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Penelope Clarke

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**County of Sacramento**  
**Countywide Services Agency**

February 13, 2008

Daniel W. Hancock

Chairman, Little Hoover Commission

925 L Street, Suite 805

Sacramento, California 95814

Re: Written Testimony for Hearing on Juvenile Justice Realignment

Little Hoover Commission Hearing February 28, 2008

Dear Mr. Hancock and Fellow Commissioners,

I am currently one of the tri-chairs for the State Commission on Juvenile Justice established pursuant to WIC 1798.5. The purpose of the Commission is to provide comprehensive oversight, planning and coordination which enhance the partnership and performance of state and local agencies in effectively preventing and responding to juvenile crime. WIC 1960.5 requires the Commission on Juvenile Justice to develop a Juvenile Justice Operational Master Plan to include **risk and needs assessment tools, data collection elements, and criteria and strategies to promote a continuum of evidence-based responses** to youthful offenders.

I am also the Administrator of the Countywide Services Agency in the County of Sacramento and have been so for the past 10 years. Prior to that, I was the County Welfare Director in the County of Sacramento. The Countywide Services Agency is

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a Super Agency which is responsible for most services provided by Counties including all of the health and human services programs. Additionally, the Agency is the primary point of coordination between the County and the Courts and the Probation Department.

You have invited me to address you as to my perspective on the Juvenile Justice Realignment created by Senate Bill 81 and Assembly Bill 191.

I would like to address the following items that affect Counties and outcomes for youth:

- Overall County role in the juvenile justice system and this realignment specifically.
- County perspective on State role in the juvenile justice system and this realignment.
- County capacity to provide myriad of programs needed by these juveniles.

## **County role in the juvenile justice system**

Probation, established in the early 1900's as a component of the juvenile court system, occupies a unique and central position in the justice system. Probation links the system's many diverse stakeholders, including law enforcement; the courts; prosecutors; defense attorneys; community-based organizations; mental health, drug and alcohol, and other services providers; the community, the victim; and the juvenile probationer. All juvenile offenders are referred to the County probation department for investigation into the circumstances contributing to a youthful offender's criminal conduct and ideally for

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development of a case plan which insures protection of the community while providing services which will prevent the youth from further criminal behavior.

In Sacramento County, the Probation Department:

- Manages and maintains a juvenile hall, pursuant to the State Welfare and Institutions Code, including a home supervision alternative.
- Provides an intake function for delinquent and status offender referrals as mandated by the Welfare and Institutions Code. Prepares juvenile fitness reports and pre-sentence reports for both adult and juvenile courts. Reports include dispositional recommendations for the offender, including placement, sentencing sanctions and victim restitution.
- Monitors adult and juvenile offenders and ensures they are in compliance with court-ordered conditions of probation.
- Manages and maintains the Sacramento County Boys Ranch and Warren E. Thornton Youth Center youth commitment facilities, which are part of the continuum of sanctions available to the Juvenile Court.
- Manages the Community Protection and Treatment Program which enables committed youth to serve their custody commitments in the community rather than in residence at the Warren E. Thornton Youth Center.
- Manages the Integrated Model for Placement, Case Management and Treatment (IMPACT) program, a comprehensive assessment and pre-placement program with intensive follow-up case management services for minors experiencing a first time placement.
- Provides crisis resolution program, truancy services and shelter care program for juveniles and their families.

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- Is the lead agency in the Sacramento Adult Drug Court program, a multidisciplinary team that delivers traditional and innovative substance abuse services to specified offenders.
- Manages diversionary programs for adults and juveniles, such as Drug Diversion for adult substance abusers, and Neighborhood Accountability Boards for first-time juvenile offenders.
- Operates the Day Reporting Center, a day treatment program and school designed to reduce crime in the community. The center combines education and vocational training with family and individual counseling, substance abuse counseling, anger management, gang awareness, parenting and life skills development in a highly structured program setting.

Of juveniles referred to us, 99.7% are served locally by the County. Only a small percentage have been referred to the Department of Juvenile Justice. Under SB 81 realignment less serious law violators (non 707) will be returned to Counties for services. A significant number of the DJJ returnees from Sacramento County have a history of previously exhausting virtually every available service and/or intervention that we have at the local level. Prior to recommending commitment to DJJ, we are required to make a determination that such a commitment would benefit the minor and that there are no less restrictive options.

Many of these kids being returned are runaways from various placements and/or have had multiple placement failures to the point that we can find no other placement that will take them. Many are from highly dysfunctional families, have a history of substance abuse, school failure, numerous law violations, ranging from vehicle theft to arson, have been physically neglected and abused, and have significant mental health issues.

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They will be returning to us at a median age of 19.5, not appropriate for our adult facilities and not appropriate for our currently configured juvenile facilities. We will be challenged significantly in the short term, to provide housing and services for this initial population.

## **State role in the juvenile justice system**

I want to open my comments here by saying that juvenile justice and corrections is a critically important issue that requires strong statewide leadership. Folding the California Youth Authority into a division of the department of corrections I believe has undermined the importance of that leadership role. I understand that the drop in population directly served raises organizational questions and opportunities for efficiencies. I face those same questions and opportunities in my own Agency from time to time. However, the need for strong statewide leadership and engagement with counties especially when rebuilding a system suggest to me that the Office of Juvenile Justice should be a stand alone department with its own resources and single focus. The adult prison system and issues are huge and will trump juvenile justice every time.

In the first place, State leadership is needed in building partnerships with local jurisdictions helping to guide and coordinate service delivery. Uniformity of service is a critical issue. A youth in Shasta County needs the same access to quality, evidence based services as a youth in Los Angeles, and yet we know that the financial resources and capacity between counties of vastly different sizes presents access issues. I'm not saying larger counties are better here, it is entirely possible that the larger county might be overrun with referrals and cannot keep up with demand, while a smaller county may well

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have community resources and support available to assist a youth. The point is that equal access to the opportunity to get quality, evidence based services is a statewide issue and should be a major concern of the State.

Secondly, we do need a provider of last resort for juveniles who need to be in a very secure facility for the safety of the community and their own safety. We need the State to stay in the business of providing that alternative and those programs should be of high quality and offer every opportunity at rehabilitation and treatment and use the best evidenced based programs.

Thirdly, we need the State to continue to provide leadership and resources to support continued research in the use of risk assessment tools and evidence based practices. The move in the direction of focusing on what really works is a process that requires continual focus and study. We in California should aim to keep our knowledge and practice right on the cutting edge.

## **County capacity to provide myriad services to realigned youth**

As you can well imagine, the combination of caseload growth and a significant rise in the complexity of dysfunction and multiple need clients turning to the County for an array of services against the backdrop of ever decreasing resources has placed us in a position of virtually having to choose who we cannot serve. We are forced to triage all of our services from Child Welfare, to Probation Intervention, to Mental Health Services to Primary Health Services and we do not serve everyone who needs services. We are at and over capacity in all of our systems. As one example, we have the capacity to supervise around 16% of our adult felon's on probation at the current time. The rest are not monitored and

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you would be concerned to know the kinds of crimes committed by felons we are unable to get to.

We are currently on overload out here and we have no capacity to serve additional challenged youth who have multiple needs and issues in our current systems.

We need to be careful not to disrupt the delicate balance of limited resources that we currently use for other populations or we will have a problem pop up elsewhere in the system.

Building capacity needs to be thoughtful and deliberate and will take time. Counties will need to position themselves to work across disciplines and in some cases across jurisdictional lines to maximize the resources we have and to build new evidence based programs that will meet the significant needs of this older population. We must engage all systems that provide services to youth including schools and youth employment programs as well as a multitude of community providers. We must build consensus and agreement on not only best practices but evidence based practices. In the mean time we will do our best to service these youth in whatever way we can. Our challenges are many with the returning youth. It is regrettable that there was not lead time built in to this law to allow for an orderly transition.

## **Closing comments**

As I contemplate the changes to come and the work to be done, I have to ask myself “can we do better with these kids or are we starting too late?” So much of our resources

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have been forced to the most costly end of the system and if we spend all of our money on the older out-of-control youth, at the end of the day, will our outcomes be much better than the State's. I don't know of any County that does not want a better system of juvenile justice. And I think if we don't go back to doing something significant about the 11-year-old who ditches school or abuses animals, we will be missing a huge opportunity to significantly change outcomes.

In the end, I believe that Counties and the State have the same obligation...to develop a thoughtful, creative early intervention program that works and to ensure the safety of our community by implementing a balanced justice model which includes community protection, victim restitution, and offender accountability and competency building.

Thank you for the opportunity and honor to share my thoughts with you today.

Sincerely,

Penelope Clarke

Administrator

PC:vmk