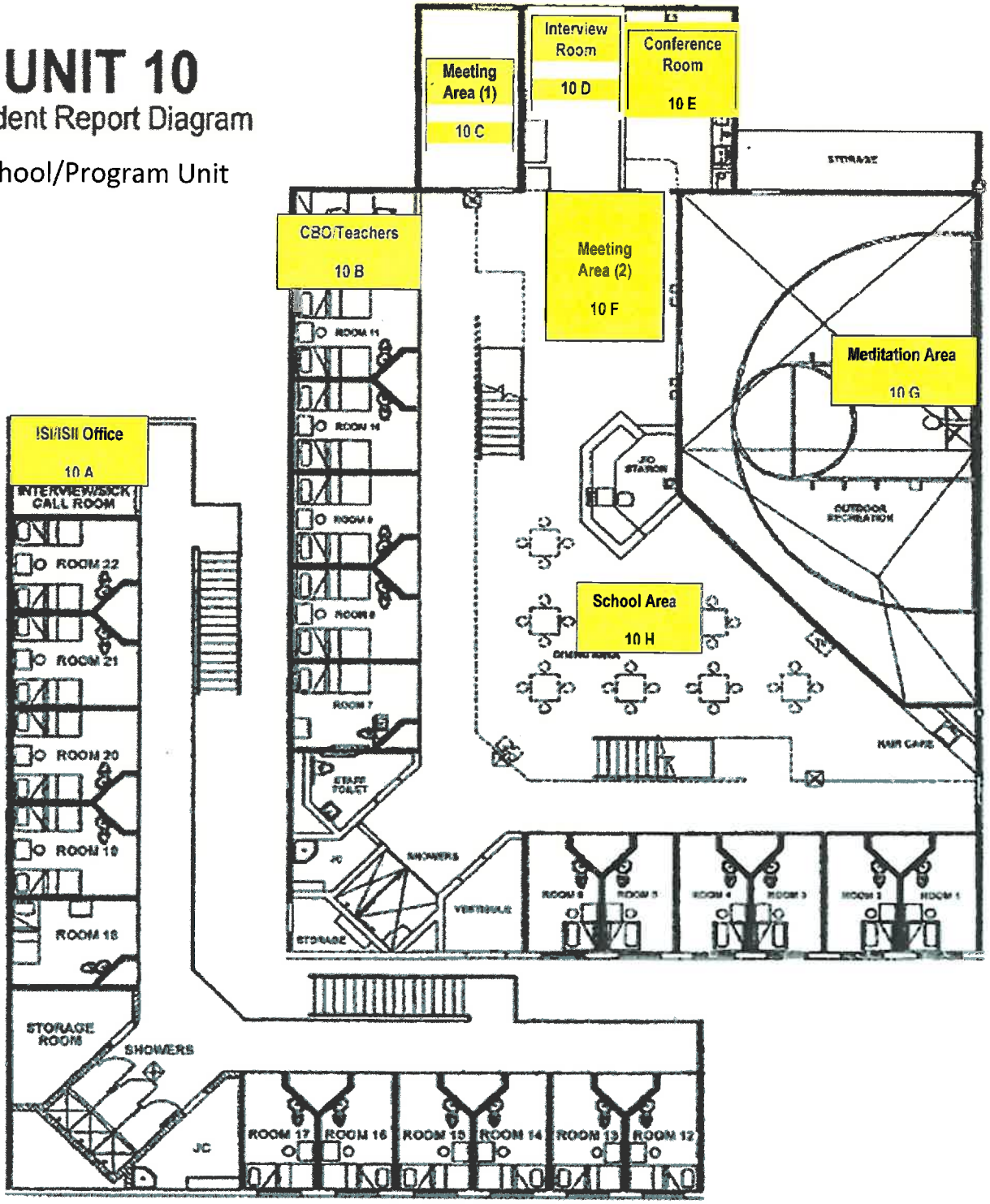
F. Each of these IR's will be reviewed by both the Division Director and Juvenile Hall Superintendent and appropriate actions will be taken to ensure the incident does not repeat. The Juvenile Hall Superintendent will report the incident by the end of the next business day to Juvenile Hall's BSCC Field Representative by way of email and phone call. That report will consist of a summary of the incident and an action plan developed to ensure similar incidents are not repeated.

G. All IRs of this nature will check the box TAY/Youth Contact in the Incident Description area of the IR. Clerical Staff will save an additional copy of each of these IRs in a separate file so that they can be easily compiled and tracked.

UNIT 10

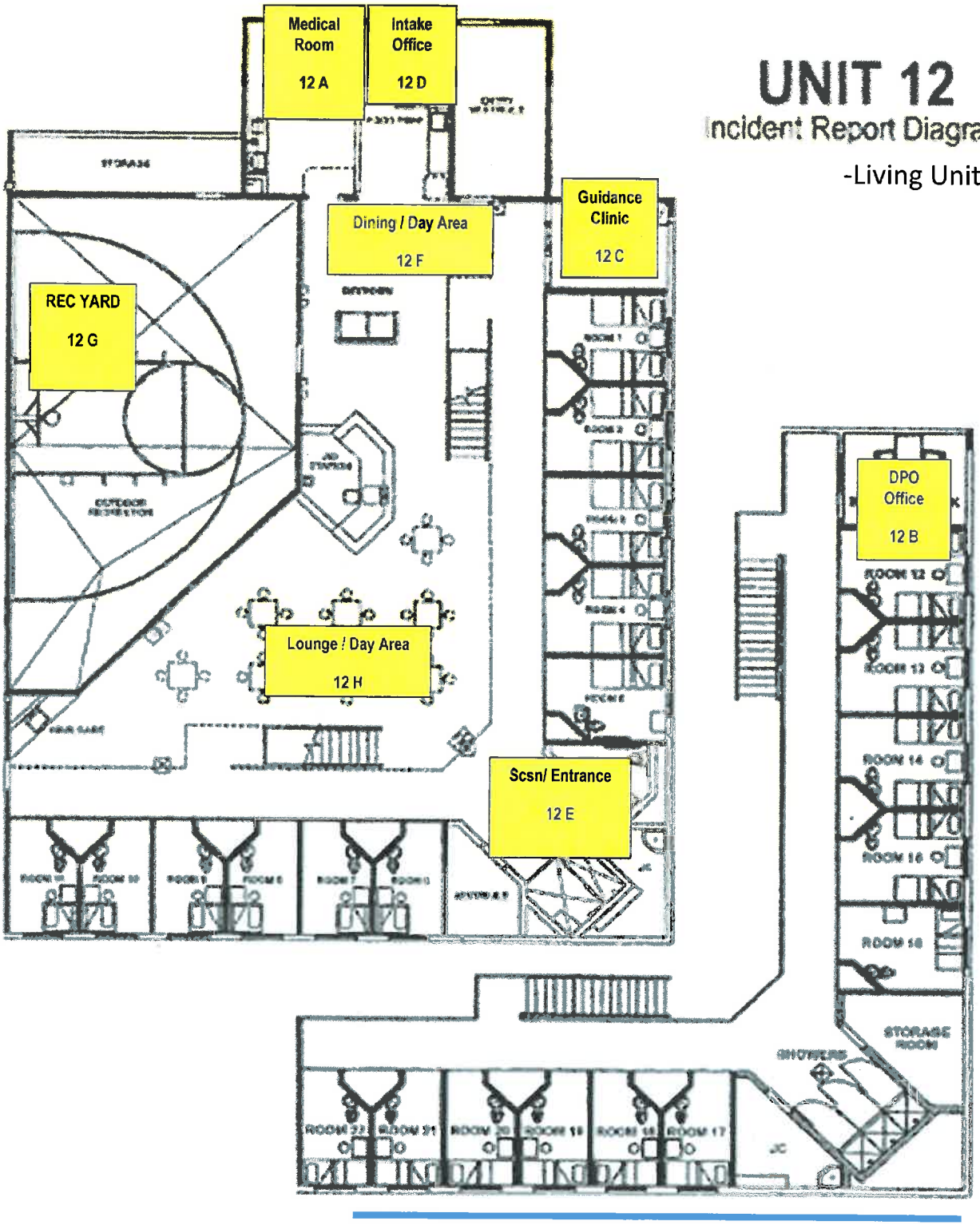
Incident Report Diagram

School/Program Unit



Unit Key:

10 A: ISI/ISII Office
10 B: CBO/Teacher's Office
10 C: Meeting Area (1)
10 D: Interview Room
10 E: Conference Room
10 F: Meeting Area (2)
10 G: Meditation Area
10 H: School Area



Unit Key:

12 A: Medical Room
12 B: DPO Office
12 C: Guidance Clinic
12 D: Intake Office
12 E: Scan/ Entrance
12 F: Dining/ Day Area
12 G: Rec Yard
12 H: Lounge/ Day Area

4. TAY Participant Daily Schedule

Time	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
6am							
7							
8							
9							
10							
11							
12							
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

Meals

Academics / Tutoring (on weekends) / Life Skills / Electives on weekends (Cooking, Gardening, etc.)

Self-Care- Includes Journaling/ Personal Time / Showers

Boot Camp (Physical Ed)

Mindfulness

Vocational Training

Behavioral Health / CBT Groups

Entertainment (Movie or Games)