

Marin County

Consolidated Juvenile Justice Plan

May 2021



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Executive Summary

The extensive changes in California's juvenile justice system, brought on both by recent new legislation and the impacts of a world-wide pandemic, provide an opportunity for Marin County to re-assess how it serves the needs of youth who are arrested for delinquent behavior. This report seeks to simultaneously provide that assessment and to comply with the laws and regulations related to the two major State grants that supports these efforts.

The Youthful Offender Block Grant (YOBG) and the Juvenile Justice Crime Prevention Act (JJCPA) are the major sources of funding for many of Marin's juvenile justice programming and resources, and the first section of this report details the history and regulations associated with them. The Juvenile Justice Coordinating Council (JJCC), statutorily described in Section 749.22 of the Welfare and Institutions Code, must approve of expenditures associated with the JJCPA grant, but do not have oversight of the YOBG funding stream.

The report then goes on to describe Marin's community, providing first an overview of the demographics and then a review of the major trends in juvenile justice in both California and Marin County. In both jurisdictions, the absolute numbers of youth being referred to probation departments have dropped dramatically in the past 10 years. However, the news is not all positive, as both California and Marin demonstrate extreme disproportionate referrals of youth of color to the juvenile justice system. This disproportionality becomes greater and greater the deeper a person penetrates the system, and the outcomes for youth of color are therefore worse than those of Caucasian children who are referred. Marin's disproportionality includes both Latino and African American children; Latino and African American youth represent 28% of all Marin County children, but they constitute 57% of the referrals to Juvenile Probation in the past three years. However, the vast majority of cases (78%) resulting in a child being placed on probation are completed successfully. Actuarial risk/needs assessments of youth referred to the Probation Department indicate that the primary criminogenic factor driving delinquent behavior is related to peer relationships.

In order to broaden the perspective of this report beyond that of the Probation Department, nine stakeholders were interviewed to gather their input for this report. These interviews included the following individuals:

NAME	TITLE	AGENCY
Catherine Condon	Division Director	Marin County Behavioral Health and Recovery Services
Brian Robinson	Division Director	Marin County Behavioral Health and Recovery Services
Jose Varela	Public Defender	Marin County Public Defender's Office
Douglas Mundo	Executive Director	Multi-Cultural Center of Marin
Michael Howard	Lieutenant	Novato Police Department
Beverly Wood	Judge	Marin County Superior Court
Scott Eberle	Lieutenant	San Rafael Police Department
Bree Marchman	Division Director	Marin County Behavioral Health and Recovery Services
Jahmeer Reynolds	Community Schools Manager	Sausalito Marin City School District

The report includes an attachment with a listing of all the existing services available to youth and families who are referred to the juvenile justice system in Marin County. There is also a section which describes in greater detail some of the more commonly utilized programs.

The report continues by identifying an aspirational vision for juvenile justice in Marin County, along with some core principles and strategies that are to be employed whenever assessing funding allocations. These principles are intended to reflect the values and philosophy of the major stakeholders of the jurisdiction:

- 1) The issue of addressing ethnic disparities in outcomes will be at the forefront of any discussion of resource allocation*
- 2) Marin's juvenile justice system shall have a balanced set of services available for response to crime that includes accountability, treatment, and opportunity*
- 3) Decisions around programs to fund and approaches to adopt shall be data-driven and rooted in best practices*

As a result of the analysis gleaned from this report, the major strategies that Marin County shall employ in its juvenile justice system shall include:

- 1) Increase capacity of Marin County to provide intensive services for high-risk youth in the community*
- 2) When resources allow, invest strategically in prevention programs*
- 3) Constantly monitor, and adjust when necessary, to ensure that culturally relevant and appropriate services are being provided*

This report concludes by reviewing possible future directions for juvenile justice in Marin County. The most important developments in this regard are:

- the realignment established under SB823, which eliminates the use of Division of Juvenile Justice (DJJ) facilities for secure detention
- the State's recent decision to decertify out of state placements for youth in foster care and
- the increasing interest in considering expanding the age of jurisdiction for services of the juvenile justice system both locally and at the State level

These factors make it incumbent on stakeholders to develop effective local options for juvenile offenders that were historically managed elsewhere, while creating a sustainable funding structure.

Finally, the considerable concentration of high-risk youth emanating from the 94901-zip code requires targeted attention and intervention. This report recommends doing so, both by developing intervention services that are both accessible and effective for youth in this community and investing prevention resources when available in the hopes of reducing this influx of youth. In order to accomplish this, there may need to be changes to the existing allocation of resources that has been in place for many years. In the upcoming year, the Probation Department will work with its community partners to implement those changes, using the principles and strategies outlined above as the guide for funding decisions.

Introduction

The pace, breadth, and depth of changes in California's juvenile justice system over the past six years have been nothing short of astonishing. The laws and regulations governing this system have changed so quickly (pace), in such profound ways (depth), and in so many areas (breadth) that they have created significant juvenile justice reform (see Attachment I for an illustration of the major reforms that have been put in place in this period of time) at the state level. As a result, there is a need for deliberate, thoughtful, and extensive re-assessment of services, strategies, and approaches at the county level not only to ensure compliance with these new laws, but also to have confidence these elements are going to provide the best possible outcomes for Marin County.

In addition, compounding this dramatic series of changes in laws and regulations are the impacts of the COVID-19 pandemic. Unfortunately, the COVID-19 pandemic has put a spotlight on youth and families who have always struggled, and its impacts are making them struggle even more. The lack of in-person services, supervision, and access to protective factors such as family and community supports, has combined with the economic disruption that has afflicted some of the less fortunate families in Marin County to create a potentially tragic situation. While tabulating the full impact of this calamity will take time, it is clear there are some families who will suffer far more than others, and that some of those people are involved in the juvenile justice system.

Marin County's 2021 juvenile justice plan is intended to begin to assess the need for changes to the existing system caused by both the pandemic and the recent spate of legislative mandates. The process for accomplishing this task begins by summarizing the laws and regulations connected to the major juvenile justice grants in California. The report then assesses both population demographics and juvenile justice trends in Marin County. Several stakeholders from the system were interviewed for their perspectives on the strengths and needs of the jurisdiction's system. There was a review of some of the most important existing programs and services available to youth and families, and then a discussion of what direction Marin County needs to take in order to continue to simultaneously serve the best interests of the youth who enter the juvenile justice system, while also helping to maintain a safe community for everyone.

California Juvenile Justice Grants

The State of California supports the efforts of its 58 counties to address juvenile delinquency, primarily through the funding offered under two non-competitive grants. The history and required process for these two grants, known as the Juvenile Justice Crime Prevention Act and Youthful Offender Block Grant, are explained below.

In 2000, the California Legislature enacted Assembly Bill 1913, also known as the Juvenile Justice Crime Prevention Act (JJCPA). This legislation provided the first source of substantial, non-competitive funding for counties to deliver local services to youth and families either involved in, or at risk of involvement, in the juvenile justice system. Eligibility for these funds requires compliance with two important requirements. The first is the creation of a “juvenile justice coordinating council,” which has the responsibility to develop, monitor and approve a “comprehensive multi-agency juvenile justice plan” annually. The second requirement is the annual completion and submission of two reports; one discusses the plans for the programs and initiatives to be funded by this grant in the upcoming fiscal year, due to the State each year by May 1st, and the other is primarily a fiscal report disclosing how the funds were utilized, and what outcomes were achieved, and is due October 1st of every year.

In accordance with 749.22 of the Welfare and Institutions Code, the Juvenile Justice Coordinating Council (JJCC) is comprised of a minimum of individuals representing the following agencies:

- Chief Probation Officer as Chair
- Sheriff
- District Attorney
- Public Defender
- City Police Department
- County Office of Education/School District
- Social Services
- Mental Health
- Community-based Drug and Alcohol Treatment Provider
- Board of Supervisors
- Non-profit agency providing services to youth
- At large community member

The JJCC is responsible for developing a “comprehensive multiagency juvenile justice plan,” which shall include the following components, per Government Code Section 30061(b)(4)(A)(i):¹

- (i) An assessment of existing law enforcement, probation, education, mental health, health, social services, drug and alcohol, and youth services resources that specifically target at-risk juveniles, juvenile offenders, and their families.
- (ii) An identification and prioritization of the neighborhoods, schools, and other areas in the community that face a significant public safety risk from juvenile crime, such as gang activity, daylight burglary, late-night robbery, vandalism, truancy, controlled substances sales, firearm-related violence, and juvenile substance abuse and alcohol use.
- (iii) A local juvenile justice action strategy that provides for a continuum of responses to juvenile crime and delinquency and demonstrates a collaborative and integrated approach for implementing a system of swift, certain, and graduated responses for at-risk youth and juvenile offenders.
- (iv) A description of the programs, strategies, or system enhancements that are proposed to be funded pursuant to this subparagraph.

JJCPA funds can be “used for programs and approaches that have been demonstrated to be effective in reducing delinquency and addressing juvenile crime for any elements of response to juvenile crime and delinquency, including prevention, intervention, suppression, and incapacitation.”²

In 2007, the State enacted Senate Bill 81, also known as the Youthful Offender Block Grant (YOBG). The purpose of this grant was to “realign” services for some youth who had been under the supervision of the Division of Juvenile Justice (DJJ) to local probation departments. 1951(b) of the Welfare and Institutions Code (WIC) states that YOBG funds “...shall be used to enhance the capacity of county probation, mental health, drug and alcohol, and other county departments to provide appropriate rehabilitative and supervision services to youthful offenders...”³ Unlike JJCPA, programs supported through

¹https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=3.&title=3.&part=&chapter=6.7.&article=

² http://www.bscc.ca.gov/wp-content/uploads/JJCPA-YOBG-FAQs_FINAL.pdf

³ https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1951.&lawCode=WIC

YOBG funds are not subject to review of the JJCC. Per Welfare & Institutions Code Section 1961(a), the State requires the following to be conducted in order to be in compliance with this funding:

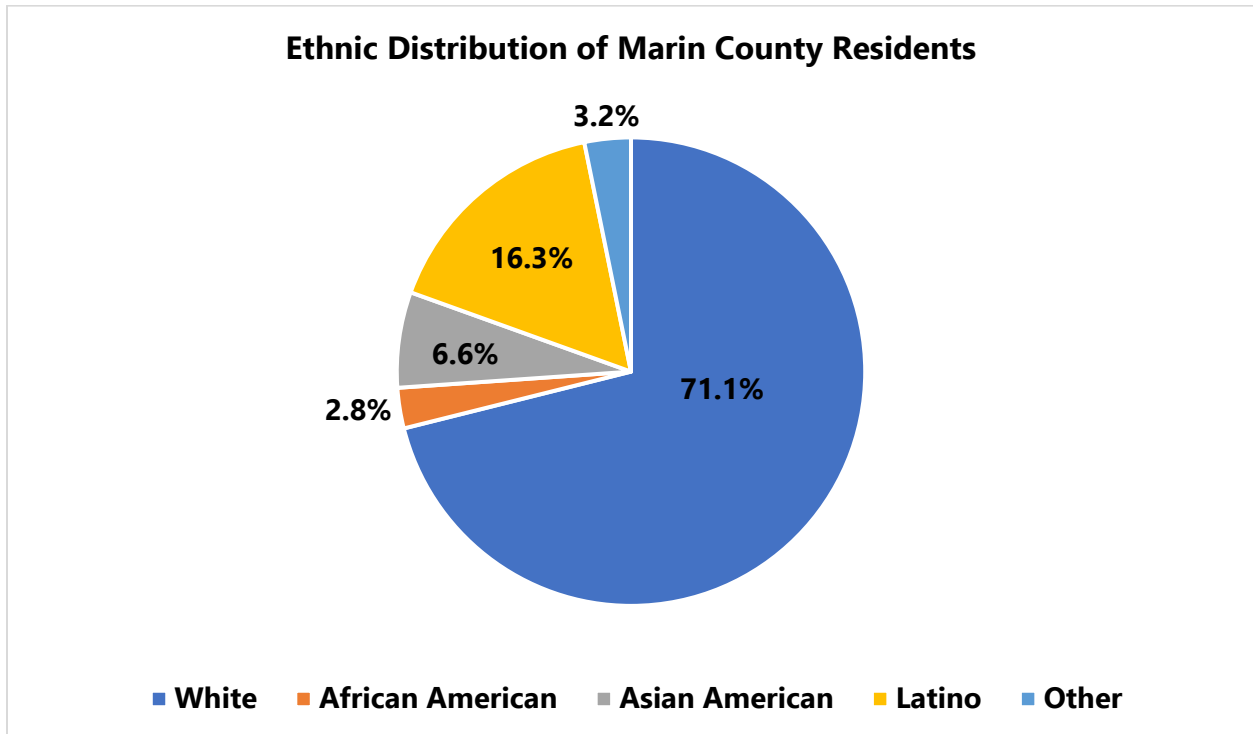
(a) On or before May 1st of each year, each county shall prepare and submit to the Board of State and Community Corrections a Juvenile Justice Development Plan on its proposed programs, strategies, and system enhancements for the next fiscal year from the Youthful Offender Block Grant Fund described in Section 1951. The plan shall include all the following:

- (1) A description of the programs, placements, services, strategies, and system enhancements to be funded by the block grant allocation pursuant to this chapter, including, but not limited to, the programs, tools, and strategies outlined in Section 1960.
- (2) A description of how the plan relates to or supports the county's overall strategy for dealing with youthful offenders who have not committed an offense described in subdivision (b) of Section 707, and who are no longer eligible for commitment to the Division of Juvenile Facilities under Section 733 as of September 1, 2007.
- (3) A description of any regional agreements or arrangements to be supported by the block grant allocation pursuant to this chapter.
- (4) A description of how the programs, placements, services, or strategies identified in the plan coordinate with multi-agency juvenile justice plans and programs under paragraph (4) of subdivision (b) of Section 30061 of the Government Code.

In 2016, Assembly Bill 1988 combined the process of submitting these two reports (the "Comprehensive Multi-Agency Juvenile Justice Plan" and the "Juvenile Justice Development Plan") and allowed for a single consolidated plan as long as it meets all required components of both grants. This report fulfills the requirements of both funding streams.

Marin County Demographics

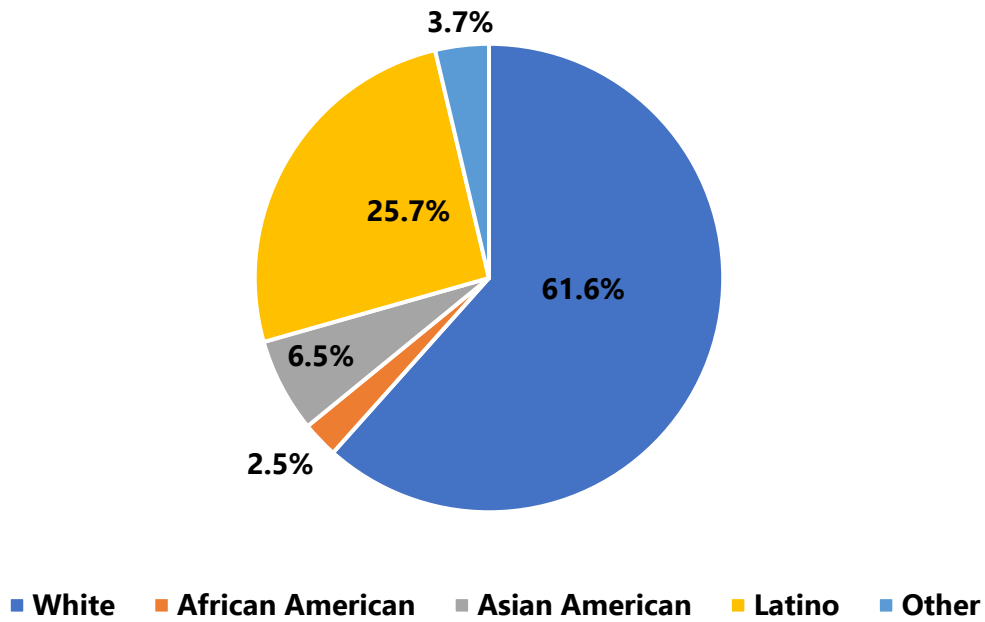
Marin County comprises a population of 259,943 people living in 520.4 square miles in Northern California. The County's population tends to be older, wealthier, healthier, and less diverse than both other counties in California and the rest of the country.⁴ 20.2% of the population (approximately 52,367) is younger than 18 years of age. The ethnic distribution of this portion of the County's population is shown in the chart below:



When assessing the ethnic distribution of Marin County's youth population, it is apparent that there is more diversity in the community with the youth, as the percentage of youth who are White changes from 71.1% to 61.6%. Much of that increased diversity is observed with the Latino youth population, which represents more than a quarter of all youth in Marin County.

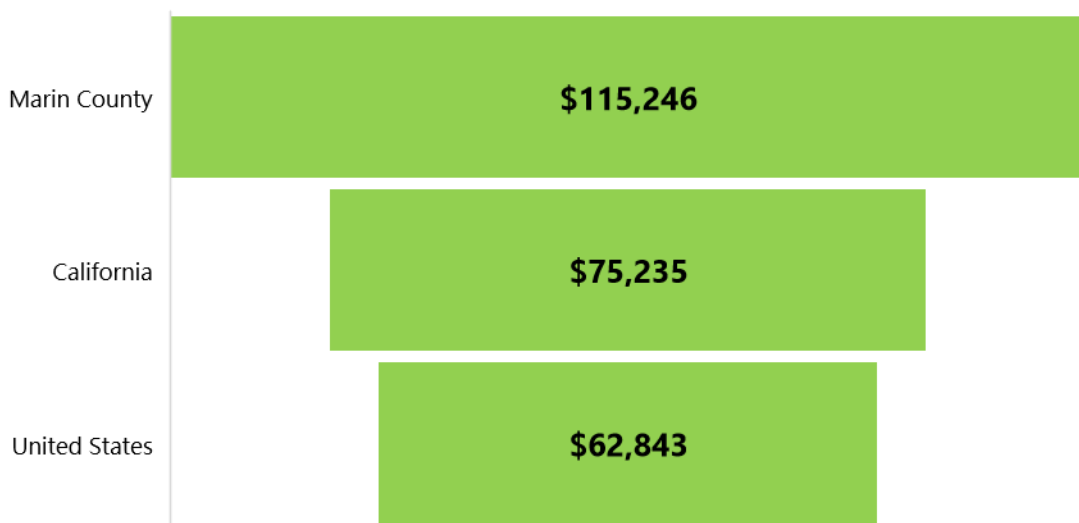
⁴ See the Census.gov website for more details. All of the statistics for this section of the report come from this website: <https://data.census.gov/cedsci/profile?g=05000000US06041>

Ethnic Distribution of Marin County Children

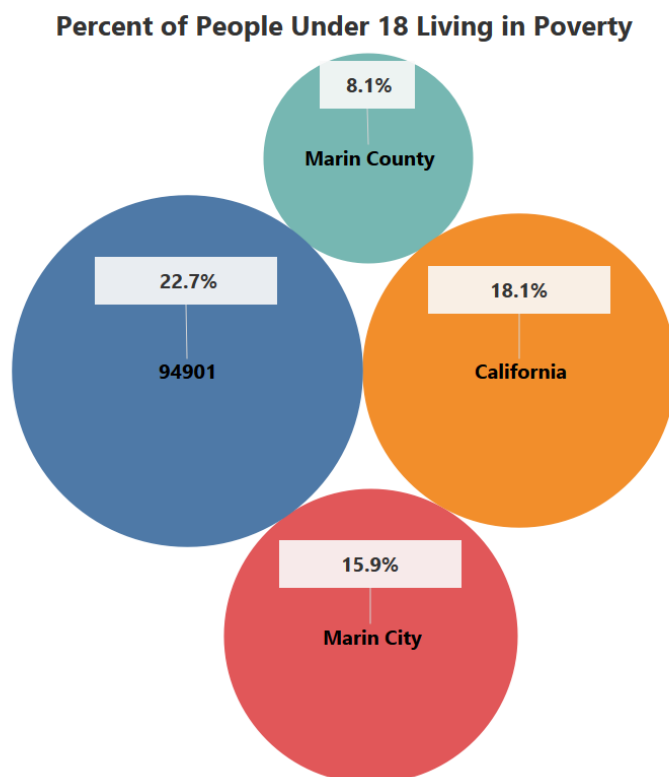


If one uses median household income as a measure of standard of living, the majority of Marin County's residents enjoy a level considerably higher than both California and the United States.

**Median Household Income
2015-2019**



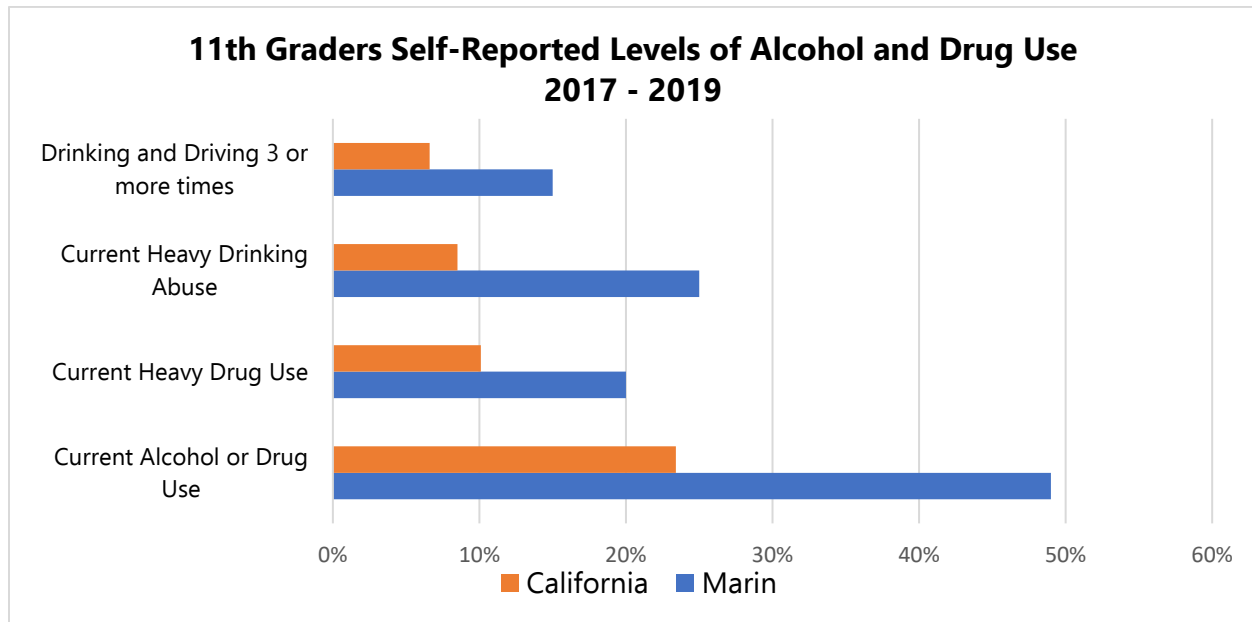
Despite the level of comfort and security that many Marin residents experience, there are pockets of poverty in Marin that rival the rest of the state. As is indicated in the following graphic, youth living in communities such as what is known as the Canal (which comprises much of the zip code 94901) and Marin City experience a substantially higher degree of poverty than the rest of Marin.



An ideal source of information for identifying issues facing youth in any community comes from the California School Climate, Health and Learning Surveys.⁵ The California Department of Education implemented these surveys in 1997 to provide schools and communities quality data on important issues that can be used for comparisons to other jurisdictions. The surveys provide input from staff, parents, and students at schools across the State, and then disaggregate the results by community. The value of this data source for the purposes of this report is that it provides an opportunity for youth to explain what is happening in their lives.

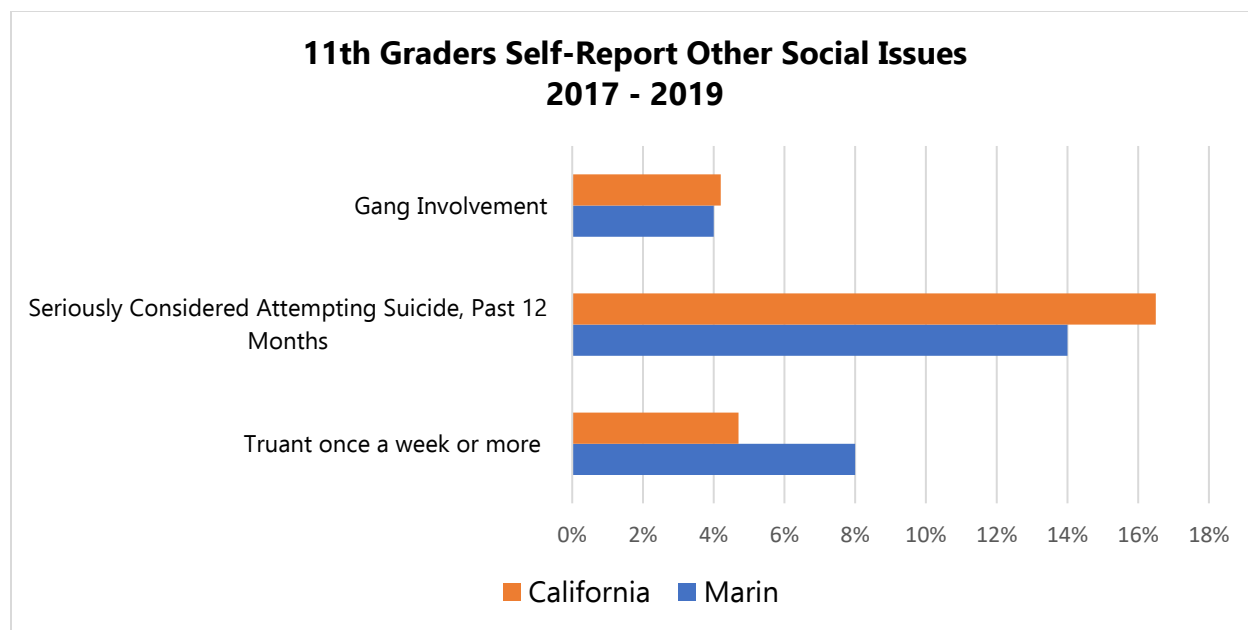
⁵ <https://calschls.org/>

The following chart displays data related to 11th graders self-reporting on their use of drugs and alcohol. It has been a long-standing reality that Marin County youth's substance use, and some of the risky behaviors associated with that use, far exceeds that of their peers in the rest of California.⁶



The surveys have plenty of other measures for review, and the next chart reflects several of them. Marin County youth self-report slightly less connection to gang involvement and consideration of suicide, but they report being truant significantly more than the rest of California youth.

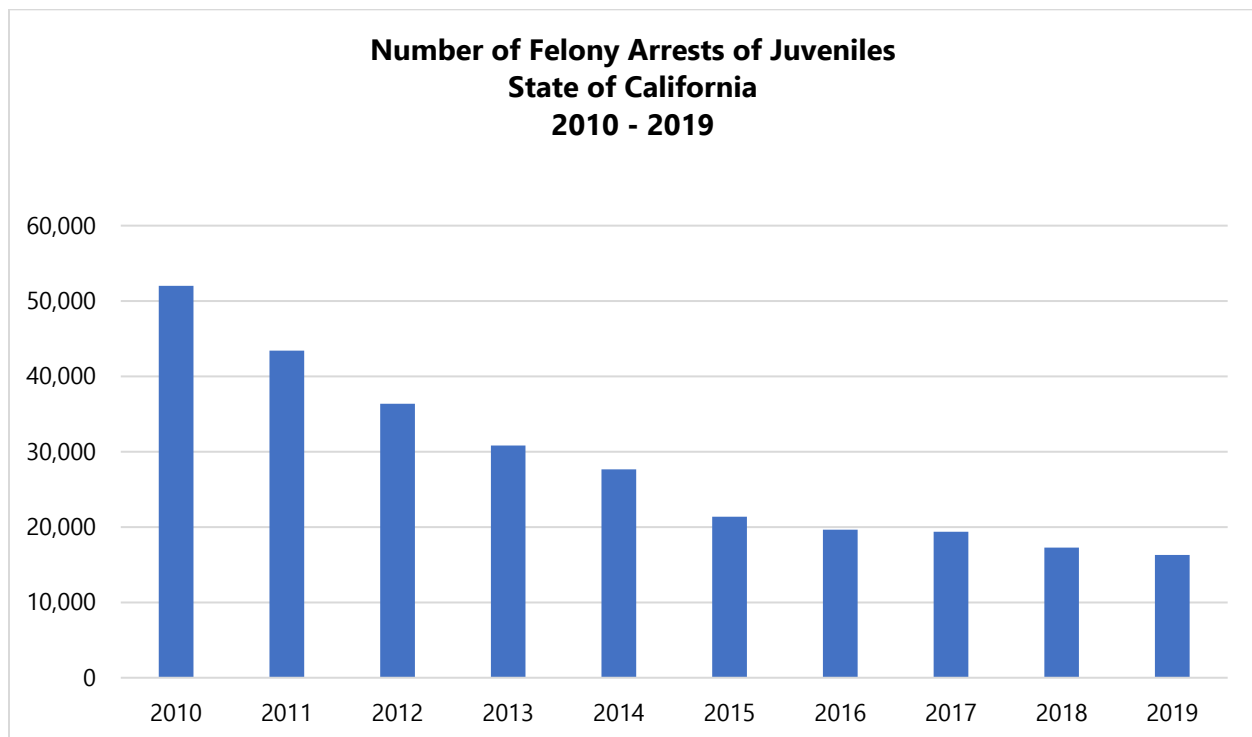
⁶ [Biennial State 1719.pdf \(calschls.org\)](#)
[Marin County 1719_Sec_CHKS.pdf \(calschls.org\)](#)



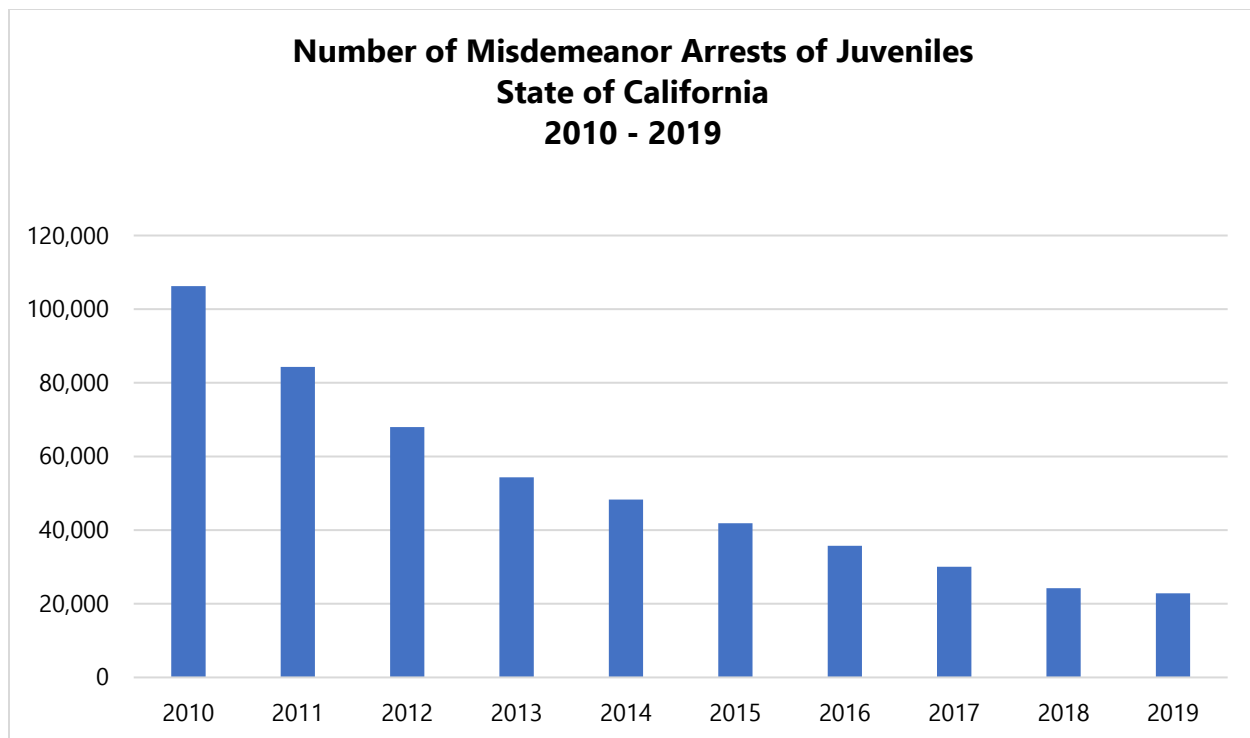
As the reader will decipher in the next section of this report, this confluence of poverty, race and neighborhood greatly increases a child’s potential to penetrate deeply into the juvenile justice system, where the long-term outcomes are often poor.

Juvenile Justice Trends

Before discussing trends in juvenile justice specific to Marin County, it is important to put them in perspective regarding what is happening with juvenile justice across the State. Over the past decade, California (and most of the rest of the United States) has seen dramatic reductions in arrests of juveniles for delinquent behavior. The following two charts reflect the steep declines in numbers of arrests for both felonies and misdemeanors (both constituting approximately a 70% reduction) in the period from 2010 through 2019.⁷



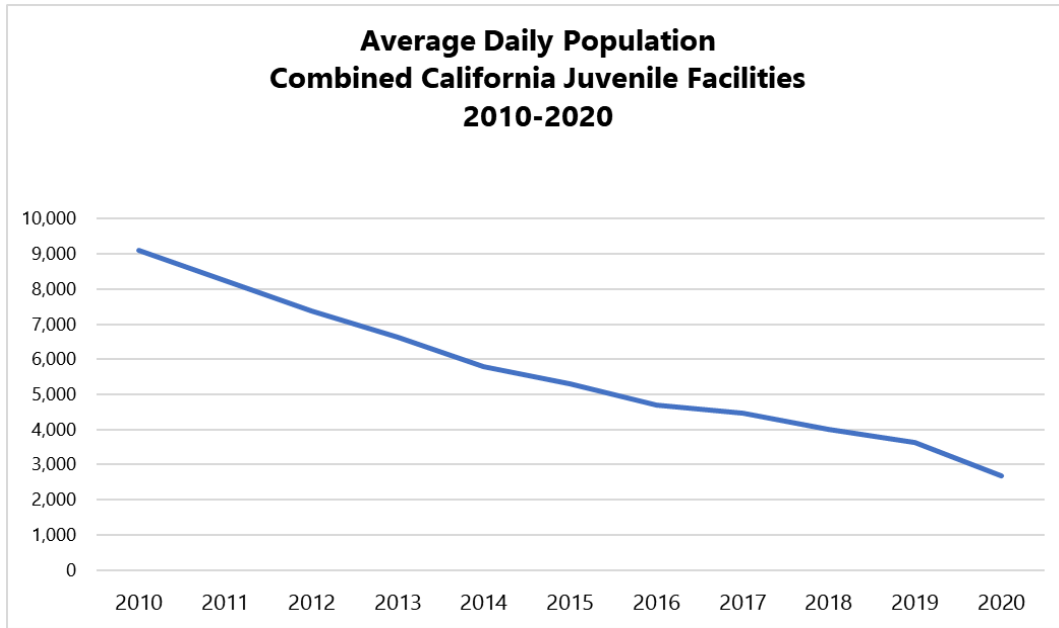
⁷ <https://openjustice.doj.ca.gov/exploration/crime-statistics/arrests>



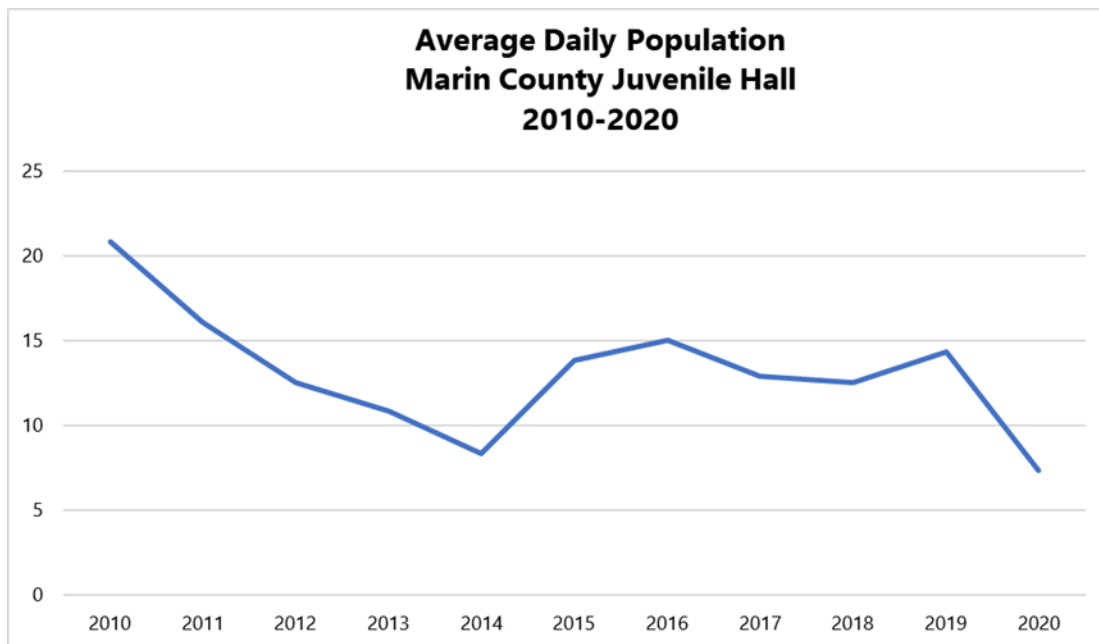
Marin County's experience with overall numbers of arrests of youth for delinquent behavior is similar to the rest of California. The absolute numbers of felony arrests of juveniles dropped 72% from 2010 to 2019 and the misdemeanor arrests were reduced by 79%.

As one might expect, the average numbers of youth in some form of detention in California has also taken a historic turn for the better as well. The average daily population of youth being held in a California detention facility has plummeted 68% from 2010 as compared to 2019.⁸

⁸ <https://bscc.ca.gov/wp-content/uploads/JDPS-1Q2002-3Q2020Trends.pdf>



Following the same trend as the State, Marin's use of detention for its youth has declined substantially as well, with nearly a 70% reduction in the average daily population of Marin County Juvenile Hall when comparing 2010 to 2020.



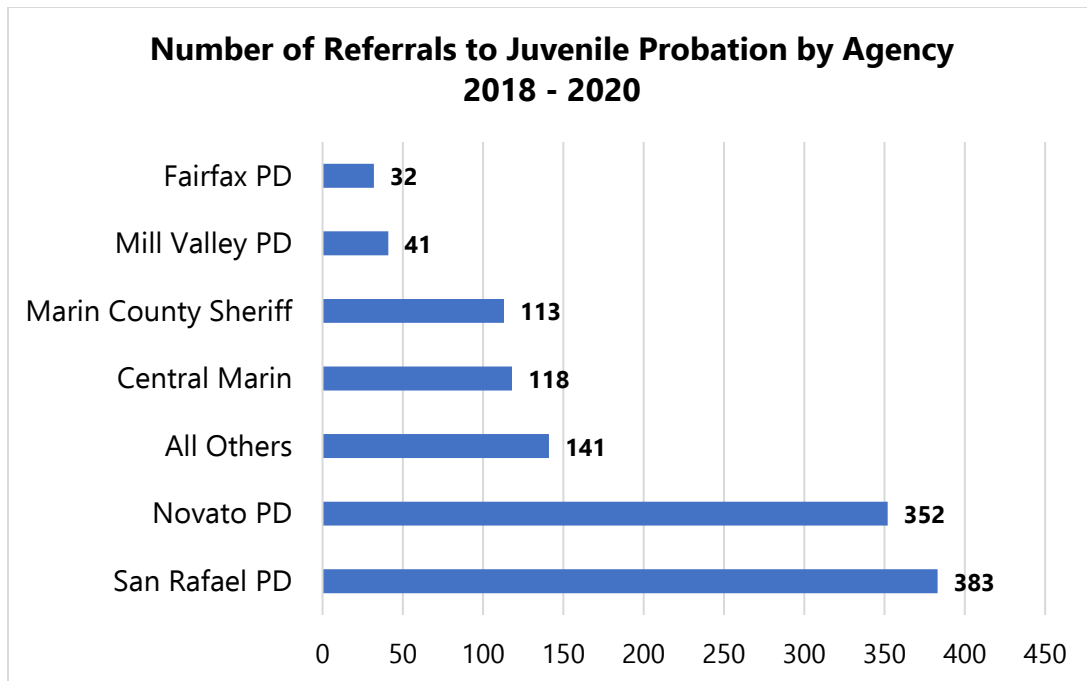
Marin has followed the State trends in reductions in both overall arrests and detention of youth. Unfortunately, Marin has also followed another trend that is not positive. While the absolute numbers of youth who experience the California juvenile justice system have dropped, there remains an ongoing issue with disproportionality, particularly for African American youth in the State. While they represent only 5.4% of all youth in California⁹, African Americans constituted 27% of all juvenile felony arrests in 2020.¹⁰ As will be shown in the following section of this report, the issue of disproportionality of youth of color in the juvenile justice system is pervasive, striking and deeply concerning in Marin County as well. This report will now shift its attention towards the types of crimes being referred to Probation, the characteristics of the youth associated with those offenses, and the general outcomes of youth referred to the Probation Department.

In terms of the crimes being referred to the Juvenile Division of Marin's Probation Department in the period from 2018 through 2020, the overwhelming majority (71%) are misdemeanor offenses. The kinds of crimes being referred are mostly involving drugs and alcohol, violence, property, or technical violations of probation. The majority (more than 62%) of referrals for criminal offenses came from San Rafael and Novato Police Departments, which makes sense since San Rafael and Novato have the largest populations in Marin County.¹¹

⁹ [Child Population, by Race/Ethnicity - Kidsdata.org](https://kidsdata.org/data/CA/Child-Population-by-Race-Ethnicity)

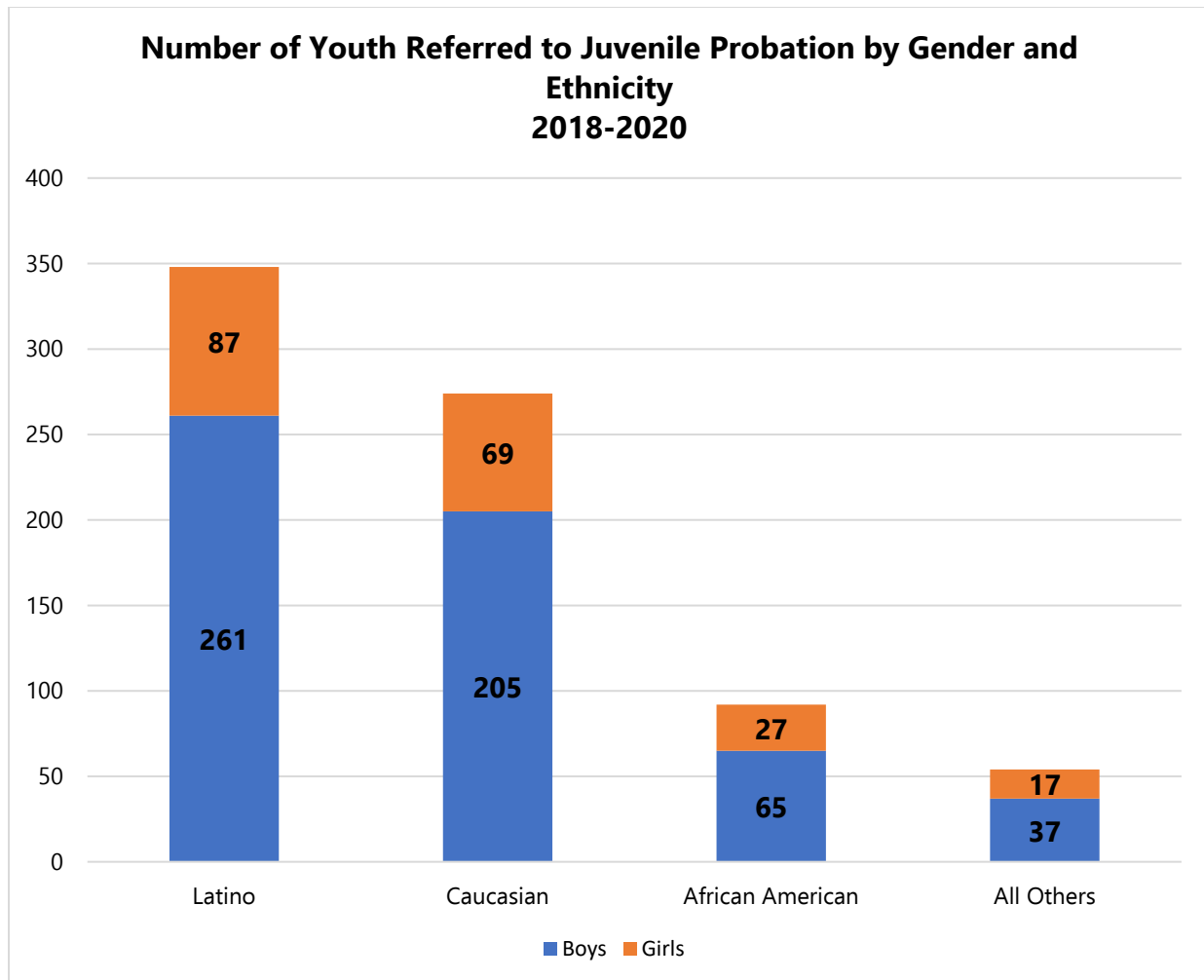
¹⁰ <https://openjustice.doj.ca.gov/exploration/crime-statistics/arrests>

¹¹ Marin County Probation Department records



In order to develop strategies and plans for addressing juvenile delinquency, it is critical to have an understanding of who are the youth being referred, where they live and what sorts of issues they may be facing. In order to conduct this assessment, this set of data will encompass the past three years' worth of referrals and will focus on individuals rather than on referrals (a child can be referred multiple times over this period but would only be counted once in this set of data).

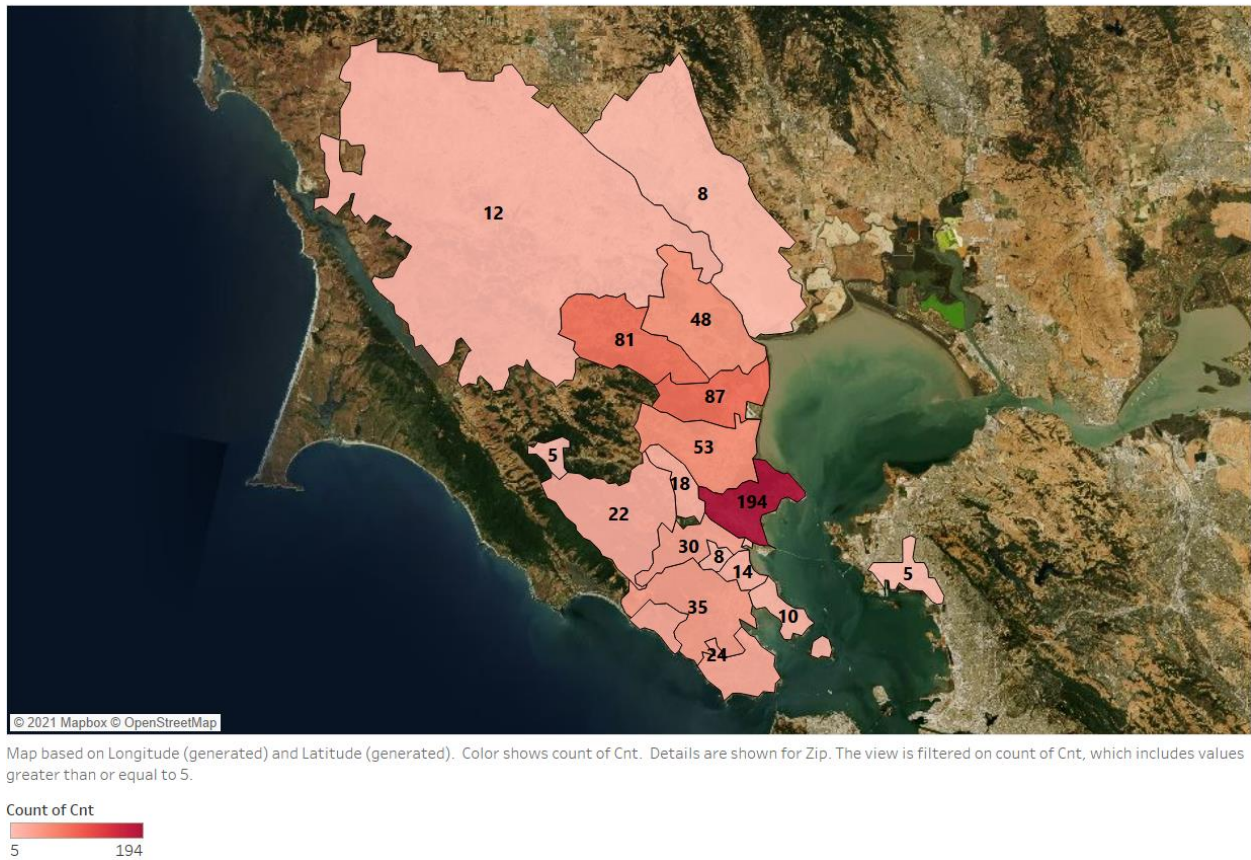
This chart demonstrates the overwhelming percentage of Latino youth that constituted referrals to Marin's Juvenile Probation during the period 2018 through 2020.



Despite being only 26% of the youth in the County, Latino youth comprised 45% of the individuals referred to juvenile probation in the period from 2018 through 2020. Disproportionality for African Americans was even more pronounced, as they constitute only 2.5% of the total youth population and yet they represented nearly 12% of the youth referred to the Department in this time period.

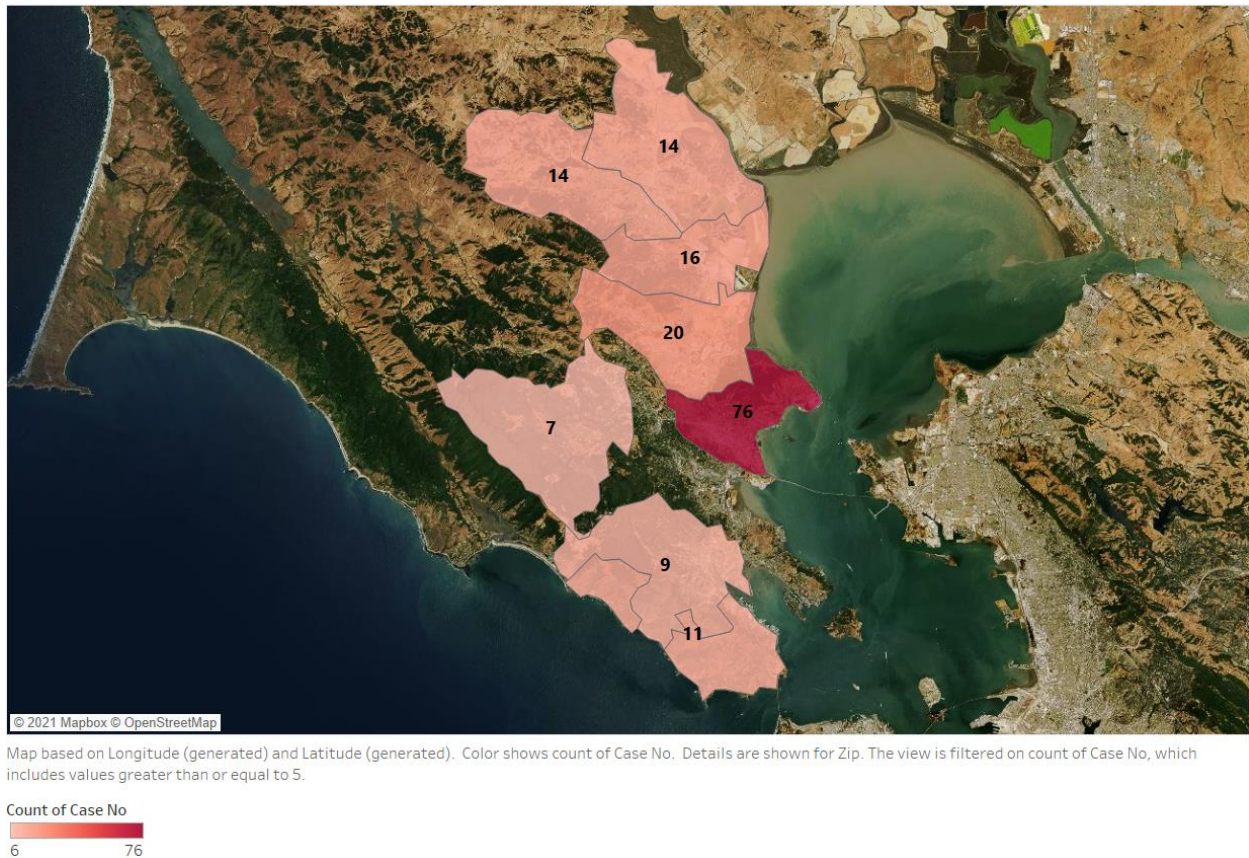
The next image provides a geographic representation of where these youth live. During the period from 2018 through 2020, 194 of the youth referred had a residence address in the 94901 zip code. That is nearly 30% of all referrals coming from one relatively small portion of the County.

Number of Individuals Referred to Juvenile Probation by Zip Code 2018-2020



That concentration of referrals from the 94901-zip code becomes more pronounced as one enters deeper into the juvenile justice system. Of the 167 bookings into Juvenile Hall that came from counties with at least five such referrals, 76 of them involved youth who live in this community; that is more than 45% of all such instances.

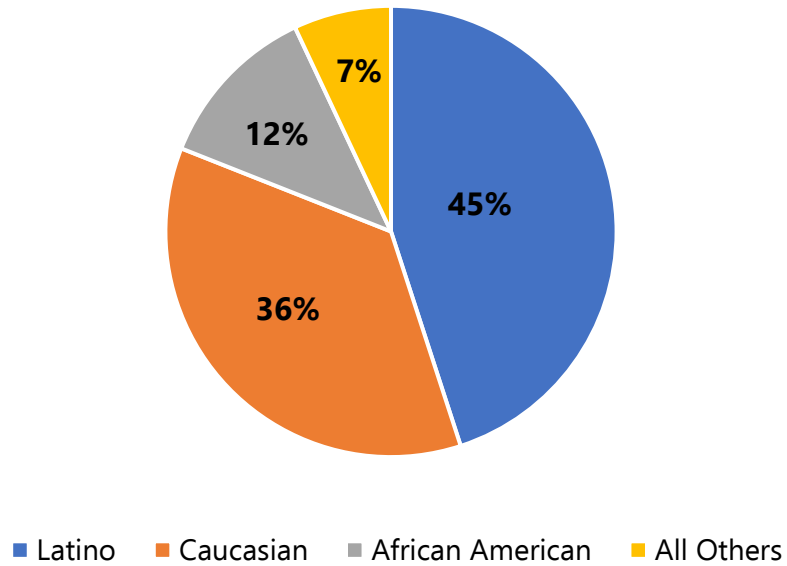
Number of Individuals Booked into Juvenile Hall by Zip Code 2018-2020



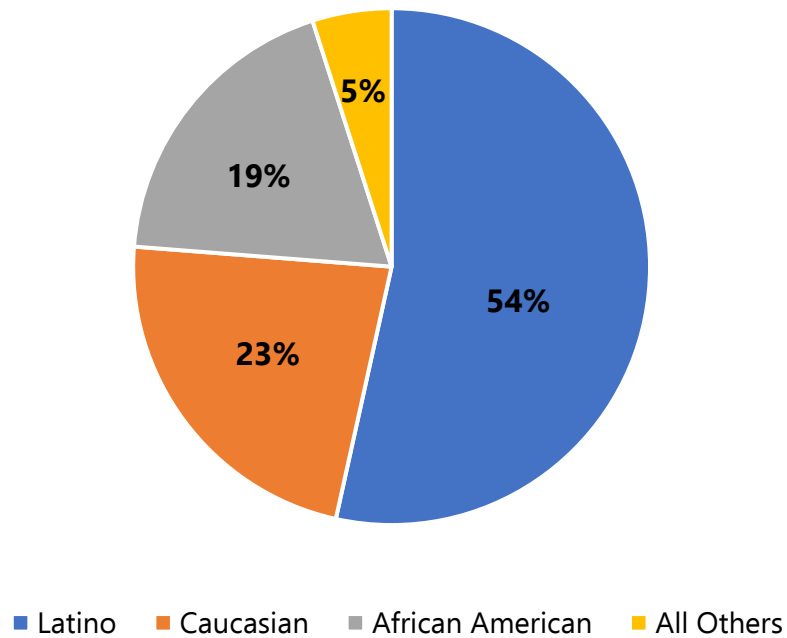
Nearly one-third of all situations in which charges were filed in Juvenile Court for formal proceedings involved youth from this zip code.

Given the strong correlation between zip codes and ethnicity it should come as no surprise to the reader that Marin County has a disproportionate number of youth of color in its juvenile justice system. The following three graphic representations indicate that Latino youth predominate the number of cases, and while African American youth are not as prevalent, they are still vastly disproportionate to their representation in the County population. The graphics on pages 21-22 reflect the fact that as one penetrates deeper into the juvenile justice system, this ethnic disparity becomes even more pronounced for youth of color.

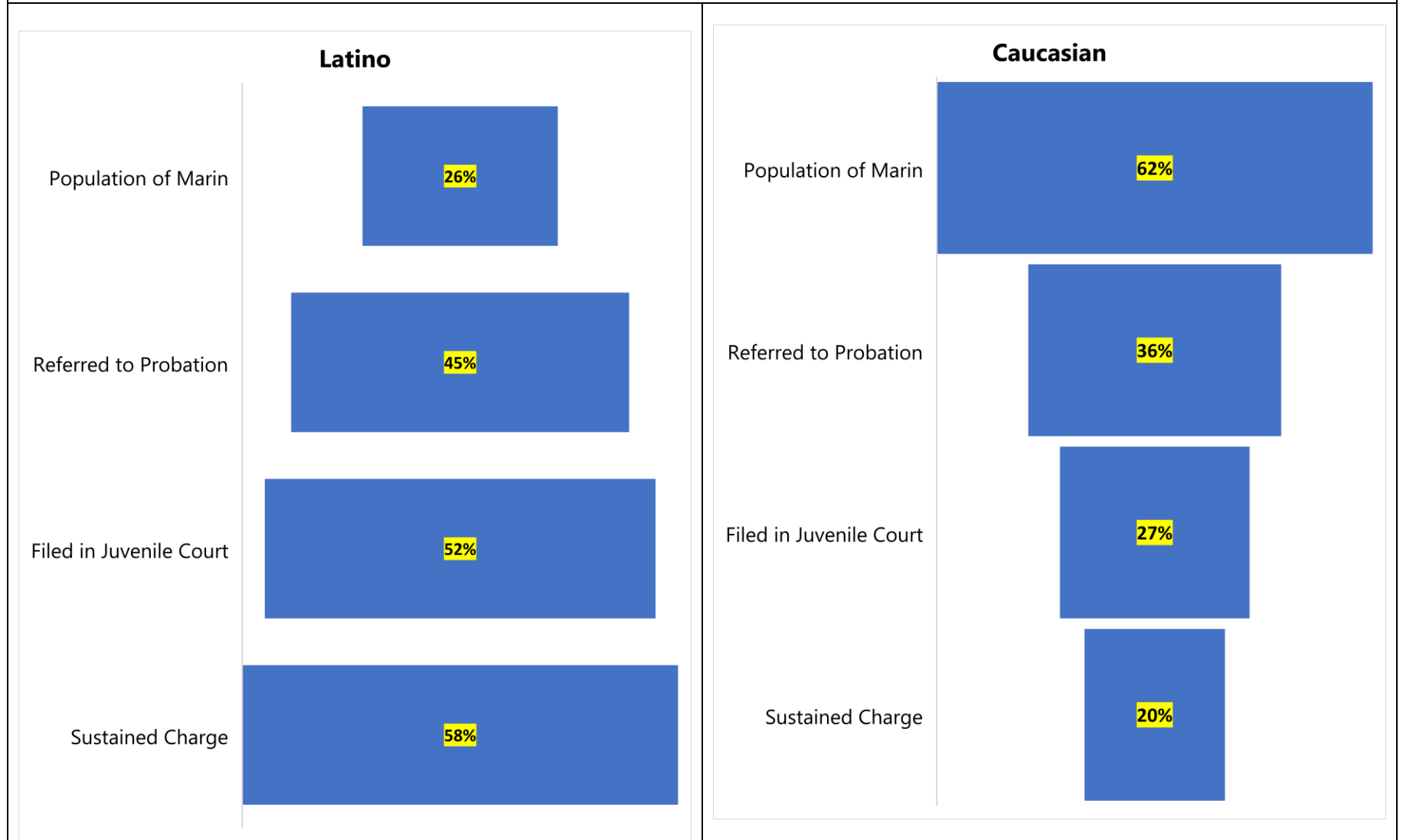
**Ethnic Distribution of Individuals Referred to Juvenile Probation
2018-2020**



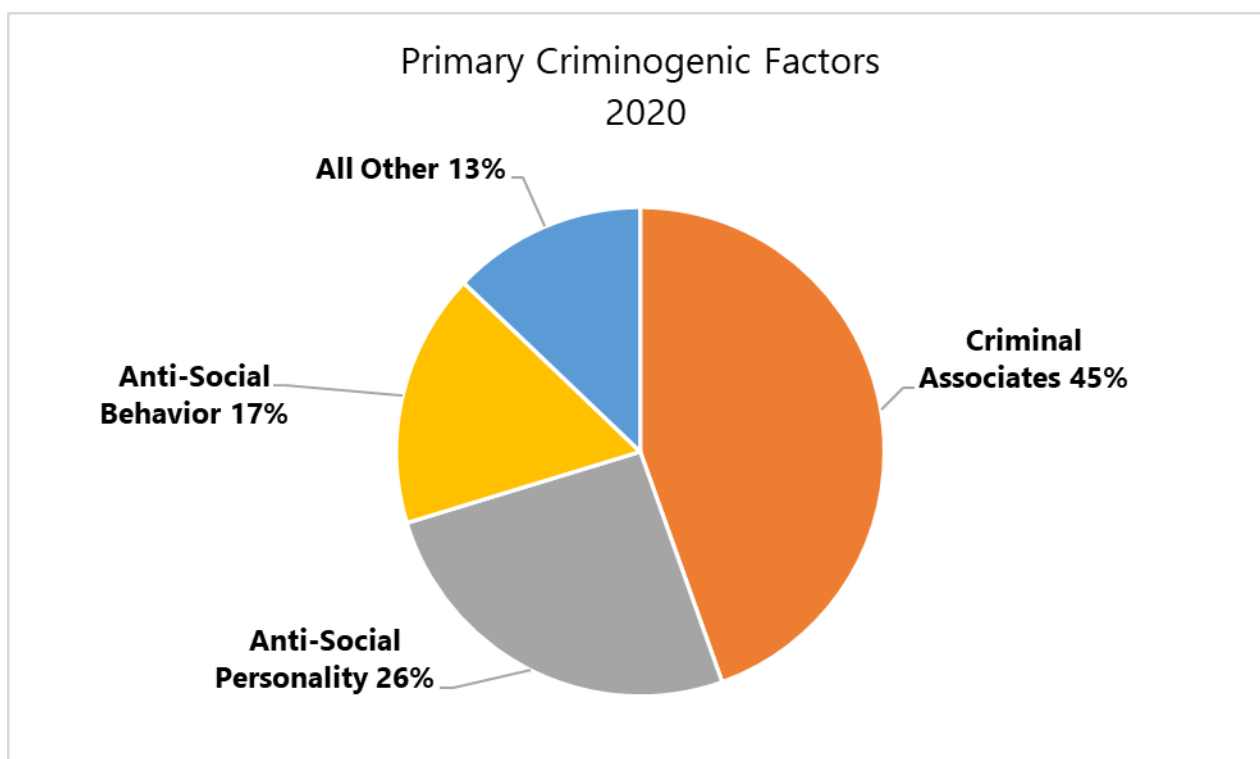
**Ethnic Distribution of Individuals Booked into Juvenile Hall
2018-2020**



Comparison Rates of Penetration into Juvenile Justice System Latino and Caucasian 2018 – 2020



As part of its investigations of youth referred to the Juvenile Division, Marin County Probation Department staff assess a probationer's need for services using the Positive Achievement Change Tool (PACT). The PACT instrument determines the primary criminogenic needs¹² (among the eight that exist) that require attention to reduce the likelihood of recidivism. The following chart reflects the fact that for youth on probation in the Juvenile Division the most frequent primary criminogenic need is "criminal associates," a factor often connected to significant gang involvement.



This chart indicates that a significant portion of youth referred to the Probation Department have peer relationships which drive their delinquency. Interventions to address delinquent behavior must address those relationships in order to be successful.

It is important to keep in mind that a significant portion of the youth who are referred to the Probation Department do not penetrate the system and are able to complete it successfully. Of the referrals to the Probation Department from 2018 through 2020, 35% of them did not result in any form of probation at all. 58% of the referrals were resolved

¹² Criminogenic needs are issues, risk factors, characteristics and/or problems that relate to a person's likelihood of reoffending or recidivism. See <https://csgjusticecenter.org/jr/in-brief-understanding-risk-and-needs-assessment/> for a further explanation of how instruments such as PACT are utilized in justice systems. See <https://fas.org/sqp/crs/misc/R44087.pdf> for an explanation of the theories on how to address criminogenic needs

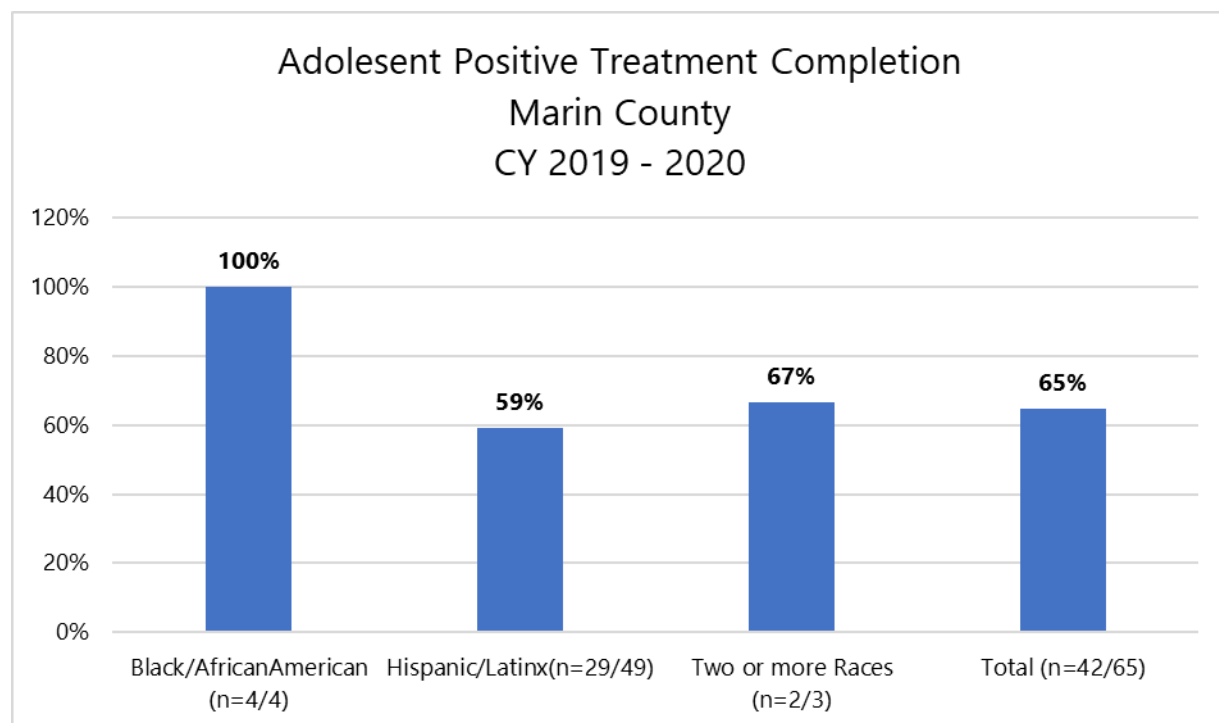
without formal proceedings in Juvenile Court and 82% of those cases resulting in probation were handled “informally,” meaning with minimal supervision or interventions imposed. Of those referrals that resulted in a term of probation in the period from 2018 through 2020, nearly 78% were completed successfully. According to 781 of the California Welfare and Institutions Code, all matters which are closed successfully result in the records being sealed, which means that the records associated with their arrest, referral to Probation and to Court (if applicable) no longer exist.¹³

¹³ See <https://www.courts.ca.gov/28120> for more information about juvenile record sealing

Stakeholder Interviews

*Catherine Condon, Behavioral Health and Recovery Services
Substance Use Services Division Director*

Ms. Condon stated that the continuum of substance use services for adolescents in Marin County is narrow. Marin residents who are Medi-Cal eligible or low income uninsured have access to services through Huckleberry for early intervention programs and Bay Area Community Services (BACR) for outpatient and intensive outpatient levels of care. Marin contracts with an out-of-county provider, Advent Group Ministries, for residential treatment. The County served 65 families in the past two years with a positive discharge rate of 65%. Approximately 75% of those families were Latinx, and the remainder a combination of Whites, African Americans, and Multi-racial families. When disaggregated by race and ethnicity, that positive discharge rate reflects that Latinx families' rate was lower than others, but not by much.



The biggest gap and need for Marin County (and most of the rest of California) is for local co-occurring capable short-term residential substance use treatment. Because the number of youth who had traditionally been referred to these programs came through probation departments, and their numbers have dropped dramatically, the resulting

economies of scale have made such programs nearly incapable of operating under existing funding mechanisms. As a result, there are very few such programs in operation and while there are fewer families in need of these services than in the past, there are enough that it has created a gap. Another issue for Marin residents is the lack of capacity for Spanish speaking staff in local programs to work with monolingual families. It has proven extremely difficult for provider agencies to locate, hire and retain Spanish speaking staff. Having staff sufficiently trained and prepared to serve the needs of youth with co-occurring diagnoses is also a challenge. Finally, while the telehealth services required under the pandemic have worked well for some groups (individual clinical sessions have been well received by many people), families that have limitations in terms of access to technology and/or private spaces in their homes, have definitely suffered.

Despite these challenges, Ms. Condon was able to list several positive developments for Marin's youth and families. Marin County is presently in discussion with nearby jurisdictions to develop a regional approach to the gap for short term residential services and they hope to have updated programming and agreements available in the upcoming fiscal year. The goal would be to implement a regional residential program that offered substance use services that were culturally responsive, involved families and was able to address co-occurring diagnoses. While it is always ideal to provide substance use services to a family while they remain in their home, in those cases where the home is not safe and/or other members of the family are actively using drugs or alcohol, a short-term residential program would be the preferred method of delivering this service.

Ms. Condon's office has been pleased with the recovery coach model that has been effective with the adult population in Marin County. By connecting clients with a community member who can provide not only concrete assistance such as transportation to and from appointments, but also motivation and support to a person undergoing treatment. She said that this model could be implemented fairly easily into services for youth as well (pending funding availability).

Ms. Condon discussed the County's "9 to 25" initiative, and Blue Path Health's Youth Opioid Response Grant, which has gathered a group of community stakeholders to conduct a needs assessment on how to improve health outcomes for youth in Marin County. The group has applied for an implementation grant through the state's "Youth Opioid Response" program to fund care navigators at school sites throughout the County. They also will attempt to integrate public and private health care providers to increase ease of access to services such as substance use treatment.

*Brian Robinson, Behavioral Health and Recovery Services
Children, Adolescents, and Families Division Director*

Mr. Robinson said that there needs to be greater availability of mental health services for youth and families in the juvenile justice system. The State's recent decisions to eliminate the Division of Juvenile Justice and to restrict out of state placements means there will be even more demand for services on an already under-resourced system of short-term residential treatment program (STRTP). He expressed concern for the youth and families in Marin's juvenile justice system, as they are experiencing increased stressors and reduced support during the pandemic. He mentioned trauma, overcrowded and/or precarious housing, disconnection, and isolation as all likely factors in an increased need for mental health services. Despite that, his system has experienced a reduced utilization, as both referrals and direct service provision have dropped over the past year. Finally, he also discussed the general issue of data, reflecting on how important it is, but at the same time difficult to obtain due to inadequate resources and/or expertise.

Regarding the juvenile justice system, Mr. Robinson provided several suggestions for specific areas of support that could be enhanced. He would like to see a return of some sort of program such as the Side-by-Side program, which was a short-term residential drug and alcohol treatment program located on the Sunny Hills campus in San Anselmo that closed several years ago due to under-utilization. There needs to be an emphasis on staffing such programs with bilingual therapists. He suggests increasing staffing at the Probation Department's Program of Responsive Treatment and Linkages (PORTAL) so more youth and families could access those mental health services. He also recommends that funding be allocated to provide for case managers, coaches, advocates, and/or parent partners to assist people to navigate the system. He thinks increasing the opportunities for skill building, with programs such as anger management, cognitive behavioral, and independent living skills as examples. He talked about the development of an after-school program for Marin's Community School which could be a hub for these services. Finally, Mr. Robinson would like to see more families have access to the wrap services offered under SB 163.

Despite the significant challenges being faced by some youth and families in the juvenile justice system, Mr. Robinson sees some strengths and opportunities as well. One is that there are new staff working in the field who have a different orientation than previous generations. These staff are closer in age and experience to the youth they are working with, and they have a point of view that is more flexible, treatment oriented, and better

equipped with cultural knowledge and empathy for their clients. The other asset that is available to be utilized is the use of Therapeutic Foster Care, which is a Medi-Cal funded approach to providing intensive, locally based residential services for high need youth. This is an intervention that could be developed and replace the congregant care placements that the justice system has relied on in the past.

Beverly Wood, Superior Court Judge, Marin County

Judge Wood discussed several aspects of Marin's juvenile justice system that she believes are working well. She very much appreciates her collaboration with Probation Department staff. The District Attorney, Public Defender and private counsel, the Probation Department and the Court are generally able to collaborate on maximizing outcomes for youth.

Overall, the substance use treatment services that are offered are sufficient (although she expressed concern about getting youth and parents to attend consistently). She also supports the County's efforts at prevention, including the School Works Initiative, Youth Court and other programs intended to divert youth from Juvenile Court. She is working with the Juvenile Justice and Delinquency Prevention Commission on issues of policing in school settings and increasing access to mental health services in school settings.

When asked what she would like to see added, Judge Wood said that she would like to have a local facility where youth on probation would receive both services and supervision, in a setting that is less secure than the existing Juvenile Hall, but which provides more structure than the existing system. Judge Wood has visited other counties that operate reporting centers, and she would like to see some sort of offering like that in Marin County. She believes it would simplify the offering and completion of services which tend to be scattered around the county at this time.

She also said that she is seeing a rise in serious mental health issues and that she thinks there is a need for an increase in mental health services for such cases. The Judge talked about how these issues can impact the potential for family violence. Minors are being placed at juvenile hall for their own safety (or the safety of their families) on an increasing basis.

In addition to these serious mental health issues, there is also the need for minors and parents to have some space from each other. She mentioned the Huckleberry House program in San Francisco, where families in crisis could get some distance from one another and support before the situation became violent or required law enforcement (9

Grove Lane was a similar program that operated out of a home in San Anselmo where youth who were having difficulty in their own houses could go for a period of time and receive counseling and support until they could safely return home. It was closed in the early 2000s due to funding issues). We have had some wonderful results with resource families in the community that have been available to this kind of situation and also as “step downs” from placement when return to the family home presents risks. Having these Resource Parents (some of whom are AMAZING) makes all the difference.

Judge Wood also expressed concern about the recent law that resulted in the closing of secure detention through the Division of Juvenile Justice for those offenders who commit the most serious and violent crimes. It is not yet clear how those youth will be managed in a way that ensures safety for everyone.

Finally, she recommended that Marin County develop a “dual status” protocol agreement so that youth and families whose issues touch on both dependency and delinquency systems would be able to access services and support from both Child Welfare and Probation (the existing arrangement does not allow for a child to be in both systems simultaneously).

Jahmeer Reynolds, Executive Director, Marin County Cooperation Team and Community Schools Manager, Sausalito Marin City School District

Mr. Reynolds has had conversations with numerous community members in Marin City who describe the juvenile justice system as “one-size fits all” and as not being very rehabilitative. One example he cited was that the Youth Court program operates in an actual court room. While he understands why the program chooses to do that, Mr. Reynolds believes this is not conducive to rehabilitation, as that setting is a place where many African Americans have had negative experiences. People have told Mr. Reynolds also that there is little to no rehabilitation efforts in Marin’s juvenile justice, and that it is often simply an experience of being locked up and then released without any support. Mr. Reynolds also pointed out that Marin County has been documented to be a place where African Americans are eight times more likely to have a negative interaction with law enforcement officials, who often are more aggressive in their treatment of African Americans as opposed to other races. Mr. Reynolds would like to see a juvenile justice system ecosystem in Marin County that is not one-size fits all, is more rehabilitative, and treats all people fairly and equitably. He is in the process of creating what he calls the Vision Project, where youth who are about to be released from custody are connected

with accountability partners who help them to create a game plan for what they need to do to be successful when they return to their community (i.e., getting a driver's license, applying for jobs, etc.). This program will articulate what he believes the juvenile justice system in Marin County ought to provide.

Mr. Reynolds applauds the Probation Department's strategies as described in this report. He believes that simply even stating the desire to achieve these goals, and not settling for what the previous model has been, is a great step in the right direction. However, he would like to see the implementation of specific reforms and programs that will reflect those strategies, not just words in this report.

Lieutenant Scott Eberle, San Rafael Police Department

Lieutenant Eberle expressed his interest in coordinating with school administration staff to identify appropriate responses to student misconduct. He believes schools could be making more use of restorative practices and not relying on law enforcement agencies as much as they do when responding to low level offenses such as inappropriately pulling a fire alarm. He is disappointed that the San Rafael School District has chosen to cut ties with his Department and the use of School Resource Officers (SROs). Some school staff and students expressed their discomfort with police officers, and their belief that police only arrest and oppress people. Lt. Eberle conducted his own research of data related to arrests of students on school grounds and he found that most of those incidents are generated by a phone call from an administrator, rather than proactive actions by an officer. While Lieutenant Eberle understands the strong feelings some youth have about police officers given the recent developments in social justice issues, he also believes that police are a part of the community and they need to be included in the discussion. He is concerned that the response of simply excluding police officers from schools entirely is a mistake, as police officers can be a source of mentoring and support for many students. Eberle is a Commissioner on the Juvenile Justice Delinquency Prevention Commission, and he has used this forum to engage with people with different opinions than his on this issue. He has learned from this experience that everyone, both police officers and those who oppose any involvement of law enforcement at schools, want the same thing for youth; a world in which young people thrive in a safe learning environment and have access to people they trust and can depend on. Lt. Eberle believes strongly that police officers can and should be part of the effort to help create that world.

When asked about the strategies being proposed in this report, Lt. Eberle said that closing the Division of Juvenile Justice (DJJ) facilities and managing youth who commit serious, violent crimes in Marin County may provide some benefits. He pointed out that having access to the Bay Area, with its vast resources such as skilled therapists, expertise in restorative practices and other advantages, could mean better services would be available than those in State-run facilities. He also said that this shift could present an opportunity to re-evaluate and re-design how services for such youth are provided, and possibly improve on the outcomes for people who have been detained under DJJ rules, programs, and services in the past.

Douglas Mundo, Executive Director, Marin Multi-Cultural Center

Mr. Mundo pointed out that Marin has been determined to be the least equitable county in the entire State of California in recent studies on the topic. Mr. Mundo discussed several ideas of how to address the lack of equity in Marin's juvenile justice system. He began by acknowledging that his organization, which is staffed primarily by people of color and from the community they serve, collaborates with a variety of systems managed primarily by people who are white and of privilege. He cited his organization's work with Marin's Community School, which provides educational services to students who attend alternative schools. Mr. Mundo said the relationship they have created with the school staff has worked very well. His staff and those from the school do not blame one another for the issues that occur in their work with students, but rather they respect one another's expertise and they collaborate in a way that has proven to be much more beneficial for students in the program. Mr. Mundo reported that young people have developed relationships with his staff who are located in the school as learning coaches, and they have become a positive and motivating factor for students to want to be successful in school. This incorporation of staff with strong ties to the community where these youth live is key to creating situations in which youth can be successful.

When considering the juvenile justice system more specifically, Mr. Mundo talked about ideas for a transformation of the system that might be both possible and powerful. He has heard that there may be consideration of re-purposing Marin's Juvenile Hall due to the reduced need for its services. He suggested converting the Juvenile Hall, once a site of trauma and harm for so many people, into a facility that promotes healing, such as a community center, a retreat facility, or a site where services for youth and families could

be provided. This could be a way to both symbolically and practically demonstrate the change in the system.

Regarding the strategies and principles that are discussed in this document, Mr. Mundo said he supports them. Mr. Mundo would like to see an increased capacity to provide mentorship to young people in the community. He believes that expanding the access to mentors for a younger population would be ideal so that families' needs can be identified sooner before law enforcement and the justice system become involved.

He believes strongly that the need to provide culturally appropriate services is critical and that interventions for Latino youth need to be family based. The Latino culture is one that is based on the family and interventions that do not take that into account will not be culturally appropriate. Another approach that his organization is taking is to offer more services that are based on indigenous culture and practices. They are attempting to collaborate with mental health service providers to blend their efforts; if a traditional, Western mental health approach is not effective, the system should consider utilizing one that is based on indigenous healing practices.

Lieutenant Michael Howard, Novato Police Department

Lt. Howard said he is pleased with the types of services for youth that are offered through Marin County's Probation Department. He believes that delinquent youth need to learn that what they did when they violated the law was wrong, but they do not necessarily need to be punished harshly to learn that lesson. Alternatives to formal involvement in the juvenile justice system, such as restorative justice and Youth Court interventions, are perfectly appropriate ways to help a young person correct their ways without having to experience more severe consequences than what are necessary. He referenced the brain science on adolescents indicating that their attitudes, and thus their behavior, are malleable, and we need therefore to allow for that when we respond to their delinquency. He said that the fact that Juvenile Probation has diversified its toolkit in terms of things to offer as a consequence for misbehavior has helped his Department to serve the community better. He also expressed support for the strategy discussed in this report of investing in prevention services, as he believes anything that can keep a child out of trouble before they have contact with law enforcement is worthwhile.

Lt. Howard related that his staff utilize the Juvenile Hall very rarely now as compared to when he first began his career. He described the Hall as a very specific tool to be used only in situations where there is a clear threat to public safety. Ideally, he would like to see an end to the need for Juvenile Hall, and that in everyday practicality it should be the exception, not the norm, for most cases of delinquency. However, he also said that while it may be infrequent, he expects there will always be a need for a facility to provide secure detention, as there are periodically situations where young people commit extremely violent crimes. He also expressed appreciation knowing that secure detention is not an end in itself, and that there are intensive services being offered while a young person is in a facility that will hopefully help them rehabilitate.

Lt. Howard concluded by saying that he has been very impressed by the quality of people working in Marin's juvenile justice system. He knows many of the Probation Department staff and has good working relationships with them. He said they truly care about a young person's outcome, and he believes the Department's selection of staff that work with youth has been excellent.

Jose Varela, Marin County Public Defender

Mr. Varela acknowledged the poor outcomes of Latino youth in Marin's juvenile justice system, and he said it had been a difficult year for the juvenile justice system as a whole as well. He cited the recent news story in which it was determined that probation youth who were placed in out of state congregant care settings had been subject to COVID 19 safety issues and violence from staff as an example of the need for change. Mr. Varela provided several suggestions of ways to better serve this community.

He would like to see Marin's juvenile justice system change its mindset on how it perceives youth and families in the Latino community. He said that the disparate outcomes are in part the result of how people in the system have a tendency to judge these youth and families through an elitist, and often white supremacy, lens. He believes there needs to be a better understanding among service providers of the reality of the lives of the youth and their parents. Many of them are struggling under difficult economic conditions, living in one of the wealthiest counties in the country on an annual income of perhaps \$20,000. Housing uncertainty, debt, and trauma are just some of the challenges some people in the Latino community are experiencing. Expecting people living under these conditions to be perfect in their compliance with terms and conditions of probation is both unrealistic and unlikely to create better outcomes. Mr. Varela would like to see the system establish

a strength-based approach to these families and acknowledge their challenges and their successes rather than emphasize punishment for their lapses or failures.

Mr. Varela recommends that Marin consider providing its juvenile justice services in the Canal community. He reflected on the success of Marin's Community Court, where court sessions are held in the community where many of the people in the system live. If Marin's Juvenile Court were able to hold sessions in a location more convenient than the present one, he believes there would be more attendance on the part of the parents, and other members of the community would become invested in the system as well. He pointed out that if youth and families were being held accountable by members of the community where they live, they will be more interested in making change in their lives.

Mr. Varela also expressed concern about the attitude and appearance of Probation Department staff. He said that by donning police-like uniforms and being armed, and emphasizing their authority over youth on probation, Deputy Probation Officers are provoking a flight or fight response from the youth they want to engage. The Public Defender encouraged people to undergo training on the juvenile brain to better understand how young people are going to respond in situations. He would generally like to see Probation Department staff, and all members of the system, place more emphasis on emotional intelligence in their interaction with young people.

Mr. Varela also strongly urged the members of Marin's juvenile justice system to "dream big" and to re-imagine what services could look like. He said the poor outcomes, along with the recent changes in legislation, mean this is the time to make major revisions to local philosophies, approaches, and services. The process will require a lot of trial and error, and it may be worthwhile to hire a consultant to assist Marin County in exploring the possibilities by doing a search of innovative juvenile justice systems across the country. Mr. Varela also suggested consulting with youth themselves in this process to get their input as to what they think would be helpful for them to make changes in their lives.

Bree Marchman, Children and Family Services Division Director

Ms. Marchman expressed satisfaction with the positive communication her agency enjoys with the Probation Department. She said that they have a number of issues and mandates that involve both departments and that it has been much easier to deal with them due to

the relationships, collaboration, and responsiveness she has experienced with the Probation Department. Issues such as developing a dual jurisdiction protocol, complying with AB 2083 (a state law requiring that services for foster care youth be trauma-informed), and developing the System of Care program, are just a few examples of how the two agencies need to collaborate and having this level of trust and ease of communication is a significant advantage for Marin County. She cited a recent example where her agency was in dire need of a local placement for a child and the Probation Department arranged to place the child in one of their Marin placement homes. This outcome was very beneficial for the child and a product of the excellent relationship between the two departments.

Regarding the principles and strategies raised in this report, Ms. Marchman expressed support. She appreciates the Probation Department's commitment to evaluating the ethnic disproportionality in its system. Health and Human Services has begun an initiative to address its own issues in this regard, and they have sought out partners to conduct this work jointly. She said that Juvenile Probation came to this initiative with an open mind and they are going to present at the next meeting on their efforts to improve outcomes for youth of color.

Ms. Marchman also indicated she was pleased to hear about the Probation Department's efforts in prevention work. She cited the School Works Initiative, where Probation and Seneca staff work with families in a voluntary manner to provide support and services, as an example of the type of work that can be done to reduce the flow of families into the juvenile justice system. Ms. Marchman said that Health and Human Services is also looking to work with families more on a voluntary basis and less with the enforcement tools at their disposal whenever possible.

She believes the emphasis on increasing capacity to meet the needs of some youth and families locally is critical, given the changes at the state level. The elimination of out of state programs for foster care youth means that the number of Short-Term Residential Treatment Program (STRTP) beds available within the state will become even more scarce. This type of capacity-building at the local level is going to be crucial to meet the needs of some youth and families. She pointed out that the Covid pandemic has reduced the already few numbers of resource families willing to take in teens from the foster care system. She looks forward to working with the Probation Department to create this capacity in a way that will benefit both of their systems.

Ms. Marchman discussed the similar challenges both Health and Human Services and Probation face in terms of ensuring culturally appropriate services. While it is a daunting

task to accomplish, it is also critically important that staffing, services, and policies reflect and support all families being served. While there are systemic factors outside of the control of county agencies, such as poverty, racism, and a lack of affordable housing, that impacts the ethnic disproportionality in both child welfare and juvenile justice systems, this fact does not excuse the departments from making efforts to ensure services are relevant and effective for the population they are designed to support. She recommends that both Probation and her Department first ensure their own services and systems are providing what they are obligated to deliver, and then advocate to funders when possible and appropriate, to develop new services and support to address the unmet needs of youth and families. She believes this is the best process to ultimately achieve the goal of reducing ethnic disparities in the respective systems.

Existing Services

According to the Board of State and Community Corrections website, “the JJCPA program provides state funding for counties to implement programs that have proven effective in reducing crime and delinquency among at-risk youth and youthful offenders.” Before discussing Marin County’s existing set of services, it is important to first clarify what is meant by the term “at-risk youth.” For the purposes of this report, Marin County identifies youth as “high risk” when they present a set of circumstances that indicate they have a higher likelihood for becoming involved in the juvenile justice system. Such circumstances at an individual level could involve issues such as impulse control, mental health, drug and alcohol abuse or dependency, learning disabilities, and experiences of trauma. However, there are also societal factors that can increase a child’s likelihood to become justice-involved, such as poverty, homelessness, lack of access to health care, and institutionalized racism.

It is important to point out that although a large portion of Marin County’s population enjoys a level of financial means, the County, like most jurisdictions, has limited resources that are barely sufficient to address the myriad of internal factors, much less the external ones, that influence delinquent behaviors. All programs listed in this section of this report seek to modify behavior that are related to internal factors. Any assessment of outcomes for Marin County’s, or any other juvenile justice system, must consider the larger, societal impacts of the external factors that are beyond the local juvenile justice system’s ability to influence in a meaningful manner.

Attachment II has an exhaustive list of all services and programs that are available to youth and families who are involved with the juvenile justice system in Marin. What follows in this section of the report is a brief summary of some of the more commonly employed intensive services for high-risk youth as defined above.

Collaboration with Multi-Cultural Center of Marin (MCM)

As a result of its work to examine causes of ethnic disparities in juvenile justice, the Probation Department initiated a relationship with the Multi-Cultural Center of Marin (when it had been named Canal Welcome Center) in 2012. MCM is a long-standing service provider in the community that is most impacted by ethnic disparities in juvenile justice issues, which is the Canal neighborhood of San Rafael (while disproportionality for African American youth, many of whom live in Marin City, is also a significant issue, more youth

who live in the Canal neighborhood are impacted). Staff from this agency work in tandem with the Probation Department to support youth and families at risk of probation involvement in two programs:

Partners for Success: a program that connects youth on probation and at risk of deep involvement with the juvenile justice system with mentors from their community

Presente: a 10-week program in which youth have the opportunity to explore vocational, academic, and cultural activities while receiving a stipend for their participation

Alcohol Justice

Alcohol Justice is a local organization with nationwide impact that advocates for legislation and policy changes around the availability of and advertising used in the sale of alcohol as it pertains to youth and disadvantaged communities. Alcohol Justice has a facility in the Canal and provides education and programming. The Probation Department has partnered with Alcohol Justice to provide support for the following two programs:

Youth For Justice Summer Academy: An annual program that includes on average two dozen local youth who are positively engaged and developing their self-identification and “agency”

Consejo: a local restorative justice program directed at Spanish speaking families that is staffed primarily by bilingual community residents. Provides an alternative diversion option for youth referred to the Juvenile Division of the Probation Department.

Youth Working for Change

One of the realizations from the Probation Department’s efforts to analyze ethnic disparities in outcomes was the dearth of opportunities that are available for many youths in the system. Sadly, we live in a society where the ability to land a job, do well in school or excel in an activity, are often the function of having a relationship with someone who provides the support or makes the connection. For many young people in juvenile justice, those people are few and far between, and they therefore do not receive as many opportunities as their peers. Youth Working for Change (YWC) began in 2011 and is one

example of several efforts to address this inequity by providing support to young people interested in employment and/or developing job skills. A trained job developer works with young people, parents, and employers to help youth to be employed, gaining pay, experience, and references, and create more opportunities for themselves. YWC also collaborates with the County's Human Resources and other agencies to offer the Career Explorer program, where a diverse group of young people are given an opportunity to work with a County department, earn a paycheck, develop skills and networks, all while being supported by the job developer connected to YWC with any challenges (transportation, appropriate work clothing, soft skills for work, etc.) they may face.

Mental Health Services

The Probation Department has a long history of providing treatment services for youth and families. Youth and families may receive services related to drug and alcohol use offered through a contracted service operated by Bay Area Community Resources (BACR). The Probation Department also offers individual and family counseling through Programs of Responsive Treatment and Linkages (PORTAL), which provides cognitive-behavioral treatment services. PORTAL is a Probation Department program that includes a Mental Health Unit Supervisor and a team of clinicians that support the mental health needs of youth in Juvenile Hall and the community. In addition, the Probation Department regularly collaborates with staff from the Children's Services Unit of the County's Behavioral Health and Recovery Services Division to support families.

School Works Initiative

In 2019, the Probation Department implemented the Schools Works Initiative (SWI) in the San Rafael School District. The idea was to provide support and services to young people who appeared to be on track for involvement in the juvenile justice system. All too often, a referral to the Probation Department occurs long after issues began to arise in a child's life. Upon review, there were often many indications of the need for support before a police officer became involved, but no resource for assessment, prevention, or intervention. In addition, it seems counter-intuitive that so many services (educational and vocational support, mentors, mental health treatment) were available to a person once they were referred; why not offer these services before a child gets involved in delinquency in the hopes that it will divert them from that path? SWI was created to provide an intervention at the earliest stage of indications of need for support. SWI staff

coordinate with school officials and provide support to youth and their parents in the hopes of ensuring their success at the school sites. This could mean providing mentoring services to a youth, improving communication between parents and teachers, offering mental health services if necessary, and supporting parents with their needs. Using wrap program reinvestment funds, SWI was established as an 18-month pilot program in coordination with San Rafael City Schools and with Seneca Family of Agencies at four middle/elementary schools in the Canal neighborhood.

Shortly after implementing the SWI pilot in the Canal, the Department was awarded the state Youth Reinvestment Grant. This four-year grant allowed Probation to expand the pilot program in the Canal through February of 2023 and add a program in the Novato Unified School District (NUSD). Similar to the Canal program, Probation and the NUSD partners with North Marin Community Services to provide restorative interventions to youth struggling with truancy, academic struggles, and disruptive behaviors. The services are focused primarily on the middle school population which covers three separate school sites.

Probation has also partnered with Bayside MLK in Marin City to offer services under this grant. Bayside MLK is the K-8 school that is located in the heart of Marin City which contains the County's largest Public Housing project and has a long history of systemic issues that has led to a concentration of Marin's African American population in this small unincorporated area. MLK Bayside has a much smaller school population than the partners in San Rafael and Novato, but the community suffers from a high level of trauma and need. To best meet the needs of this location and community, Probation and Bayside MLK have partnered with The Hannah Project to add a multi-sensory resource instructor position to provide interventions and support to youth struggling during the school day and offers an alternative to interventions traditionally utilized to address student behaviors.

Seneca Marin Youth (MY) Home

Another product of the effort to address ethnic disparities in outcomes was the development of a local resource home for youth who are no longer able to remain in the parents' home due to concerns for their or the community's safety. Prior to the implementation of MY Home in 2016, the only option for a child in need of such a placement was in a group home, normally many miles away and with minimal opportunity to engage with the child's parents and family. Congregant care settings have notoriously

poor outcomes, so the opportunity to offer a resource family home in Marin was considered significant.

The Probation Department has recently increased the capacity of local Resource Family beds from two to five and intends to begin utilizing those homes, when appropriate, as a first option for those youth requiring out of home placement. The Department supports the MY Home structure by providing a monthly stipend to each home to offset the high cost of living in Marin and provides funding to partner, Seneca, when a bed remains empty and they are unable to draw down State and Federal revenue to support embedded services.

Marin's Community School (MCS)

Marin County Office of Education (MCOE) operates the County's continuation school for 7th–12th grade students. MCS seeks to provide an educational experience that meets the needs of its students, and they do so through a variety of approaches. MCS uses a "personalized learning" system to build on the interests and strengths of their students, employing internship opportunities to support the educational goals. The school also offers learning coaches and mentors, who are often young adults from the same community where many students live, to help foster a connection between school staff and students. Finally, the school makes efforts to ensure it is trauma informed and able to appropriately respond to the needs of its students in a manner that is supportive and nurturing rather than punitive and alienating.

Reducing Barriers to Educational Success (RBES)

The connection between lack of success at school and delinquent behavior is well-chronicled and indisputable. Providing additional support to Probation youth to increase the likelihood of their doing well at school was an easy decision to support. Staff employed in the Marin County Office of Education are assigned to assist youth and families in resolving issues related to a child's school placement after transitioning from Juvenile Hall or being placed by the Court in an out of home treatment program or Resource Family

Home. This assistance can take many forms, from resolving relatively simple barriers such as completing enrollment or arranging transportation, to the more challenging and nuanced such as facilitating a social connection between the student and school staff.

9to25 Initiative and Care Coordinators

Recognizing that issues of equity and juvenile justice reach far beyond the juvenile justice system itself, Probation has been the catalyst for the creation of a cross-agency Initiative that is bringing together stakeholders from key government agencies, local community providers, and private agencies all focused on one aspect of youth development or wellness. Known as 9to25, this Initiative is making waves in the community to tie together often silo'd initiatives to develop a collective impact model on creating a vision and path for juvenile wellness and outcomes.

Probation provides leadership and a fiscal home to 9to25, who was recently awarded the Youth Opioid Response Grant through the California Institute of Behavioral Health Solutions (CIBHS). Contracts are being established to embed local community partners in three high schools to provide increased assessment, intervention and case management to youth presenting with substance use issues.

Guiding Elements of Plan

When developing an ambitious plan such as this one, it can be easy to become unsure of the original intent or direction. One way to ensure a sense of continuity is to establish in writing an aspirational vision of what Marin wants its juvenile justice system to look like, to develop important principles to guide the process, and to identify the specific strategies that will be adopted to achieve the vision. Once these elements are articulated, they can be used to assess ideas, policies, programs, and resource allocation in the future. This section of the report proposes a set of such elements that are intended to act as touchstones for the future evolution of this plan. The Probation Department developed the following vision, principles, and strategies for that purpose.

Aspirational Vision for Marin County Juvenile Justice

The goal of Marin County's Juvenile Justice System is to reduce recidivism and improve the outcomes of youth. In coordination with community-based organizations and other stakeholders, Marin County will facilitate positive behavior change by offering a range of services that include:

- Evidence based, cognitive behavioral programming
- Mental health and substance use treatment
- Quality academic support
- Job training curriculum
- Holistic and restorative interventions
- Culturally appropriate services

These services will be combined with efforts to ensure accountability for youth, respect and restitution for victims, and safety for all.

In order to address over-representation of youth of color in juvenile justice, Marin County's Juvenile Justice System shall also pursue opportunities tied to prevention/early intervention efforts in those communities most impacted by ethnic disparities.

Youth and families will be treated based on their individual needs and behaviors as assessed and will not be discriminated against based on their gender, race, ethnicity and/or sexual orientation. Marin County is committed to accomplishing all of this while serving everyone in the community with dignity, respect, and compassion.

After establishing an aspirational vision for Marin's juvenile justice system, it becomes necessary to develop guiding principles to ensure that the issues raised in this report are addressed adequately; a guiding principle in this report is defined as an issue that influences a decision. Marin's Probation Department will utilize three guiding principles in assessing its array of services:

- 1) *The issue of addressing ethnic disparities in outcomes will be at the forefront of any discussion of resource allocation*

Despite a commitment to addressing ethnic disparities in its system that extends for more than a decade, Marin's juvenile justice system continues to struggle to improve on its outcomes for youth of color. As mentioned earlier in this report, at least some of the factors driving this issue remain outside of the control of a local juvenile justice system (e.g., larger social issues such as poverty, homelessness, and racism). While this fact makes the realization of improving outcomes for youth of color more difficult, it does not excuse a lack of emphasis on the issue.

- 2) *Marin's juvenile justice system shall have a balanced set of services available for response to crime that includes accountability, treatment, and opportunity*

For several years now, Marin's Probation Department has prided itself on offering a range of responses to meet the needs of juvenile offenders, and this report will reiterate a commitment to that principle. Ensuring accountability is a core function of all probation departments, and Marin accomplishes this primarily through supervised probation based on actuarial risk assessments and employing graduated sanctions when necessary and appropriate. The Department also offers a full range of services to meet the treatment needs of young people and their families. However, what separates Marin County from most other jurisdictions is its commitment to fostering opportunities for youth in the system. Whether it be with supporting employment (Youth Working for Change), education (Reducing Barriers to Education Success), or just pro-social relationships (mentoring through Partners for Success and internship opportunities through Consejo), Marin's juvenile justice system recognizes the need to help young people and families by creating pathways for success.

3) *Decisions around programs to fund and approaches to adopt shall be data-driven and rooted in best practices*

In an era of scarce resources, and strong, at times emotional responses to the deficits of the justice system, it will be critical to ensure that funding decisions are based on data and supported by research and/or academic evidence to indicate they are likely to be successful.

Finally, after creating an aspirational goal and identifying key issues to consider, the system needs to identify the strategies it will adopt to achieve its vision for the future. Marin's juvenile justice system shall adopt three strategies in its efforts to address delinquency:

1) *Increase capacity of Marin County to provide intensive services for high-risk youth in the community*

It is apparent that the State is intent on shifting the responsibility for managing youth they had traditionally handled to the local level. The clearest example of that was the passage of SB823 in 2020, which closes the Division of Juvenile Justice and their facilities which had been used to house those youth charged with the most serious crimes. Among the many things this law amends in California's juvenile justice system, SB823 mandates that counties convene a committee of stakeholders to develop a plan for how violent youth offenders will be managed given this realignment of secure detention from the State to local jurisdictions. This report must be completed prior to January 1, 2022.¹⁴

However, there have been multiple other indications of this need to increase intensive local services for high-risk youth as well. Continuing Care Reform, which greatly reduced access to congregant care facilities, and the recent de-certification of out of state residential programs, also reflect a trend towards youth needing to be managed locally. Unfortunately, after decades of being able to refer such youth to other services, local jurisdictions are not yet well-positioned to now manage this population. Most California juvenile hall facilities are not designed or constructed with long term commitments in mind. Lack of affordable housing options make the creation of local residential facilities a challenging proposition for many jurisdictions. It will be a difficult transition that will

¹⁴ See section 1995 (a) of [Bill Text - SB-823 Juvenile justice realignment: Office of Youth and Community Restoration. \(ca.gov\)](#)

require significant time, resources and planning to address, but Marin is fortunate to have had the MyHome model in place and the recent opportunity to expand to a third home provides immediate options for local placement.

2) When resources allow, invest strategically in prevention programs

The School Works Initiative as described above is an example of how the Probation Department has already begun this process of investing in prevention programming. However, with a concentration of so many youth from one small area of the County feeding the juvenile justice system, it may make sense to continue to consider other investments to reduce this trend. Such investments need to be done carefully, and in collaboration with other community partners, including the schools, non-profit agencies, and other county departments. A recent collaboration of community stakeholders has initiated a process that may be critical in assessing how to do this in an effective way. The goals and many of the tasks of Marin's "9 to 25" initiative align well with this notion and may be a place to assess how strategic investments with younger children might reap benefits for Marin's juvenile justice system in the future.

3) Constantly monitor, and adjust when necessary, to ensure that culturally relevant, appropriate, and effective services are being provided

Outcomes for youth of color in Marin's juvenile justice system continue to trail those of their white counterparts, despite efforts to address them. The challenging nature of this effort indicates a continuing need to ensure sufficient funding is being dedicated to this population, and that those efforts are relevant, appropriate, and effective. While the numbers of youth from zip code 94901 are considerably higher, the Marin City community also experiences disproportionate impact from the juvenile justice system. An important strategy will be to continue to engage with community stakeholders from both communities to develop interventions that have impact on the disproportionality in Marin's juvenile justice system.

Future Directions

SB 823 implements multiple changes to the State's juvenile justice system. In addition to closing the State facilities for housing youth who have committed serious offenses, the law also transfers State oversight of juvenile justice programming from the California Department of Corrections and Rehabilitation (CDCR) to Health and Human Services. The agency within Health and Human Services which will be responsible for this is called the "Office of Youth and Community Restoration" and it has as its primary mission to:

*"...promote trauma responsive, culturally informed services for youth involved in the juvenile justice system that support the youths' successful transition into adulthood and help them become responsible, thriving, and engaged members of their communities."*¹⁵

This move has both symbolic as well as practical implications for juvenile justice throughout the state. This agency will be responsible for approving all counties' awards for State controlled grants related to juvenile justice. It will also be empowered to "assess the efficacy of local programs being utilized for realigned youth." It will be critical that Marin's strategies for juvenile justice be in alignment with this agency.

Another trend to follow is the notion of expanding the use of juvenile services for individuals older than 17 years old. At the State level, the "Elevate Justice Act" (also known as Senate Bill 889) is a legislative proposal that would raise the age of jurisdiction of the juvenile justice system in California from 17 to 19 years old. At the local level, the Marin County Probation Department is considering the idea of managing the Transition-Aged Youth (TAY) caseload with Juvenile Division staff (this would not have any legal impact, as people on the caseloads would be subject to adult court laws and proceedings).

Finally, the Probation Department is interested in moving away from the ad hoc, incremental tinkering of funding programs that has endured for nearly two decades in Marin County. The issues raised in this report, such as ethnic disparities in outcomes, impact of the pandemic, and significant changes in laws and systems, demand a "re-set," in which services, approaches and attitudes are re-evaluated to ensure that they both meet the needs that are identified and align with the articulated vision, principles, and strategies.

¹⁵ https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=2200.&lawCode=WIC

This report raises multiple and extremely challenging issues for Marin to confront to achieve its aspirational vision for juvenile justice in this community. Reducing ethnic disparities, ensuring community safety, and adjusting to rapidly changing reforms to the justice system would be difficult goals to achieve in any time. Confronting these issues during a worldwide pandemic, with all the uncertainty and disruption that it has caused, makes this even more problematic. Despite this unfortunate set of circumstances, Marin is relatively well-positioned to be successful in this effort. The County has the fiscal creativeness, collaborative relationships, and the will to strive to achieve its goal for juvenile justice.

ATTACHMENT I

RECENT REFORMS IN JUVENILE JUSTICE

LAW/REGULATION	DATE ENACTED	IMPACT ON JUVENILE JUSTICE
AB 403	2016	Continuing Care Reform, which made changes to foster care placements intended to reduce the use of congregant care settings
Proposition 57	2016	Requires that judges, rather than prosecutors, determine whether juveniles charged with certain crimes should be tried in juvenile or adult court
Proposition 64	2016	Amended most all offenses involving juveniles and marijuana to infractions rather than either a felony or misdemeanor
AB 529	2017	Requires automatic sealing of juvenile records upon successful completion of a term of probation
SB 391	2018	Prohibits the prosecution of 14 and 15 year old youths as adults
SB 439	2018	Establish a minimum age of 12 years old for juvenile court jurisdiction in California, except in the most serious cases of murder and forcible rape.
SB 2083	2018	Requires each county to develop and implement a memorandum of understanding, setting forth the roles and responsibilities of agencies and other entities that serve children and youth in foster care who have experienced severe trauma.
SB 823	2020	Places responsibility for housing serious youth offenders in local jurisdictions and closes down Division of Juvenile Justice facilities

LAW/REGULATION	DATE ENACTED	IMPACT ON JUVENILE JUSTICE
SB 203	2020	Youth aged 17 years and younger are provided the right to counsel prior to interrogation by police officers
AB 79	2020	24-hour emergency response service for foster care youth
Family Code Section 7911.1(c)(1)	2021	Precludes the use of out of state facilities for most youth on probation

ATTACHMENT II

SERVICES FOR JUVENILE JUSTICE INVOLVED YOUTH IN MARIN COUNTY

HIGHLIGHT			FUNDING SOURCE		
			JJCPA		
			YOBG		
			OTHER		
PREVENTION		INTERVENTION		AFTERCARE	
Consejo		Partners for Success (Mentoring through Multi-Cultural Center of Marin)		Presente!	
Youth Court		Marin’s Community School/Phoenix Academy		Aftercare Support for Foster Care Youth (Assembly Bill 12)	
Girls Stepping Up for Change		Youth Working for Change		Independent Living Skills	
Marin City Recreation Center		PORTAL Mental Health Services		Re-Entry Coordinator	
Alcohol Justice Summer Program		Family Connections Substance Use Services		Career Explorer Program	
San Rafael and Novato School Works Initiative (SWI)		Youth Empowerment Services (YES)			
Opening the World		Pathways Specialized Probation Caseload			
		Community Violence Solutions (Human Trafficking)			
		Marin Youth Home (local foster care)			

ATTACHMENT III

CONSOLIDATED ANNUAL PLAN REQUIREMENTS FOR YOBG AND JJCPA GRANTS

Part I Countywide Service Needs, Priorities and Strategy

A. Assessment of Existing Services

See attached plan document

B. Identifying and Prioritizing Focus Areas

See attached plan document

C. Juvenile Justice Action Strategy

See attached plan document

D. Comprehensive Plan Revisions

There are no comprehensive plan revisions for Marin County at this point. Given the impending implementation of SB 823, Marin County will assess the need for making any revisions after this process has been initiated

Part II Juvenile Justice Crime Prevention Act (JJCPA)

A. Information Sharing and Data Collection

The Marin County Probation Department maintains the majority of its data in a proprietary system known as "Odyssey," which serves as a case management system capable of producing reports on both individual and aggregate levels. In addition, the Probation Department contracts with Noble to support the use of the PACT risk/needs assessment instrument. This system is integrated with Odyssey to improve the accuracy of the risk assessments produced in PACT. Finally, the Department utilizes the State's Child Welfare Services database for managing cases involving youth in foster care.

In terms of information sharing, the Probation Department ensures the confidentiality of all juvenile records. Aggregate information, with no identifying information, is frequently analyzed and shared as necessary with system stakeholders to assist in decision-making, presentations, and assessments of effectiveness of services.

B. Juvenile Justice Coordinating Councils

Marin County has a fully constituted Juvenile Justice Coordinating Council (JJCC) as prescribed by 749.22 of the Welfare and Institutions Code.

C. Funded Programs, Strategies and/or System Enhancements

See Attachment II of the attached plan document

Part III Youthful Offender Block Grant (YOBG)

A. Strategy for non-707(b) Offenders

See attached plan document

B. Regional Agreements

Marin County does not have any regional agreements or arrangements to be supported through YOBG funding

C. Funded Programs, Placements, Services, Strategies and/or System Enhancements

See Attachment II of the attached plan document