



Office of Youth and
Community Restoration



2022 Annual Report



**JUDGE KATHERINE LUCERO
(RET.), DIRECTOR**

Office of Youth and
Community Restoration

Message from Director Lucero

Starting from the mandates of Senate Bill (SB) 823, the Office of Youth and Community Restoration (OYCR) has launched a statewide strategy to ensure that youth who would otherwise have been sent to state youth prisons far from their home are successfully cared for in their home counties. The Division of Juvenile Justice (DJJ) shut its doors on June 30, 2023, and all the young people returned to their communities. Since July 2021, young people who would have previously been committed by the court to DJJ will now be cared for in their own communities in 36 identified Secure Youth Treatment Facilities (SYTFs). This shift in state policy was built on the recognition that young people who commit law violations have every possibility of developing into adults who can realize their dreams and make positive contributions to their communities if we, as a society, commit to supporting them as young people in need of healing and promote the health and healing of the community. The creation of OYCR within the California Health and Human Services Agency (CalHHS) codifies the State's commitment to a health based approach to the care of these young people. To provide the technical assistance to counties necessary to meet this vision of SB 823, we have built a team across the state with subject matter expertise in trauma informed practices, culturally respectful programming, gender honoring protocols, and a keen understanding of adolescent development which is critical to ensuring a developmentally appropriate juvenile justice response after children and youth have committed a serious offense. Understanding and addressing adolescent pathways into the juvenile justice system as the result of a social emotional disruption is key to developing approaches to dismantling the school to prison pipeline for boys of color and the sexual assault to prison pipeline for girls and gender expansive youth, particularly girls of color.

After conducting 29 SYTF site visits, holding over 200 meetings with community and government partners, conducting listening sessions, and reviewing the 2022 County Plans all within a year, it is apparent to me that everyone's goal is to have youth reenter their communities having had the best possible evidence based interventions that are tailored to ameliorate the root causes that contributed to the youth's pathway into the legal system. Community restoration is achieved when youth are infused with hope about their future, when harmed individuals are given services and restitution, when service providers are guided by compassion, when educators believe in the power of lifelong learning for that child and when there is a collective desire to heal and champion the youth into self realization.

OYCR is leading the mission and vision of SB 823 into the next iteration of positive juvenile justice. This involves defining what true justice looks like for children and youth that encompasses quality educational access, trauma informed treatment, programs that allow for community placements, abundant mental health services, and economic support after incarceration. All following the strides made by counties to reduce the incarceration of children and youth in the last 20 years. This combination of efforts has been shown to result in safer communities for everyone. This report documents OYCR's work in 2022, the beginning of this critical transition, and looks to ward the goals for the year ahead.

A handwritten signature in white ink, appearing to read 'K Lucero', with a long horizontal line extending to the right.

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List of Acronyms in Order of Appearance in Report

DJJ	Division of Juvenile Justice	CalAIM	California Advancing and Innovating Medi-Cal
SYTF	Secure Youth Treatment Facility	UCLA	University of California, Los Angeles
CalHHS	California Health and Human Services Agency	OSP	Office of Strategic Partnerships, Department of Health Care Services
BSCC	Board of State and Community Corrections	CAYCJ	California Alliance for Youth and Community Justice
CPOC	Chief Probation Officers of California	ICWA	Indian Child Welfare Act
OJJDP	Office of Juvenile Justice and Delinquency Prevention	JJRBG	Juvenile Justice Realignment Block Grant
CBO	Community-Based Organization	CASOMB	California Sex Offender Management Board
TA	Technical Assistance	RNR	Risk-Need-Responsivity
CDE	California Department of Education	CWC	Child Welfare Council
DHCS	Department of Health Care Services	BOS	Board of Supervisors
DOR	Department of Rehabilitation	COE	County Office of Education
DSS	Department of Social Services	IEP	Individualized Education Plan
DDS	Department of Developmental Services	YWFC	Young Women’s Freedom Center
YBOR	Youth Bill of Rights	OC	Oleoresin Capsicum
CDCR	California Department of Corrections and Rehabilitation	LRP	Less Restrictive Program
WIC	Welfare & Institutions Code	ARC	Anti-Recidivism Coalition
YAB	Youth Advisory Board	IRP	Individual Rehabilitation Plan
HCAI	Department of Health Care Access and Information		
CYBHI	Children and Youth Behavioral Health Initiative		

Evolution of Juvenile Justice in California

California has been a leader in juvenile justice reform, using data and research to inform policy changes that aim to improve how systems respond to youth who have committed crimes. These reforms have been driven by the growing body of knowledge on youth development and ad-

olescent brain science. As a result of these reforms, California has experienced a significant decline in youth who have had contact with the juvenile justice system.¹ Lower arrest rates led to lower referrals to county probation departments.²

FIGURE 1: JUVENILE ARRESTS FROM 2016-2021

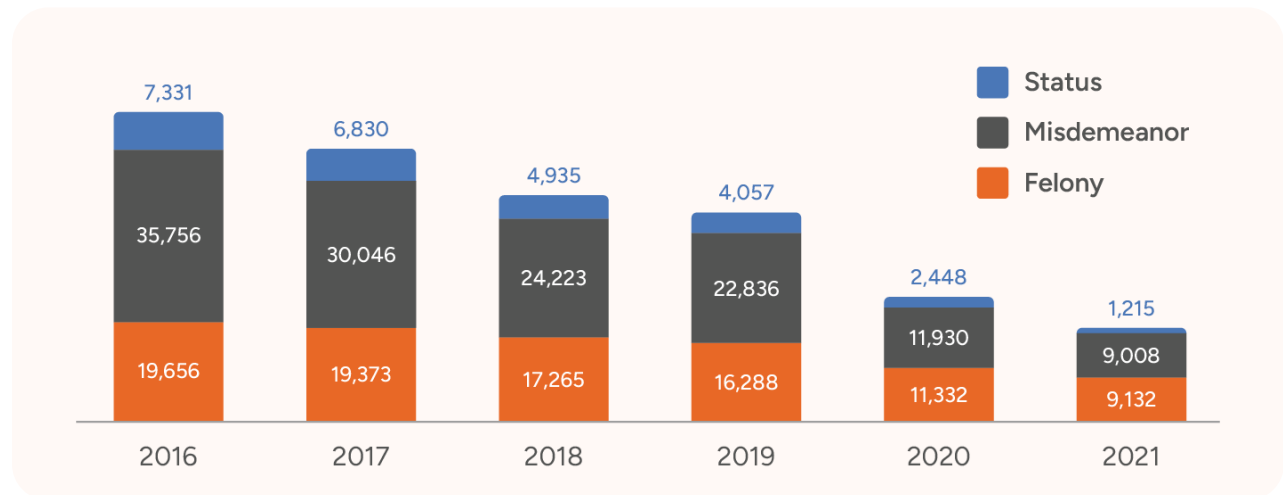
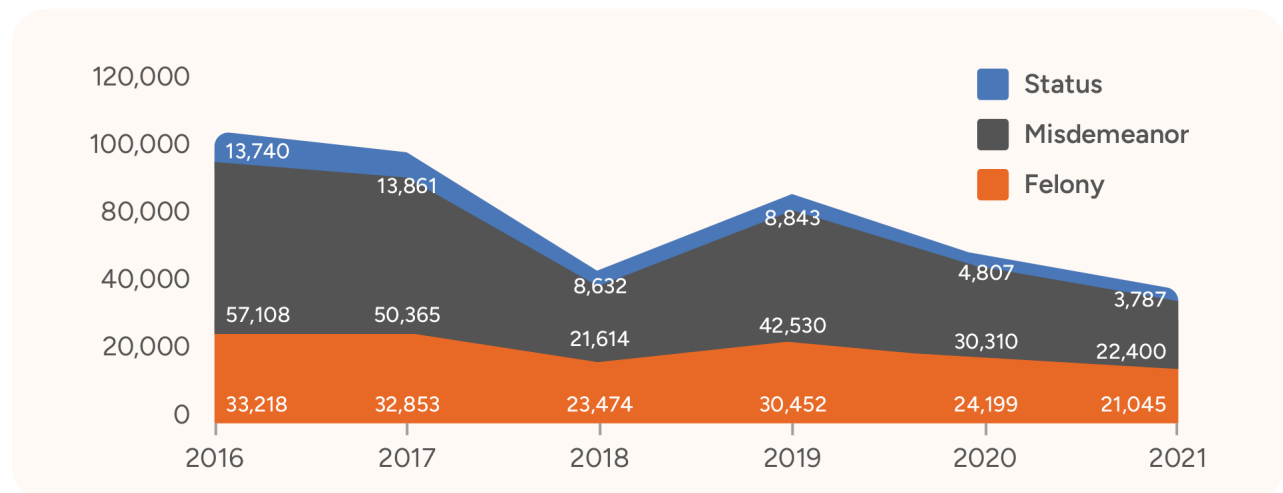


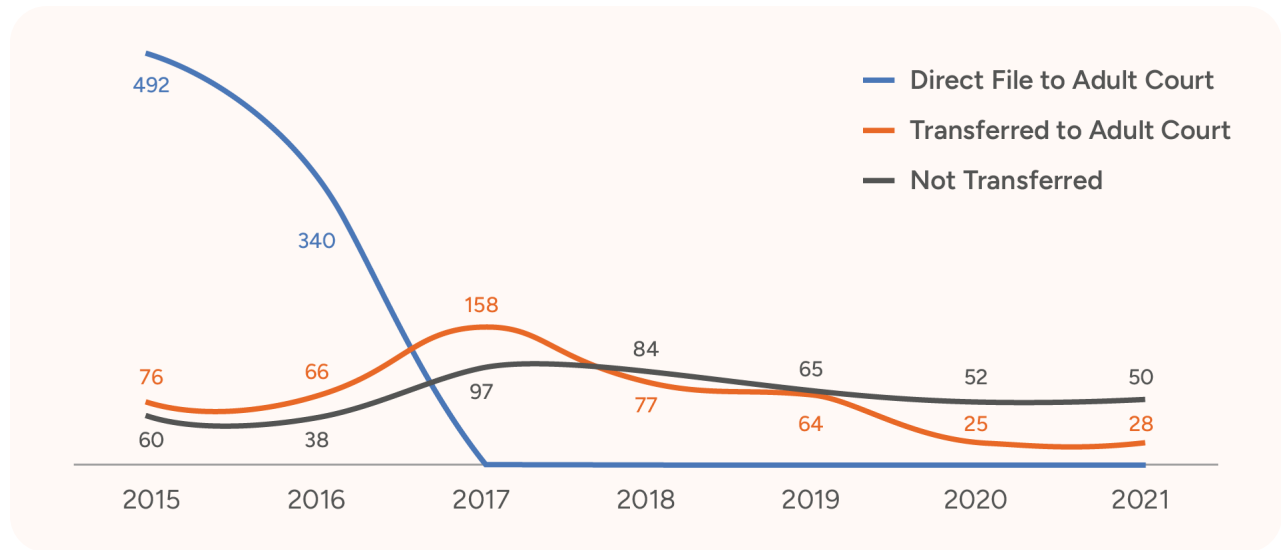
FIGURE 2: NUMBER OF REFERRALS TO COUNTY PROBATION DEPARTMENTS



Direct transfer filings of youth to the adult systems were also reduced due to these reforms. In 2016, Proposition 57 was passed and eliminated direct filing of cases by prosecutors in adult court and eliminated presumptions favoring transfers of youth. This legislation was effective immediately

after it was passed, which reduced cases filed directly in adult court to zero. SB 1391 was passed in 2018 and prohibited the transfer of 14- and 15-year-olds altogether, resulting in further reduction in the transfers of youth to adult court.

FIGURE 3: DIRECT FILE AND TRANSFERS OF JUVENILES TO ADULT COURT



Racial Disparities

California has a diverse demographic population with various cultures and life experiences throughout the state. However, there is an overrepresentation particularly of black, brown, and indigenous youth in the juvenile justice system.³ It is crucial that county partners not only recognize the individual and family trauma that might exist for a youth, but also a deep historical trauma that stems from institutional racism.

Acknowledging this history provides a foundation to understanding why honoring culture is key to improving engagement and decreasing recidivism rates as described in the National Reentry Resource 2021 brief, *“Assessing and Enhancing Cultural Responsiveness in Reentry Programs Through Research and Evaluation.”* Additionally, taking responsive steps creates a process in which

a program’s design is consistently being reevaluated with a focus on program improvement. These steps include:

- Connecting with communities regularly to act in an advisory capacity.
- Leveraging existing cultural or community strengths as resources for clients.
- Hiring staff and contracting with CBOs with diverse backgrounds and/or lived experience.
- Using client feedback and other assessment activities to inform program design.
- Providing staff training & staff assessments to improve organizational and staff capacity

Re-Envisioning Juvenile Justice through a Health-Based Lens

Practitioners, policymakers, and researchers continue to work towards integrating what is known about the age crime curve, changing social contexts, and developmental brain science^{4,5} to understand more about how to prevent and/or address unwanted youth behavior. It is crucial that the responses need to acknowledge how youth are different than adults. There is a combination of factors during adolescence that explain why there are some youths with negative behavioral patterns during adolescent years. Some areas of the brain that control aspects of thinking, feeling, and behavior are not fully developed for adolescents until adulthood (mid-20s).⁶ Different parts of the brain mature at different rates, which contributes to a “mismatch.” Parts of the brain related to emotions, rewards, and risk-taking increase in development during adolescence while parts of the brain related to higher level thinking, reasoning, and self-regulation do not develop until later.⁷ Brain development is compounded by changing social contexts where youth are experiencing increasing independence, strong peer influence, and other social contexts.⁸ This is the developmental experience for most adolescents but is compounded for youth in the juvenile justice system who often have a higher level of trauma^{9,10} and community disadvantages.^{11,12,13} Trauma impacts development in ways that often exacerbate the “mismatch.” Trauma is linked to reduced gray matter volume and decline in hippocampal volume and increased amygdala reactivity which leads to reduced emotional regulation.¹⁴ Chronic traumatic experiences also prevent adequate development of the prefrontal cortex which delays decision-making capability and impulse control. Sustained stress from trauma also leads to frequent activation of the stress response with elevated levels of cortisol and adrenaline which has been found to cause impairments in learning, memory, and the ability to have regular stress responses. Parts of the brain controlling fear and anxiety grow as a protective mechanism while the parts controlling logical, rational thinking shrink.

But there is hope. Along with the studies of adolescent brain science, other research has found youth have significant healing potential and protective properties, such as self-compassion¹⁵ and strong support systems, that promote resilience to and recovery from traumatic stress.^{16,17} To heal from trauma, the amygdala needs to be calmed so a person can turn off danger signals and realize that they are not under threat. When stress hormones lower, the brain’s alarm system can recalibrate. Adolescence is considered the last period of high developmental plasticity.¹⁸ Knowing this potential for change, it is especially important during adolescence to increase exposure to environments that promote healthy development and reduce exposure to environments that undermine or interfere with healthy development.^{19,20} This research is supported by the demonstration that longer incarceration times^{21,22} do not lower recidivism. In fact, longer time in placement often generates negative effects (health, trauma, self-efficacy, academic achievement)^{23,24,25,26} over time. After analyzing decades of reforms that failed to produce equitable positive outcomes for youth and their communities, developments in adolescent brain science, and research on the impact of incarceration times on recidivism, California made the bold choice to follow the science to create better outcomes for youth and their communities. This led to the conception of Senate Bill 823, which prioritizes treating youth involved in the justice system through a health-based lens, and in doing so, keeping youth in their communities for treatment and rehabilitation.

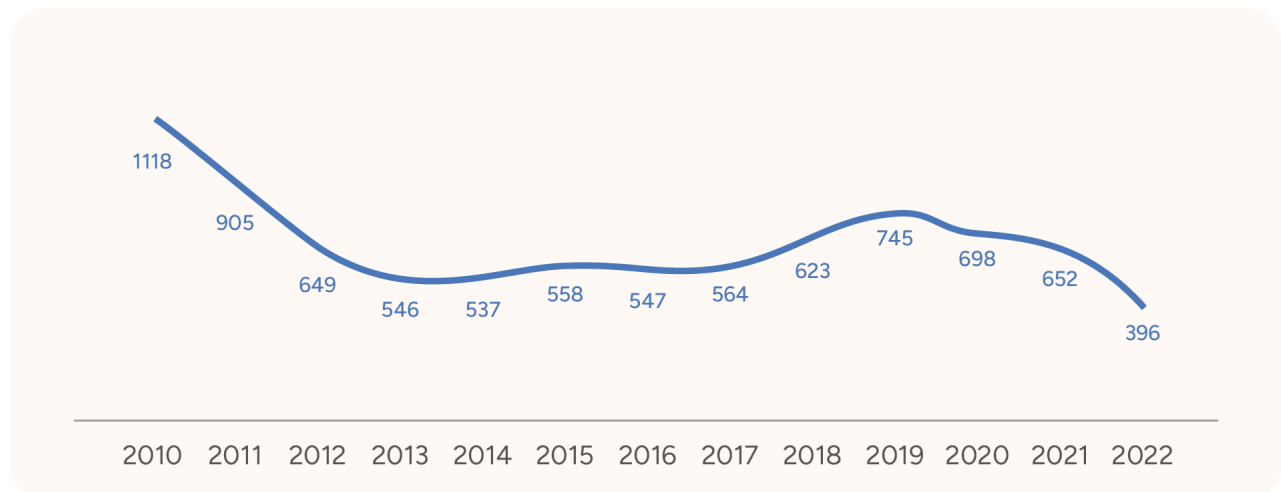
The Final Closure of DJJ and the Transition of Youth Home

OYCR leadership has met regularly and frequently since January of 2022 with Judges (Judicial Council), the Board of State and Community Corrections (BSCC), Department of Juvenile Justice (DJJ), the Chief Probation Officers of California (CPOC), and more recently with the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) to move forward with the transition of the remaining youth at DJJ to their county SYTFs and regions. From information gathered, it was clear that approximately 300 youth would not have been discharged by the DJJ Parole Board and still be in DJJ’s custody at the time of the final closure date of June 30, 2023. Those youth would need to be transitioned to their county SYTF or a regional SYTF and coordination would need to occur long before the June 30, 2023 closure date to ensure a seamless process for youth to go from DJJ to the county location. Coordination was necessary by state agencies and county probation departments to make sure that youth and families felt heard, that counties were prepared, and that DJJ was able to transfer knowledge for both individual youth needs and systemic continuity that would inform both OYCR and county practitioners. Meetings were held weekly with different partners on these topics to develop

the seamless transfer of jurisdiction of youth from the state to the county. There were many gaps identified and tackling these gaps was the first order of business for OYCR, CalHHS partners, the County Probation Consortium, CPOC, and community-based organizations (CBOs). OYCR also worked with providers of mental health services, educational services, and positive youth development programming during this transitional period.

As of December 31, 2022, the DJJ facility juvenile population was 396 in total.²⁷ Most of these individuals are male, with less than four percent being female. The age of this population ranges from 15 to 22 and older, with the average length of stay of first commitments at release being 31 months, a little more than two and a half years. Almost two thirds of this population identify as Latino with the next largest group identifying as African American, representing a quarter of the youth that will return to their communities. The counties that will be receiving most of this population are Kern, Los Angeles, Riverside, Sacramento, San Bernardino, San Diego, San Joaquin, and Santa Clara.

FIGURE 4: POPULATION OF YOUTH AT DJJ



California Department of Corrections and Rehabilitation. (2023). *Division of Juvenile Justice Population Overview*.

Secure Youth Treatment Facilities (SYTF)

The intent of SB 823 and SB 92 was to develop a special dispositional track for youth with higher needs referred to as Secure Youth Treatment Facilities (SYTFs), which would be used as an alternative to DJJ and adult court prosecution. These programs are for youth adjudicated of an offense enumerated in Welfare and Institutions Code (WIC) section 707(b) and who were 14 years or older when the offense was committed. Regulations for these facilities are still in development and discussed in more detail in the next section. Counties are developing programs that are appropriate to meet treatment and security needs of youth. Each youth committed to an SYTF will have an individual treatment plan developed in concert with a multidisciplinary team of youth-serving experts and counsel for the youth. Commitment to an SYTF would trigger a baseline term of confinement with regular progress review hearings to evaluate youths' progress and to determine whether the baseline term should be modified.

At the end of 2022, there were 42 BSCC approved facilities across 33 counties. Senate Bill 92 (Chapter 18, Statutes of 2021) requires counties proposing to establish a secure youth treatment facility (SYTF) to notify the BSCC of the operation of the facility. Approved county SYTF applications can be found on the BSCC website located [here](#). Facility capacity ranged from two to 120 with most (67%) of the facilities having the capacity to house 20 or fewer youth. Not all facilities had youth at the end of the year. As of December 15th, 2022, there were 265 youth in county SYTFs.²⁸ Most counties are currently utilizing their existing juvenile halls, but some were using camps or alternative placements. Some counties are contracting with other counties because the home county does not have an existing facility or placement option, the county rarely has a youth who meets the eligibility for an SYTF commitment, and/or the county has no services to meet the special needs of the youth (i.e., sex offense treatment, serious

mental health needs). Many counties are in planning stages for more homelike environments in existing facilities and/or less restrictive placements.

Board of State and Community Corrections (BSCC) Title 15 and 24 Regulations

SB 92 established SYTF as an option for treatment of certain young people who have committed serious offenses identified in WIC section 707(b). Because the SYTF is a new facility type, in addition to juvenile halls, ranches, and camps, SB 92 charged the BSCC with forming standards for the establishment, design, security, programming and education, and staff of SYTFs under [Title 15](#) and [Title 24](#) of the California Code of Regulations (Minimum Standards for Juvenile Facilities). SB 92 also required the "coordination and concurrence" of OYCR in these new regulations. To fulfill this obligation, the BSCC and OYCR agreed that Director Lucero would serve as a member of the Executive Steering Committee (ESC) and would serve as the chairperson for the SYTF subcommittee charged with creating regulations that will apply to SYTF facilities. In 2022, a two-day meeting was held on November 2, and November 3, to begin this process. Information on these meetings can be located on the BSCC webpage [here](#).

OYCR Juvenile Justice Transformational Leadership

Liz Ryan, Administrator, OJJDP of the United States Department of Justice, has indicated that her top priority is to treat kids like kids. OYCR shares this goal. To achieve this, OYCR seeks to: dismantle the adult male criminal centric structure that is overlaid onto youth who offend, keep children and youth who commit law violations in public view through transparent data sharing practices, and treat children and youth who can be prosecuted between the ages of 12 and 17, for crimes committed while under the age of 18, as students and valuable members of society who need healing and support, and not subject to lifelong condemnation and stigma. SB 823 requires us to start with unpacking the needs of the youth who are in the deep end of the juvenile justice system: they are foster youth, youth of color, Native American youth, girls and gender expansive youth, youth with unmet serious mental health needs, youth pushed out of school systems, youth who have deep trauma and who self-medicate with alcohol and drugs, unhoused youth from unhoused families, and youth who have no one to care for them, and ultimately OYCR seeks to empower communities and families to support youth and to believe in their potential. The discussion about including the Child Welfare serving agencies and applying those practices, services, and tools to the youth in the juvenile justice system is long overdue. OYCR is committed to seeing all kids as kids even when they make a terrible mistake. Our community will be one that promotes healing and forgiveness to make sure that opportunities to set a young person back on the right track are not missed. Remarkably, according to Lenore Anderson in her book *In Their Names: The Untold Story of Victims' Rights, Mass Incarceration, and the Future of Public Safety*, "in survey after survey, victims reveal a strong preference for a justice

system that emphasizes accountability through rehabilitation over excessive punishment".²⁹

OYCR strives to be a thought partner with local communities and a statewide policy leader in identifying and disseminating best practices for all justice involved youth starting with those youth impacted by realignment. OYCR is committed to maintaining strong relationships with all partners by engaging with young people involved in county systems, adolescent development experts, probation officers, youth advocates, representatives from the judicial branch, district attorneys, behavioral health experts, restorative justice experts, researchers, and other key groups. All these views are critical to strengthening local healing systems and supporting the delivery of trauma-informed and developmentally appropriate services for youth involved in the court.

In 2022, OYCR created spaces to share its vision and mission with numerous key partners. Presentations sharing what drives OYCR included other justice-involved entities such as California District Attorneys Association and California Probation Parole and Correctional Association. Organizations with the lens of equity were included in relationship building such as Tribal Justice Collaborative and Centro Legal de la Raza. Other mission critical areas, such as education and behavioral health, made it clear that involving organizations like EdSource and the Council on Criminal Justice and Behavioral Health would be imperative. A list of presentations sharing OYCR's vision and mission can be found in Appendix A.

OYCR Vision, Mission, Guiding Principles and Goals

OYCR seeks to understand how to help support counties in welcoming home all youth who are returning home, offering developmentally supportive rehabilitative programming, and providing

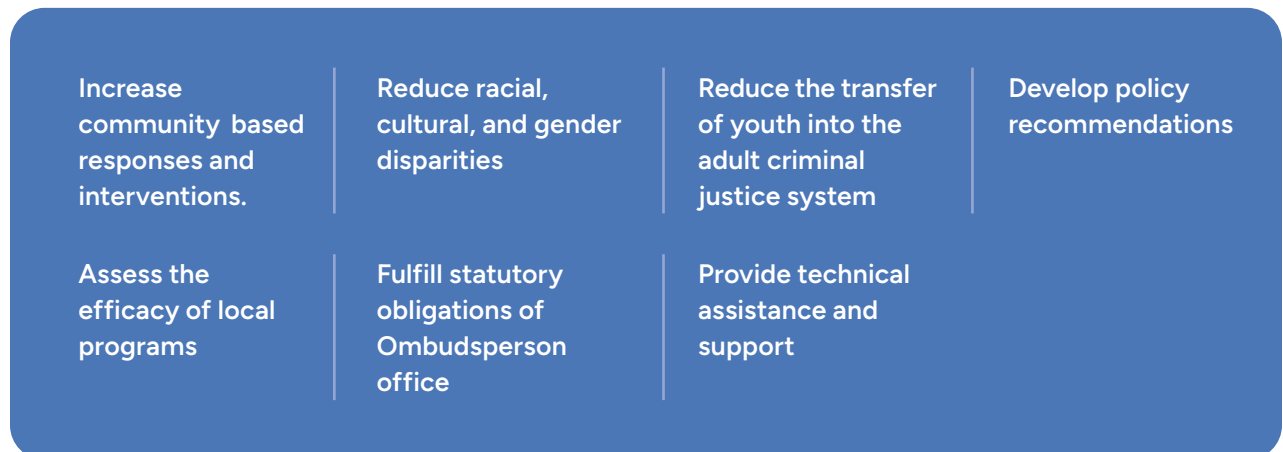
all youth what they need to rejoin their communities and continue their healing and growth journey towards a productive adulthood.

FIGURE 5: OYCR VISION AND MISSION STATEMENTS



OYCR developed goals and strategies with input from various partners, existing research on adolescent development, along with evidence-based and community differing practices.

FIGURE 6: OYCR GOALS



To guide this work, OYCR will embrace the guiding principles below.

FIGURE 7: OYCR GUIDING PRINCIPLES



Youth Centered

Youth are cared for within a health-oriented, evidence-based healing mindset that is informed by an understanding of adolescent development. Youth are included as advisors and sources of expertise in policy decisions.



Compassion

Promote practices that hold youth accountable and respect youth dignity, see youth as people with limitless potential, and understand the context of the youth's life that contributed to their social emotional disruption. Care for the youth while each service provider is operating and engaging with integrity.



Community

Communities are safer when youth are held accountable while at the same time communities are resourced to create the alternatives to detention needed for youth to step home, and youth can set goals and have access to their own success. Infusing the rehabilitative approach with access to education, meaningful work, and an ability to become self-sufficient is developmentally responsive to the mission.



Equity Focus

Create supports where all youth can have a chance to thrive and are honored rather than disadvantaged because of the color of their skin, gender, sexual orientation, age, or disability.



Data Driven

Leverage data to understand the current conditions for youth in our communities, to right size our resources and approaches, and to advance social and economic mobility and improve the health, well-being, and positive outcomes of children, families, and individuals.



Innovation

Promoting new models of care and services using evidence-based practices aligned with community differing approaches.

Building the OYCR Office and Team

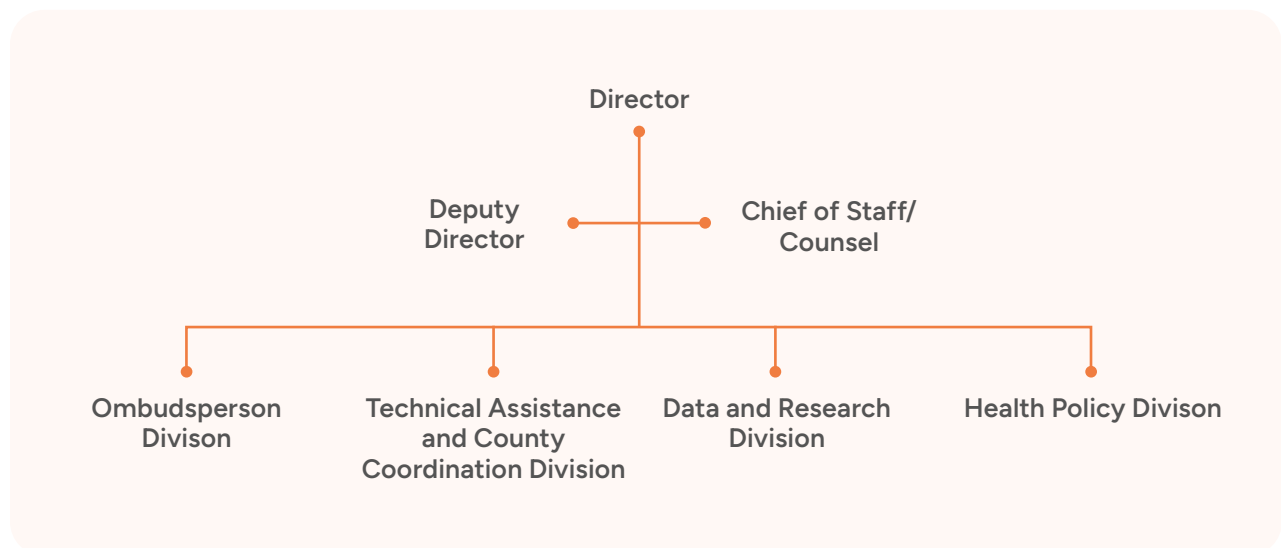
OYCR was approved for 33 positions in the FY 21-22 Budget Change Proposal that established the office. The office is led by Director Katherine Lucero, a retired juvenile delinquency judge, who is supported by a Deputy Director and a Chief of Staff/Counsel.

In 2021, the first OYCR staff person was hired and in 2022, OYCR welcomed 13 additional team members and three special consultants. By the end of 2022 the team was at 17. A goal for OYCR was to build a team of professionals that embrace the vision and mission as set forth in SB 823. A commitment was to hire those who brought a lived experience background to the work of OYCR. The Office is proud to have successfully recruited and retained exceptional staff from a variety of diverse backgrounds.

Staffing up while trying to do the work without an existing structure in place was a daunting task. Policies and procedures needed to be written, staff needed to be hired, a strategic plan needed to be developed, and the technical assistance had to be delivered in real time to be responsive to partner needs. The Director was hired in

mid-January of 2022 and the staff hiring began in earnest. OYCR had to learn both the county and state government landscape for how youth are served in California. Although a great deal of progress has been made in the last two decades in Juvenile Justice, much of it was still being done in silos in both the counties and at the state level. OYCR embraced the challenge and set up meetings with hundreds of partners at both the state and county level. Understanding the state government landscape with regards to resources for Juvenile Justice youth and families was at the top of the list. One of OYCR’s goals is to become a resources and services hub for counties by identifying what already exists at CalHHS, including the Department of Education (CDE), the Department of Health Care Services (DHCS), the Department of Rehabilitation (DOR), the Department of Social Services (DSS), and the Department of Developmental Services (DDS) as well as at the Federal level which can be accessed by local governments for their families and youth. There are four key divisions within OYCR, and each division is led by a Division Chief.

FIGURE 8: OYCR ORGANIZATIONAL CHART



Ombudsperson Division

SB 823 also mandated the establishment of an Ombudsperson Division with specific duties within OYCR. The Ombudsperson has the authority to investigate complaints from youth, families, staff, and others about harmful conditions or practices, violations of laws and regulations governing facilities, and circumstances presenting an emergency, or to refer complaints to another body for investigation. The Ombudsperson is required to publish and provide regular reports to the Legislature about complaints received and subsequent findings and actions taken.

The Ombudsperson Division hired two staff, a Special Consultant with previous ombudsperson experience to help stand up the division who started in spring 2022, and the Ombudsperson who started in late 2022. OYCR will be actively working to hire a manager and four Ombudsperson Liaisons in 2023. The Ombudsperson team was able to visit 15 juvenile justice facilities (i.e., halls, camps, SYTFs) in the following counties: Alameda, Butte, Humboldt, Kern, Kings, Los Angeles, Mendocino, Merced, Orange, Riverside, San Francisco, San Luis Obispo, San Mateo, and Ventura. The Ombudsperson met with Probation Chiefs via phone, email, and in-person to introduce the newly developed OYCR Ombudsperson

Division and its role. All 58 Chiefs were contacted and made aware of the OYCR Ombudsperson Division, in addition to other points of contact regarding specific complaints or site visits. In 2022, the Ombudsperson Division held 26 meetings with advocates, community-based organizations (CBOs), and tribal leaders to bring awareness to all systems that impact youth about their presence.

In August of 2022, the Ombudsperson Division created and distributed an Ombudsperson poster and trifold brochure that shares information on the role of the Ombudsperson and methods to contact them, including the toll-free number to the Ombudsperson helpline, email, and mailing address. This information was also posted on OYCR's webpage to increase access to the information. The Ombudsperson Division is eager to achieve additional operational strides in 2023 as the Division explores and recommends a case management system and customizable phone system to ensure the reliability and accessibility of contact/communication and inform legislatively mandated reporting, as well as contributing to the Ombudsperson Division section of OYCR's future website and refining their reporting activities and division outcomes.




FIGURE 9: OYCR OMBUDSPERSON YOUTH BROCHURE (AVAILABLE IN OTHER LANGUAGES)

THE OMBUDSPERSON CAN HELP!

HAVE A QUESTION OR CONCERN WITH HOW YOU ARE BEING TREATED OR THE CONDITIONS OF A JUVENILE JUSTICE FACILITY?

CALL THE OMBUDSPERSON!

WHAT IS AN OMBUDSPERSON?
A person whose job it is to help you if you are in a juvenile justice facility in California and need help to solve problems with how you are being treated.



THE OMBUDSPERSON WILL:

- Keep the things you discuss confidential.
- Help try to solve the problem.
- Help you understand your rights.
- Answer your questions.

THE OMBUDSPERSON CANNOT:


- Give legal advice or change court orders.
- Investigate complaints about attorneys or judges.


THE PROCESS:


- You call or email us about a problem.
- The Ombuds person will speak with you to get information about the problem.
- The Ombuds person will do research and may investigate the complaint and attempt to resolve the problem.
- The Ombuds person will follow up with you.

The Ombuds person is an independent problem-solver responsible for investigating complaints and attempting to resolve them for the people involved. As a youth in a juvenile justice facility, you have the right to ask a question or file a complaint with the Office of Youth and Community Restoration (OYCR) Ombuds person if your rights have been violated or ignored or you are concerned about the condition of the facility you are in. You cannot be punished or threatened for making a complaint. If you are not sure how we can help, please call.

GET IN TOUCH!

 1-844-402-1880

 OYCRombuds@chhs.ca.gov

 OYCR Ombuds personC
1215 O Street, MS-08
sacramento, CA 95814

Ombuds person Division Reports

The Ombuds person Division is required to publish and provide regular reports to the Legislature about complaints received, subsequent findings, and actions taken. The report will also include data analysis about the helpline activity, number and types of calls, types of complaints, investigated cases, trends, cases per county, provided training, and disseminated publications. Finally, the report will provide the legislature with its annual recommendations. The Ombuds person Division intends to provide reports at least annually and then as needed to highlight specific and emerging issues.

During 2022, the helpline received 45 inbound calls in addition to three emails. Each con-

tact from the public is an opportunity for the Ombuds person to respond to issues impacting the juvenile justice population. These contacts led to opening 15 cases which were either investigated or referred out to other agencies for follow up.

Youth Bill of Rights (YBOR)

Established by AB 2417, the YBOR becomes effective on January 1, 2023. This new YBOR will be applicable in any juvenile facility and requires the Ombuds person to develop age appropriate standardized YBOR materials and requires probation agencies to use them. The Ombuds person Division will work with youth-serving organizations to solicit feedback on the YBOR materials from

youth currently involved in the juvenile justice system statewide. The Division will also solicit feedback from advocates, CBOs, families, and other interested parties for their feedback on the standardized age-appropriate information explaining the rights specified in WIC Section 224.71. The Ombudsperson has the responsibility to disseminate information and provide training and technical assistance to youth, and other interested parties on the YBOR. In accordance with WIC Section 224.72 The Ombudsperson Division will provide virtual and in-person training and disseminate publications on the YBOR in the juvenile justice system.

Technical Assistance and County Coordination Division

At OYCR, the Technical Assistance and County Coordination Division is tasked with the mandate to provide technical assistance to counties on the entire juvenile justice continuum when requested. The Technical Assistance and County Coordination Division consists of a team that includes the Division Chief, the County Coordination Unit Manager, the county liaison managers, and analysts, carrying out the core functions of the division, specifically focused on regional and county assistance. The technical assistance provided by the Technical Assistance and County Coordination Division is anchored in OYCR's guiding principles.

Building relationships with partners through communications with Juvenile Justice Commissioners is another critical step in the Technical Assistance and County Coordination Division. To achieve this goal, they attended various county level meetings (Juvenile Justice Commission, Juvenile Justice Coordinating Council, Juvenile Justice Coordinating Council SB 823 Subcommittee and/or Juvenile Justice Delinquency Prevention Commission) to gain knowledge and awareness on local conditions, trends, issues, data, statistics, programs being offered, and general updates which provide critical insight and valuable information regarding services provided to youth and

the treatment of youth in detention. Meet and greets and site tours allowed more new connections to CBOs to better understand education, housing, and behavioral health programs implemented by experts in various communities across the state. Conferences that were statewide, local, and national were attended to learn about cutting edge innovations and thought leadership that exists in the state. As well as webinars, convenings, and meetings with youth to address issues of equity for racially/ethnically diverse youth, LGBTQIA+ youth and Tribal youth to collaborate and find solutions for increased youth wellbeing and systems change. In 2023, the Technical Assistance and County Coordination Division will work towards building the statewide Youth Advisory Board (YAB) to serve OYCR and the state in bringing directly impacted youth voice and participation into statewide policy development.

Data and Research Division

From June 2022 – December 2022, the Data and Research Division was formed by its first two staff – the Division Chief, who was then able to hire one researcher before the end of the year. In 2023, the division expects to hire two additional researchers. To support efforts across the state, a team of three researchers will support the division to meet the mandated goals around data and research: statewide data collection, research, best practices, and technical assistance.

Encompassed in the mission of OYCR is the use of data to drive policy recommendations and improvements in youth outcomes. To this end, OYCR will utilize a variety of data sources to ensure the efficacy of local programs being utilized for realigned youth (Welf. & Inst. Code section 2200 (e)) and 2023 measurement will be focused on the areas below. Wherever possible, outcomes will be disaggregated by youth's demographic characteristics such as gender identity, age, race, ethnicity, and other demographic factors, which will allow for the identification of disproportionalities as well as zip code to determine any differences by geographical area. The data OYCR will collect will be derived from a continuum of county partners,

such as behavioral health, child welfare, CBOs, courts, county office of education, district attorneys, health care, probation, public defenders, tribal partners, etc.

FIGURE 10: OYCR EVALUATION AREAS



Health Policy Division

OYCR’s Health Policy Division was not operationalized in 2022 despite two recruitment efforts for a Chief Health Policy Officer and recruiting efforts will continue for the division to be fully staffed in 2023. Although the Health Policy Division was not operationalized in 2022, OYCR actively participated in health policy engagement which was accomplished through OYCR involvement with the Department of Health Care Access and Information (HCAI), Department of Rehabilitation (DOR), the Children and Youth Behavioral Health Initiative (CYBHI), DHCS’s California Advancing and Innovating Medi-Cal (CalAIM), Justice Involved Advisory Group, the University of California, Los Angeles (UCLA), DHCS’s Office of Strategic Partnerships (OSP), the CPOC Foundation Foster Care Conference, and in consultation with Stephanie Welch, Deputy Secretary of Behavioral Health at the CalHHS.



OYCR Relationship-Building with Communities

Relationship-building is critical as this work cannot be done in isolation, by one person nor by one government entity. SB 823 has uniquely positioned OYCR to support counties with TA, grants, understanding and mapping of federal and state resources for juvenile justice youth, and connecting county partners across the state to one another for the purpose of learning and disseminating best practices. OYCR is not a compliance agency and does not issue directives. OYCR expects to learn from probation departments, communities, families, educators, workforce developers, mental health professionals, and others who directly serve children, youth, and families to develop a portfolio of resources and best practices to share and support the execution of improved outcomes for youth. OYCR is founded on breaking down the siloed approach to juvenile justice. To build connections, OYCR brings a multidisciplinary lens to support the needs of youth with healing, help harmed individuals and communities feel a sense of restorative justice, and service providers have the tools and resources they need to make progress. In that regard, OYCR has successfully begun to build relationships with local government partners such as district attorneys, public defenders, probation departments, county offices of education, mental health providers, and CBOs in the 58 counties. Regular meetings occurred with both CPOC and the California Alliance for Youth & Community Justice (CAYCJ) to report out on the work of OYCR and to identify ways to fulfill the mission and vision of our office. Strong communication channels have been developed with tribal leaders, reentry housing experts, OJJDP, DOR, the State Board of Education (SBE), BSCC, the Judicial Council, DJJ, DSS, and DHCS, among others. Advisory committees are also planned, such as an Education Advisory Committee, a Youth Advisory Board, and a Restorative Justice Advisory committee.

Tribal Communities

OYCR took the opportunity to meet with tribal communities in Northern and Southern California and found that many were unaware of SB 823, the establishment of SYTFs, and the subcommittee planning process. There were nine county partners that were engaged with local tribes, but overall, more could be done to improve the engagement and relationship with tribes and understanding how the Indian Child Welfare Act (ICWA) requirements impact the process at the local level when serving youth particularly through the "[Duty of Inquiry](#)." There were innovations the office learned about such as wellness court and dual jurisdiction models between tribal courts and county courts. The Office is committed to addressing the specific needs of tribal communities regarding serving tribal youth, the disparity of tribal youth in the justice system, and include tribal communities in the decision-making processes for juvenile justice programming and planning.

Community Listening Sessions to Help Guide Funding

To assist in developing funding priorities OYCR held four community listening sessions designed to provide an open forum for feedback on priority areas. Participants represented not only state and county organizations, but also included a strong representation of youth, some with lived experience in the juvenile justice system.

Since the start of 2022, OYCR staff have met with close to 40 partner groups across the state including local, county, state, national, tribal nations, advocate groups, youth, researchers, and many more. Community members who could not attend one of the four listening sessions were able to sub-

mit their suggestions to OYCR via email. These listening sessions helped to inform strategies that would be most helpful for positive youth development and outcomes. Throughout all activities,

OYCR has utilized staffing expertise in addition to the research on best practices across fields of study while focusing on a whole-person health care approach to serving court-involved youth.

Juvenile Justice Realignment Block Grant (JJRBG) Plan Review and Summary

SB 823 also developed the Juvenile Justice Realignment Block Grant (JJRBG) to support counties in caring for youth who would otherwise have been eligible for DJJ. The JJRBG provides an allocation to each county based on a funding formula outlined in WIC section 1991, with a minimum of \$250,000 per county.³⁰ To be eligible for the funding, each county was required to create a subcommittee of the multiagency juvenile coordinating council, chaired by the chief probation officer and including representatives from the district attorney's office, the public defender's office, the department of social services, the department of mental health, the county office of education or a school district, the court, and no fewer than three community members with experience providing community-based youth services, youth justice advocates, and/or people with lived experience in the juvenile justice system.

To be eligible for the funding, each subcommittee had to develop a plan that included specific elements.³¹ Some of those elements are as follows:

- Demographic and offense information for youth who would have been eligible to be cared for at DJJ (specifically youth who were adjudicated to be a ward of the juvenile court based on an

offense in section 707(b) of the WIC Code or section [290.008 of the Penal Code](#)).³²

- A description of how funds would be used to address the key needs of youth being cared for in the county:
 - Mental health needs, sex abuse treatment, behavioral needs, trauma-based needs
 - Healthy adolescent development
 - Family engagement
 - Reentry (including employment, housing, continuing education)
 - Evidence-based, promising, trauma-informed, and culturally responsive programs
 - Services or programs provided by community-based providers
- A detailed facility plan, including improvements to accommodate long-term commitments
- A description of how the plan will incentivize keeping youth in the juvenile system to avoid transfer to adult criminal court
- A description of any regional agreements

- A description of how data will be collected and outcome measures that will be used to measure or determine the results of the programs.

Counties were required to submit their initial plans by January 1, 2022. OYCR was required to “review the plan to ensure that the plan contains all the elements” and “may return the plan to the county for revision as necessary prior to final acceptance of the plan.”³³

All 58 plans were reviewed by March of 2022. Following the review process, staff met with each county to discuss requested revisions and how OYCR could best support them in addressing the necessary elements of the plan. OYCR released a summary report of the 2022 plans submitted posted on the OYCR website [here](#) along with all 58 accepted versions of the JJRBG plans.

2022 OYCR Accomplishments

While OYCR spent most of 2022 developing as a new state office, the office was able to make some significant accomplishments highlighted below.

OYCR Technical Assistance Provided

Guidance for Transition Hearings

Starting in March 2022, OYCR Director Katherine Lucero made several presentations to juvenile court judges to impress upon them the need to prepare and to provide guidance on how best to plan for the return of youth to their counties pending DJJ’s closure. Also, in collaboration with the Consortium and DJJ, OYCR contributed a Case Law Analysis of Transfer Criteria for county court partners (e.g., probation, judges, attorneys) that provided step by step guidance for filing motions, holding hearings, and outlining everyone’s role in making for a smooth transition of realigned youth to their home counties. This informational document can be found [here](#).

Methods of Record Sealing

OYCR created and posted on its webpage a technical assistance brief, Record Sealing, outlining the various methods for the sealing of juvenile court records, explaining the requirements of and differences between each, and the importance of sealing records as soon as legally possible. The technical assistance brief can be found [here](#).

Legal Barriers for Employment of Youth

OYCR created a technical assistance brief, Employment and Criminal History Reporting, highlighting the various statutes that govern certificates and licensing, criminal background checks, and potential employment restrictions for those with juvenile court records. This information will assist counties in developing worthwhile vocation-

al job training programs to assist youth in obtaining employment upon their release from custody and can be accessed [here](#).

Consortium Contract to Support DJJ Transition

OYCR has contracted with the California County Probation Consortium Partnering for Youth Realignment (the “Consortium”) to support county efforts to provide appropriate care for each young person who will be returning from DJJ. The Consortium is a non-profit organization founded as a statewide, inter-county collaboration to help counties find the specialized programming and facility a youth needs when it is not available in their county. Consortium members include probation chiefs of five counties, plus the executive directors from CSAC, CPOC, and the California Association of County Executives. OYCR’s contract with the Consortium targets the critical and time-sensitive work of supporting the closure of DJJ and the safe return of young people to their home counties.

Engaging what OYCR learned from site visits and other community sources, OYCR is collaborating with the Consortium and its team of experts, which include C. Elizabeth Siggins, Department of Sociology, UC Davis; Ken Berrick, founder and former CEO of the Seneca Family of Agencies; former director of DJJ Michael Minor; former probation chief Julie Hovis Francis, to help support appropriate placement and care for the relatively small number of DJJ youth with specialized needs (in particular mental health care needs and gender-responsive needs). This is an intensive, case-by-case process and is being undertaken in a highly collaborative manner.

The work products being developed by the Consortium include the following:

- A statewide inventory of existing SYTFs, the populations they serve, the programs they offer, and other available programs
- An identification and analysis of categories or cohorts of youth who may need other local, regional, or state responses and facilitate identifying barriers to county care

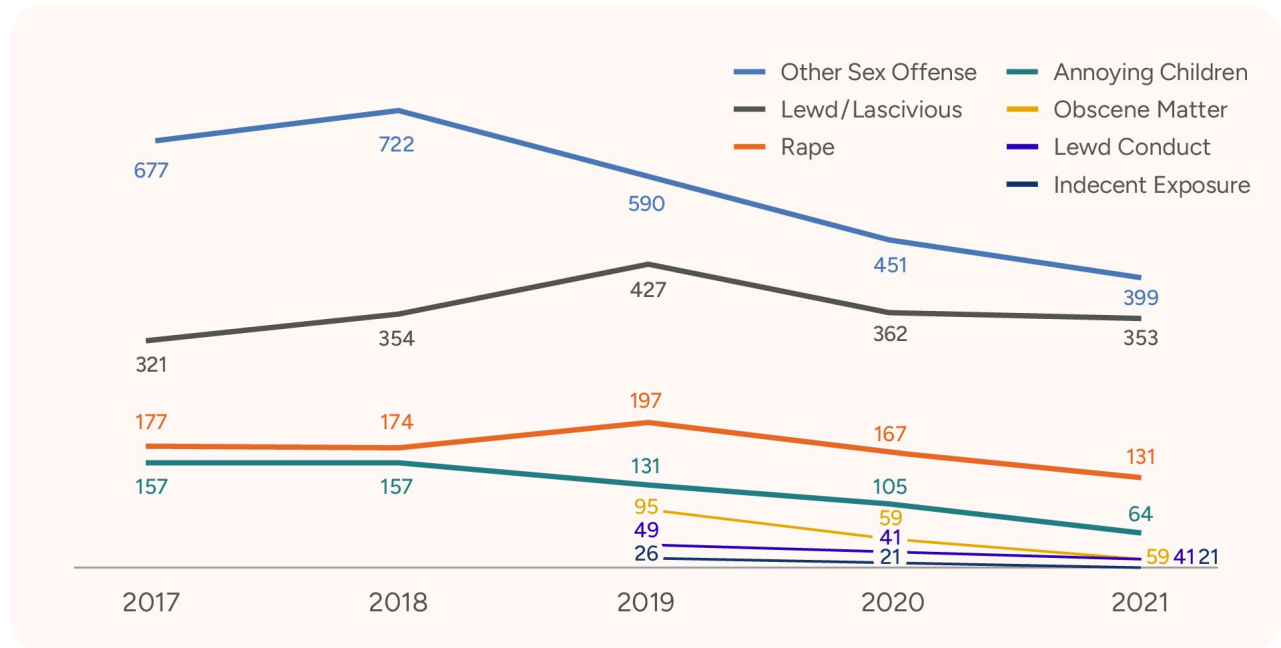
- An analysis to inventory current capacity for local care, identify systemic gaps, and articulate strategies to fill them
- A summary of youth information to document where the DJJ youth ended up when they returned to their home counties

California Sex Offender Management Board (CASOMB) Youth Guidelines

The OYCR Director is a member of the California Sex Offender Management Board (CASOMB). To promote the best practices for treatment interventions for youth who offend sexually, at the end of 2022, CASOMB developed Guidelines for Treating and Supervising Youth Who Have Committed a Sexual Offense. These guidelines were based on the neurodevelopment, the Collaborative model, Risk-Need-Responsivity (RNR), and evidence-based assessments and treatment. CASOMB approved the guidelines and encourages the use of the best practices in the treatment of youth who offend sexually. A copy of the guidelines is available [here](#). Figure 11 illustrates that the number of youths who commit sex offenses has continued to decline over the last 10 years.³⁴

Outcomes for youth who offend sexually and who receive sex behavior therapy that are based on these guidelines have a historically low rate of recidivism for sexual offenses in the future – less than 3% according to studies of this population.³⁵ It is the goal of OYCR to ensure that youth who offend sexually continue to have access to quality therapeutic interventions such as those at DJJ.

FIGURE 11: YOUTH SEX OFFENSES 2017-2021



California Department of Justice. (2022). *Juvenile Justice in California 2021*.

Forward Change Educational Project

In September 2022, OYCR began a contract with Forward Change, an organization with expertise in educational equity and the life course framework whose work includes identifying holistic strategies, informed by extensive research and substantive knowledge for best practices in the educational and career outcomes of youth. In its work for OYCR, Forward Change will identify best practices in reducing educational practices that can cause school pushout and justice system involvement, particularly for youth of color and identify effective educational supports (such as transportation, tutoring, positive youth development activities, family engagement, and mentoring) that allow youth to remain in school and can help them reenter the community. The goal is to help OYCR identify upstream solutions to prevent youth entry into the court systems and create pathways for success for all youth in California, notably youth overrepresented in the justice system such as youth of color and children with learning disabilities. Forward Change will be drafting the report for the OYCR Committee of the Child Welfare Council, as discussed below.

Vera Pilot to Reduce the Incarceration of Girls Planning Phase

The Vera Institute for Justice and OYCR have partnered to select four counties as pilot sites to implement a campaign to end the incarceration of girls and gender expansive youth. The pilot will provide both funding and technical assistance while developing a peer network of probation departments and CBOs to work towards alternatives to incarceration for girls who would otherwise be held in custody for behavior that was low and moderate risk to public safety. Many girls and gender expansive youth are held in custody due to a lack of therapeutic alternatives combined with a concern for the youth's safety. This paradigm shifts towards a community-based, supportive alternative specifically tailored to meet the needs of girls and gender expansive youth has worked in other jurisdictions across the nation and OYCR believes that it can work in California. In 2022, OYCR and Vera worked to develop the Peer Network model and application process, which will open for applications in January 2023.

OYCR Committee of the Child Welfare Council (CWC)

The California CWC was established by the Child Welfare Leadership and Accountability Act of 2006 (WIC Sections 16540 – 16545) and serves as an advisory body responsible for improving the collaboration and processes of the multiple agencies and the courts that serve children in the child welfare system. The Council is co-chaired by the Secretary of the CHHS and the designee of the Chief Justice of the California Supreme Court, and membership is comprised of state departments, county departments, nonprofit service providers, advocates, parents, and former foster youth. The Council is charged with monitoring and reporting on the extent to which the agencies and courts are responsive to the needs of children in their joint care.

OYCR Committee of the Child Welfare Council was established by SB 823 to advise the newly formed Office of Youth and Community Restoration with recommendations related to improving outcomes, reducing detention, and reducing reincarceration of justice-involved youth. OYCR Director Katherine Lucero is a member of the CWC and Chair of the CWC OYCR Committee. OYCR Committee Members consist of a variety of judges, juvenile law experts, trauma responsive/therapeutic care experts, youth with direct youth justice system experience and youth advocates, division of juvenile justice representative, community providers, education experts, and others to form 22 official members and 14 Ex-Officio Members. During 2022, this committee met five times – [March 29th](#), [May 4th](#), [June 1st](#), [September 14th](#), [December 16th](#).

On May 4, 2022, OYCR Committee Members voted to prioritize three primary topics consisting of:

1. Higher education and job training for incarcerated youth
2. Community-based organizations and capacity building
3. Advancing the use of step downs and alternatives to incarceration

These priorities were then placed on the agenda for future CWC OYCR Committee meetings where committee members could further discuss these priorities and collectively discuss and select specific deliverables to support each priority area.

Higher Education and Job Training for Incarcerated Youth

On June 1, 2022, the OYCR Committee meeting consisted of several presentations to support the discussion around selecting deliverables. The presentations were delivered by Mt. San Antonio College, California Conservation Corps, Imperial County Probation Chief, Shields for Families, National Center for Youth Law, and an Honorable Judge. The specific deliverable tied to this priority topic was selected by consensus and included:

- Guiding principles for the implementation of programs and/or capacity building.
- A best practice guide for implementing a program(s) related to the topic.
- A report on programs related to the topic that are currently being implemented.

This deliverable is being drafted by the education equity consultant Forward Change and will be submitted to the OYCR Committee for feedback and approval.

Community-Based Organizations and Capacity Building

On September 14, 2022, the specific deliverable associated with CBOs was decided by majority vote. The Committee selected the first deliverable of guidance on good practice on CBO capacity building consisting of:

- A report on programs related to the topic that are currently being implemented with a possible focus on available CBOs and programs.
- One or more focus groups on the topic with publications of the results. The process may

be a two- or three-part approach following the discussion with CBOs to then define the deliverable.

Based on the outcome of these two efforts, the second deliverable to be decided will consist of either:

- A technical assistance brief.
- A document on capacity building/approach to grantmaking that addresses administrative challenges.

Advancing the use of Step Downs and Alternatives to Incarceration

On December 16, 2022, three valuable presentations around Step Downs/Alternatives to Incarceration from Chief Probation Officers, Columbia Justice Lab, Annie E. Casey Foundation, and UCLA were received. These presentations served to continue the deliverable conversation for this priority topic which will be held on March 1, 2023.

OYCR Visits to Secure Youth Treatment Facilities

To better support counties and understand their needs to develop programming that enables the healing and wellness of youth to prepare them for successful reentry into the community, OYCR leadership and staff made site visits to 29 of the 33 counties with approved applications to operate a SYTF with the BSCC. OYCR wanted to understand the unique county needs, hear about challenges, and areas of promise that enables healing and wellness for youth, their families and community. The approach for these visits included a pre-tour orientation with probation and their invited partners, a tour of the facility, and in some cases talks with detained youth. In each of these counties, OYCR strived to include meetings with community partners, advocates, service provider organizations, public defenders, prosecutors, justice involved community members, and juve-

nile justice commissioners. The following sections review highlights from these site visits.

Common Challenges

OYCR is grateful to the county, community partners and youth that made the site visits successful to learn what challenges local communities are experiencing while implementing SB 823.

Reliance on Existing County Facilities

Youth who would have gone to DJJ are now being treated and rehabilitated in their own communities or in a community that a county has had to partner with to provide rehabilitation and treatment for their youth. The reality is that youth are now residing in the county juvenile hall and/or camp and that these detention facilities were not built for the long-term incarceration of youth. However, probation departments, educators, mental health specialists, CBOs, and justice partners have signaled a willingness and a desire to improve facilities and programming to capture the best practices that will allow youth to heal and grow into successful adults beginning at the SYTF and continuing as they are stepped down to less restrictive programs in the community

Navigating how to create space that is safe, therapeutic, and healing in these settings that were not originally contemplated for this use is challenging and yet counties are confronting this head on across the state and have submitted their plans to tackle these complicated issues. Site visits allowed for the OYCR team to be in the spaces available for youth and provided a glimpse into the renovations, and dedicated program specific spaces as time, money, and staffing allowed within each county. Facility changes take time due to the approval that must occur at the county level by their Boards of Supervisors (BOS), and once approved, the priority of the local government for changes to occur. Projects were on waiting lists for completion at times up to two years. Staffing shortages, supply chains, and the pandemic impacted how quickly programs and projects were completed in any given county.

Older population now housed in youth facilities

State law now allows youth to stay in the local juvenile system up to age 25 for a law violation committed under the age of 18. This change in law has resulted in some counties having to problem solve sight and sound issues now that they may have kids as young as 14 and 15 in the same custodial setting as emerging adults. Developmentally and educationally, these youth may have very different programming and educational needs and be at different stages of social-emotional maturity.

Staffing Shortages

Planning and implementing programming have been challenging due to shortage of staffing in the field of education, behavioral health, and probation. Lack of staffing, recruitment, and retention of staff has impacted many counties in their timely delivery of services and with fidelity to their programs. County system partners have been creative in these efforts, in some cases offering higher salaries and benefits in addition to other incentives. Some counties have supported CBOs to deliver services in collaboration.

Lack of Available Transitional Housing

Lack of affordable housing and placements for step-home and reentry planning and implementation were identified difficulties. Throughout the state, OYCR noted a lack of effective mapping of step-home plans. Some probation departments are working with CBOs to develop less restrictive housing programs for a step-home option, while others are deciding that a camp is the next less restrictive option after SYTF placement. OYCR is currently working on developing best practices on step-home options. Planning upon release should be updated to identify specific steps to avoid youth homelessness and transition into stable housing.

For those who have been incarcerated, finding a safe and supportive living environment can be especially challenging. The Amity Foundation and

ARC programs have developed an innovative way to bridge institutional living and independence, offering young people a chance to develop the skills and resources they need to become self-sufficient. Through transitional housing programs, like those implemented through Amity and ARC, youth can have access to education and job training, mental health services, and other critical resources that can help them build a brighter future.

Additionally, OYCR and the Department of Social Services Foster Care Ombudsperson's Office discovered that youth had routinely left DJJ with nowhere to go and with no money to secure housing. Together OYCR and the DSS Foster Care Ombudsperson's Office gathered the data necessary to advocate for \$3 million dollars to be available to youth leaving DJJ into homelessness.

Needed Educational Supports

Another area noted was the disparity of students with disabilities in court schools who need supplemental services, support, and planning including after high school education. Though most probation and County Offices of Education (COEs) gather paperwork in a timely fashion to transition a student's Individualized Education Plan (IEP) or 504 plan, more must be done to ensure that effective and comprehensive assessments, robust services, and behavioral and transition support for college and career planning are offered. Though additional service providers could help to address some of these needs such as DOR, most did not know of or have robust relationships with additional system partners and service providers that support students with disabilities.

Higher education partnerships are key to both probation and COEs as many youths need extra services for success in postsecondary educational programming. Although there has been recent legislation like [SB 716](#), [AB 417](#), and [AB 102](#) that was intended to support youth access to robust educational opportunities including online programming, it has not come without its challenges. Some barriers included accessing technology, Wi-Fi, designated spaces for education, online and in person classes, and additional supports for higher education success.

In terms of supplementary K-12 educational opportunities, postsecondary education, and workforce development, many county partners are in the process of developing or have developed new relationships to support and enrich education options. It should be noted that programming in most facilities include but are not limited to dual enrollment, online and in person college courses, vocational programs, and work-based learning. While these options are available, there are still areas for more development including expanded program offerings, developing agreements with regional and community partners, and designing designated areas to host available programs.

Many county partners are developing or have developed relationships with higher education partners, CBOs, and workforce development agencies to support and enrich the education of the students enrolled in court schools as well as in some cases to graduated youth. County partners are working together to create transition plans as a youth moves in and out of facilities to increase the success of both high school and college. These partnerships are key as many youths need extra services for success in educational programming. Additionally, there is a disparity of students with disabilities in court schools who need supplemental services, support, and planning including for after high school.

Families of Youth

Family engagement is critical in the rehabilitation and reintegration process of youth who are in SYTFs. This includes working with service providers to maintain connection with family members to address a youth's mental health and well-being. Site visits allowed for the confirmation that around 80% of SYTFs had begun the transition to free phone calls per [SB 1008](#), and that youth had access to other correspondence resources such as Zoom, WebEx, and other telecommunication platforms. Family support can help reduce feelings of isolation and increase resilience, which can be especially helpful for youth who are struggling with the challenges of being inside a juvenile correction facility. When families are engaged in the rehabilitation process, it can promote

positive relationships between youth and their family members. These strategies can be especially important for youth who have had strained relationships with their family members prior to being in a youth corrections facility. Visiting the SYTFs throughout the state allowed OYCR to identify barriers to family engagement such as lack of transportation to remote facility locations, hours of visitation conflicting with parents working schedule, and staff shortages. Following an SYTF visit and meeting with county partners OYCR encouraged county staff to be innovative and shared creative practices from neighboring counties that promoted family engagement for the youth inside a correctional facility.

Gender Responsive Services

Due to the smaller number of female-identifying youth and the resources a county needs to serve these youth effectively and appropriately, many counties do not have the capacity to locally serve girls and have been contracting out to other counties. OYCR acknowledges this issue is complex and counties need more support in this area and has recently launched an initiative to end the incarceration of girls with the Vera Institute to support four counties in this work. There are some promising practices including the services in and outside of the facility that the Young Women's Freedom Center (YWFC) offers to girls and gender expansive youth. Also, a few counties have been focused on "system-wide transformation" to improve care for LGBTQIA+ youth for some time as described by example in the 2021 Impact Justice policy brief titled, "Gender-responsive programming for girls involved in the juvenile justice system."

Areas of Promise

OYCR noted a definitive response from Probation in all counties in their preparation and planning for youth, both those returning from DJJ, and those who as of June 30, 2021, were already being cared for in the county. And while there were differences in the responses, overall, each county created significant plans, and most already implemented

changes to create safe spaces with distinct programming for youth that would be staying longer lengths of stay. As OYCR toured the facilities, the strengths observed were in programming, in physical, mental, and behavioral health assessments and delivery of services, relationships with COEs, and innovation utilizing limited resources, and lastly, the building of collaborations to address geographic resource limitations and challenges.

Reduction in the Use of Oleoresin Capsicum (OC) Spray

Several counties have been able to eliminate the use of oleoresin capsicum (OC) spray, also known as pepper spray, while maintaining youth and staff safety. One common feature of those counties is that they emphasized the need for positive relationships between youth and staff. When asked how staff handled conflict without OC spray, the response was always the same: substantial training on de-escalation and intense efforts to develop positive, trauma informed relationships between the staff and the youth. These techniques allowed them to discontinue the use of OC spray and served as the basis for a positive therapeutic environment in those facilities.

Incorporating Youth Voice into County Solutions

Some probation departments have reached out to seek the voices and perspectives of youth with direct lived experience in SYTFs which is critical in understanding and addressing the challenges and problems within the juvenile justice system. Hearing from youth with direct lived experience in the realignment process has helped inform and guide policy and practice, leading to more effective and humane approaches to working with youth in custody. This includes identifying areas for improvement such as access to education, physical and mental health services, life skills and recreation, and facility improvements. Furthermore, involving youth with direct lived experience in the decision-making process and giving them a platform to share their stories helps

to empower and motivate them to participate in the healing and trauma work needed to become happy, healthy, successful community members.

Developing Less Restrictive Programs (LRP)

Research and data support the concept of having youth step down to what is called a Less Restrictive Program (LRP) which is specifically articulated in SB 92. As the youth makes progress in the SYTF program, the youth can be stepped into a community based LRP and be directly integrated back into their communities from the SYTF. The youth can then earn day for day credit against their baseline commitment term while in an LRP. If the youth is making progress, they can remain at the LRP until they have completed their term. If the youth struggles and needs to go back to the SYTF for a more highly structured setting, the court will continue to have that option as well. The counties have been robustly planning for the implementation of their SYTF programming and system of care due to the need to begin treating youth by July 2021. A primary goal for the counties was to understand where gaps in services would be for youth with particularly complex needs, and with girls going back to counties in very small numbers.

OYCR has focused its technical assistance on educating counties about state level opportunities like Pine Grove and the California Conservation Corp which can be used as LRPs. However, many counties have also been simultaneously working with their BOS to develop a variety of LRPs which include community-based placements like the Amity Foundation and the Anti-Recidivism Coalition (ARC). Other counties have allowed youth under the age of 18 to return to a family member on supervised release and wraparound services.

Innovative Secondary Education Programs

New opportunities exist such as the new Rising Scholars Juvenile Justice grant funding which will offer on-site programming, transition support to college campuses upon release, and dedicated college resources. OYCR encourages all probation departments operating an SYTF to collaborate with additional education partners including but not limited to COEs and local community colleges who can apply for the funds. The goal is that every SYTF will offer a Rising Scholars program to its youth.

Another opportunity to support the educational programming of youth is DOR programs, services, and supports for youth and adults. Because such a high number of youths in SYTF programs have disabilities, many can benefit from DOR offerings that can support a youth in K-12, post-secondary paths, and through employment.

Honoring culture of youth and their families is key to improving engagement and decreasing recidivism rates as described in the National Reentry Resource 2021 brief, "Assessing and Enhancing Cultural Responsiveness in Reentry Programs Through Research and Evaluation." Acknowledging, understanding, and including communities in policy and practice system changes and including equity issues in these changes, is crucial to the process of restoring communities. This also allows SYTF programming to focus on equity in education program planning, implementation, and evaluation with community involvement for program improvements. program planning, implementation, and evaluation with community involvement for program improvements.

Due to geographic differences, some counties have more educational resources or service providers than others. However, it was clear that even in small rural counties, probation and its partners are working as a team to serve youth. Due to the smaller populations in rural counties, many partners can reach one another quickly and collaborate on a variety of issues. The smaller setting enables partners to communicate and make decisions in a timely and coordinated manner.

Providing Crucial Physical Health Services

In all facilities, youth were provided support and services for dental, vision, and physical health through county staff or contracted providers with a physical screening typically in 24-48 hours upon entry into the facility. There were some instances in which there was evident collaboration between outside providers and providers supporting within facility to support the youth's health. For instance, in one county, the Superintendent was working with two doctors coordinating medication management for a youth to streamline the process. More is being done in California to ensure that there are not gaps in services from the time a youth enters and exits a facility. As the first state in the nation to be approved for a Medicaid [Waiver](#), California now has authority to cover pre-release services to incarcerated individuals through Medicaid. Pre-release Medicaid eligibility is based on a waiver that is part of the CalAIM Justice-Involved Initiative. It is for 90 days pre-release and does not start to become available until April 2024, based on county opt-in, with all required to implement by April 2026.

Among the various strengths, one as noted above is the initial health assessments which OYCR found were timely in most facilities. Additionally, all counties were implementing a program utilizing county mental health or contracted services through a CBO to offer assessments and mental health services to youth. Strengthening and expanding partnerships to provide physical and behavioral health related services was a focus of all facilities visited.

Increased and Improved Recreational Opportunities

OYCR also observed that counties across the state have developed and improved conditions of recreational health programs inside facilities. Incorporating programming inside youth correctional facilities can have a positive impact on the health and well-being of youth and play a crucial role in their rehabilitation and reentry into the community.

Focus on Developing Enhanced Behavioral Health services

As stated earlier, behavioral health and other programming is impacted by the staffing challenges statewide. This fact has impacted many counties in the attempt to deliver timely services to fidelity. However, all counties are implementing a program utilizing county mental health or by contract through a CBO who is providing mental health services to youth. Some COEs are offering supplementary services and innovative or promising practices to supplement individual therapy such as:

- Educationally Related Mental Health Services (ERMHS) for those students with IEPs who need it
- Occupational therapy that is driven by social emotional needs
- Use of or planning for a Multisensory De-escalation Room (MSDR)
- Support with nonclinical services offered from credible messengers such as peer mentoring and forward-thinking models
- Family therapy
- Training all staff that work with youth in evidence-based practices that will be implemented in the facility

OYCR encourages counties to ensure that both nonclinical and clinical services are offered to youth, especially by way of credible messengers to increase the trust and motivation for consistent behavioral health service delivery.

Integrating Trauma-Informed and Responsive Practices

Various trauma-informed practices have been implemented inside SYTFs throughout the state that aim to acknowledge and address the effects of trauma on individuals and communities. While visiting various SYTFs, OYCR witnessed the juvenile justice system incorporating these practices which have been observed to help improve outcomes for people who have experienced traumas. Here are some examples of trauma-informed practices in the juvenile justice system that were observed:

- Trauma-focused assessments
- Trauma-sensitive approaches to discipline
- Trauma-focused treatment and support
- Staff training and support
- Collaboration with community-based organizations.



Moving Forward to 2023

2023 will be a pivotal year for SB 823. Youth are returning from DJJ to their home counties by June 30, 2023. The next phase will involve the documentation of how many youths are in the SYTFs or other alternative placements, embarking on closing gaps in services for specialized populations, supporting counties in maximizing federal, state, and local funding opportunities, building capacity for CBOs, and streamlining the continuum of care for each youth in their county or region.

OYCR has four primary goals in mind for 2023.

1. Using data to drive positive outcomes for youth

A large part of the OYCR mission is to use data to drive improvements in youth outcomes. OYCR is driven to collect and share juvenile justice data and best practices to support county level programs and consistent level treatment of youth to meet their individualized needs. To this end, OYCR will work with a continuum of county partners, such as behavioral health, child welfare, CBOs, courts, county office of education, district attorneys, health care, probation, public defenders, tribal partners, etc., as well as state level partners, to track and monitor the needs and outcomes for youth. Wherever possible, outcomes will be disaggregated by youth demographic characteristics such as gender identity, age, race, ethnicity, and other demographic factors, which will allow for the identification of disproportionalities.

2. Supporting individualized quality programming at SYTFs

Youth committed to a SYTF must receive an individualized judicially approved Individual Rehabilitation Plan (IRP) within 30 days. The purpose of the IRP is not a generic template, but a plan tailored to the unique needs of each youth, encompassing physical, mental, and educational goals. Addressing these needs requires assessments that are youth-centric, culturally sensitive, and gender honoring. The IRP should prioritize positive youth development, culturally rooted healing practices, and specify criteria for reducing the baseline term and transitioning to an LRP. OYCR will continue to offer support to counties through technical assistance in the areas included in the IRP including connections with peer counties and experts in the field.

3. Ensuring quality education and higher education at the SYTF and the LRPs

OYCR is committed to providing each county the support it needs to develop college prep level middle school and high school curriculum including ethnic studies, gender studies, dual enrollment, and AP courses. OYCR is also committed to ensuring that each court school partners with Rising Scholars, the Prison Education Program (PEP), Project Rebound, and Underground Scholars to maximize linkages to education and vocational training certification programs. The goal would be to see each youth as a student first. The next goal would be for them to leave the SYTF instilled with a love of learning, curiosity about the world around them, and the skills to earn a living wage or be well on their way to earning a living wage upon reentry into their communities.

4. SYTFs, LRPs, and pathways to community rehabilitation that promote wellness and long-term community restoration

To honor the intent of the SB 823 legislation, OYCR is determined to support development of a continuum of care for youth that involves partnerships between county probation, behavioral health, COE, the Department of Social Services (DSS), drug and alcohol services, county liaisons from the DOR, DDS Regional Centers, and CBOs. The Department of Probation is the oversight agency as required by law and as directed by the Superior Court in each county. Departments of Probation execute the finalized IRP and other orders of the court. The vision is that these entities will work to build an age-appropriate continuum of care, that youth are in the most restrictive setting for the least amount of time and that they are collaboratively stepped down to an LRP as soon as is safe for both the community and in the best interest of the youth. All services will begin in custody and where appropriate and available follow the youth into the LRP.

The Office of Youth and Community Restoration is approaching youth justice through expertise, research, and listening to the communities that they serve. The work completed in 2022 follows the historic commitment by the State of California to continue the ongoing transformation of youth justice that has been occurring for decades. This transformation recognizes that all youth, including youth who are system-involved, deserve opportunities for a successful transition into adulthood including a quality education, behavioral health services, and community engagement. OYCR will continue to work closely with partners to support the development of county-led programs to address these needs, resulting in both a commitment to centering youth, and ensuring support and safety for families and communities.



Appendix

A. Partial List of OYCR Presentations in 2022 In Alphabetical Order

1. America Salutes You
2. California Department of Education – Special Education
3. California District Attorneys Association
4. California Funders for Boys and Men of Color
5. California Judges Association
6. California Legislative Staff Education Institute
7. California Probation, Parole, and Correctional Association
8. California Sex Offender Management Board
9. California State Association of Counties
10. Center For Judicial Education and Research
11. Chief Probation Officers of California
12. Council On Criminal Justice and Behavioral Health
13. La Raza Roundtable Santa Clara County
14. Santa Clara County Child Abuse Prevention Council
15. Stanford University – Child and Adolescent Psychiatry Fellows
16. Substance Abuse Family Court Innovations Panel
17. Judicial Council Tribal Court- State Court Forum

B. Partial List of Organizations that OYCR Met with During 2022 In Alphabetical Order

1. Anti-Recidivism Coalition (ARC)
2. Assembly Foster Care Select Committee
3. Board of State and Community Corrections (BSCC)
4. California Alliance for Youth and Community Justice (CAYCJ)
5. California Association of Alcohol and Drug Program Executives
6. California Committee on Employment of People with Disabilities (CCEPD)

7. California Department of Education (CDOE)
8. California Judges Association Juvenile Court Judges Committee (CJA JCJC)
9. California Office of the Surgeon General (OSG)
10. California Polytechnic State University
11. Chief Probation Officers of California (CPOC)
12. Child Welfare Council (CWC) Quarterly Meeting
13. Children and Youth Behavioral Health Initiative (CYBHI)
14. Children Now
15. Council on Criminal Justice and Behavioral Health (CCJBH)
16. County Probation Departments
17. Department of General Services (DGS)
18. Department of Health Care Services (DHCS)
19. Department of Justice (DOJ)
20. Department of Juvenile Justice (DJJ)
21. Department of Social Services (DSS)
22. Department of State Hospitals (DSH)
23. Fair and Just Prosecution (FJP)
24. Health Care Access and Information (HCAI)
25. Healthcare Workforce Development Division
26. Impact Justice
27. Indian Child Welfare Act Statewide Workgroup
28. Judicial Council of California
29. Judicial Council SB823 Matrix Workgroup
30. Juvenile Justice Commission (JJC) for each County
31. Juvenile Justice Coordinating Council (JJCC) for each County
32. Juvenile Justice Coordinating Council (JJCC) SB 823 Subcommittees
33. Juvenile Justice Delinquency Prevention Commission (JJDP)
34. Latino Leadership Council
35. League of California Cities Legislative Affairs
36. Office of Juvenile Justice and Delinquency Prevention (OJJDP)
37. The Alyce Spotted Bear and Walter Soboleff Commission on Native Children (Commission)

Footnotes

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31. The complete listing of elements can be found at [Welfare & Institutions Code section 1995\(c\)](#).
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