

10RIVERSIDE COUNTY

JUVENILE JUSTICE COORDINATING COUNCIL MEETING

RUSTIN CONFERENCE CENTER

2085 RUSTIN AVENUE, RIVERSIDE, CA, CONFERENCE ROOM 1051

November 13, 2023, 2:00 P.M.

JUVENILE JUSTICE COORDINATING COUNCIL (VOTING MEMBERS)

Chief Probation Officer
Christopher H. Wright
Or Designee

Public Defender
Steven Harmon
Or Designee

Community Based Organization
Representative, Dr. Mona Davies
(1st District – appointed 11/16/20)
Community Outreach Ministry

Director, Department of Public
Social Services
Charity Douglas
Or Designee

District Attorney
Michael A. Hestrin
Or Designee

Community Based Organization
Representative, Dr. Rodney Kyles
(2nd District appointed – 11/16/20)
Nathanael Foundation

Sheriff of Riverside County
Chad Bianco
Or Designee

Presiding Juvenile Court Judge
Mark Petersen
Or Designee

Community Based Organization
(3rd District – vacant)

Director, Riverside University
Health Systems-Behavioral Health
Dr. Matthew Chang
Or Designee

Chair of the Board of Supervisors
Kevin Jeffries
Or Designee

Community Based Organization
Representative, Kevin Kalman
(4th District – appointed 11/16/20)
Desert Recreation District

Chairperson, Juvenile Justice
Delinquency Prevention
Christopher Collopy
Or Designee

Community Based Organization
Representative, Norma Biegel
Operation Safe House
(Appointed 1/13/2020)

Community Based Organization
(5th District – vacant)

Superintendent, Riverside County
Office of Education
Dr. Edwin Gomez
or Designee

Community Based Organization
Representative, Jitahadi Imara
StudentNest Foundation
(Appointed 1/13/2020)

Community Based Organization
Drug & Alcohol Program
(vacant)

Chief, Riverside City Police
Department
Larry V. Gonzalez
Or Designee

Community Based Organization
Representative, Mickey Rubinson
Carolyn E. Wylie Center
(Appointed 1/13/2020)

In accordance with State Law (the Brown Act):

- *The meetings of the Juvenile Justice Coordinating Council are open to the public. The public may address the council within the subject matter jurisdiction of this council.*
- *Disabled persons may request disability-related accommodations to address the JJCC. Reasonable accommodations can be made to assist disabled persons if requested 24-hours prior to the meeting by contacting Riverside County Probation Department at (951) 955-2804.*
- *The public may review open session materials at <https://rivcoprobation.org/juvenile-justice-coordinating-council-meeting-materials> or at Probation Administration, 3960 Orange St., Suite 600, Riverside, CA.92501*
- *Items may be called out of order.*
- *Agenda will be posted 72-hours prior to meeting.*
- *Cancellations will be posted 72-hours prior to meeting.*

RIVERSIDE COUNTY
JUVENILE JUSTICE COORDINATING COUNCIL MEETING

RUSTIN CONFERENCE CENTER
2085 RUSTIN AVENUE, RIVERSIDE, CA, CONFERENCE ROOM 1051

November 13, 2023, 2:00 P.M.

AGENDA

1. Call to Order – Roll Call (Voting Members)
2. Approval of Minutes – August 2, 2023 – Action Item
3. Appointment of new Voting Members – Action Item
 - a) California Family Life Center – Mary Jo Ramirez
 - b) Camino Real Family Services – Pete Serbantes
 - c) Solid Ground Wellness – Jessica Clark
4. Brown Act Overview – Discussion Item
5. Settlement Agreement Audit Report – Discussion Item
6. Diversion Model Re-Design – Discussion Item
7. RFP for Evaluation of Services – Discussion Item
8. Integrated Services Model – Action Item
9. CBO Review Ad-Hoc Committee – Action Item
10. Senate Bill 823 Sub Committee – Action Item
 - a) Vote to Fill 3 Vacancies – 5 applications received
 - b) Overview
11. Approval of Fiscal Year 23/24 Budget Adjustment – Action Item
12. Proposed 2024 JJCC Regular Meeting Dates – Action Item
 - January 22, 2024
 - March 18, 2024
 - July 15, 2024
 - November 18, 2024
13. Public Comments
14. Adjournment

Next JJCC Meeting:
Date/Time: TBD
Location: TBD

**RIVERSIDE COUNTY PROBATION DEPARTMENT
JUVENILE JUSTICE COORDINATING COUNCIL SPECIAL MEETING
AUGUST 2, 2023, AT 2:00 P.M.**

MEETING MINUTES

Host Location: Rustin Conference Center, 2085 Rustin Avenue, Conference Room 1051, Riverside

1. Call to Order – Roll Call

The meeting was called to order by Chairman Chief Probation Officer Christopher H. Wright at 2:03 p.m.

Roll call of the members was taken. The following representatives were present:

Chris Wright, Chief Probation Officer, Chairman
James Krachmer, Correctional Chief Deputy, Sheriff's Department
Dr. Michael Gunther, Riverside University Health Systems, Mental Health
Christopher Collopy, Juvenile Justice Delinquency Prevention Committee
Frank Assumma, Deputy Chief, City of Riverside Police
Joelle Moore, Deputy Public Defender IV, Public Defender's Office
Jared Haringsma, Assistant District Attorney, District Attorney's Office
Marcus Walls, Juvenile Director, Riverside Superior Court
Jeffrey Greene, Chief of Staff, Board of Supervisors First District
Norma Biegel, Operation Safe House
Cesar Gomez, StudentNest Foundation
Cynthia Prewitt, Carolyn E. Wylie Center
Dr. Mona Davies, Community Outreach Ministry
Marc Sakoda, Nathanael Foundation

In attendance but not present during roll call:
Bridgette Hernandez, Department of Public Social Services

2. Approval of Minutes of March 20, 2023, Meeting

Chris Wright entertained a motion to approve the March 20, 2023, minutes of the Juvenile Justice Coordinating Council (JJCC) meeting. Motion to accept the minutes was seconded by Dr. Mona Davies. Minutes were approved.

Oppositions: None

Abstentions: Marcus Walls, Riverside Superior Court

3. Approval of JJCC Bylaws (handout)

After review of the Amended JJCC Bylaws handout an error was found on third page under Article VI Officers the following section d) was added but *missing* from some of the packet handouts:

"d) If Chairperson or Acting Chairperson is unable to participate in the meeting due to a discussion or action that would constitute a conflict of interest, the Chairperson of the Juvenile Justice Delinquency Prevention (JJDCP) shall preside over the Council meeting."

Chris Wright read the missing section d) aloud and presented the handout to all council members for their review and approval. All members present reviewed the added section. There were no

questions from council members. Chris Wright entertained a motion to approve the Amended JJCC Bylaws with section d) added. Norma Beigel made the motion to accept the Bylaws and was seconded by Joelle Moore.

Oppositions/Abstentions: None

4. CBO Term Dates

Chris Wright explained when the Bylaws were first approved on January 13, 2020, there was no start date or effective date specified for our CBOs who are already voting members at that time. As such, it is recommended the council approve the January 13, 2020, date to be used as the term start date for those applicable CBOs: Operation Safe House, StudentNest Foundation, and Carolyn E. Wylie Center and rotate off in January 2024. Similarly, the first, second and fourth district CBOs will also rotate off in 2024 as they will have completed their second term. The Probation department will work with the district supervisors to have CBOs appointed and identified for approval at the appropriate meeting date. There were no questions from council members and no questions from the public. Chris Wright entertained a motion to approve the term start date for the applicable CBOs: Operation Safe House, StudentNest Foundation, and Carolyn E. Wylie Center to be identified as January 13, 2020. JJDPC Christopher Collopy seconded. The Council approved unanimously.

Oppositions/Abstentions: None

5. A Community-Based Approach for Youth Justice System Services Workgroup

a. Review Goals

Based on the approval of the proposal submitted on behalf of Jitahadi Imara the workgroup was to build a working framework and recommendations and bring back to the JJCC on the following goals: reconsider the allocations of the JJCPA funds; increase the availability and capacity of community-based approaches; recommendations to the JJCC for unused funding and programming; data tracking and accountability for all JJCC programs will be done by a contracted vendor with the pending RFP.

b. Suggest Parameters

Establish a workgroup that is Brown-Act compliant and is aware of pertinent factors that may impact the overall goal. All applicable partners participate in a Brown-Act Training that is provided by County Counsel. Have a Fiscal representative serve as a liaison to communicate relevant information regarding county processes and procedures. Encourage participation and commitment.

c. Determine number of members

It is respectively recommended the workgroup consist of three members of the Community Based Organizations/Public, one member from the JJDPC, and three members from County agencies. It is also recommended to have LaToya Thomas help coordinate and facilitate the workgroup.

d. Identify members

We want to get the workgroup up and running as soon as possible and ask if anybody wants to volunteer and participate in the workgroup now. There were no CBOs at this time. Public members Rebecca Acevedo and Van Houston were interested in participating. From JJDPC, Chris Collopy will participate. If there is someone within your organization that is a good candidate, and you would like to consider them that is fine too. If there are members and the public that do not

have a copy of the approved proposal, we will get it re-disseminated and reconvene and vote at the November meeting. Chris entertained a motion to re-vote at the November meeting. JJDCPC Chris Collopy seconded. The Council approved unanimously.
Oppositions/Abstentions: None

Council Comments:

Norma Biegel would like more information to take back to her board of directors so they can decide. What is the mission and commitment of the workgroup.

Public Comments:

Rebecca Acevedo mentioned the information was presented to the council at the last three meetings and encouraged anyone that has questions to reach out to those organizations that directly worked on the proposal to provide some clarity. On behalf of the CBOs that are not present today it would be in our County's best interest to reach out to those organizations regarding their presentations.

6. Subcommittee Update

a. CBO Review Ad-Hoc Committee

LaToya Thomas, Division Director, Riverside County Probation

Since the last meeting in March the CBO Review Ad-Hoc Committee has not met due to scheduling conflicts; however, we continue to move forward our efforts getting a meeting on calendar.

b. SB 823

Monica Rose, Division Director, Riverside County Probation

The Juvenile Justice realignment annual local plan was submitted on July 7 and included updates regarding the transition of youth from DJJ to Riverside County. The closure of DJJ was effective on July 1. On June 26, Riverside County Probation received a total of four DJJ youth (3 males and 1 female) and all have been transitioned in a secure track setting.

- Riverside County Probation is seeking two community members to be part of the SB823 Subcommittee. These individuals should have experience providing community-based youth services, are youth justice advocates with experience and knowledge of the juvenile justice system or have been directly involved in the juvenile justice system. Said individuals will assist in researching and developing resources, services, and programs for youth and their families within the juvenile justice system, both in and out of custody.
- The term will expire July 2025.
- Link to the application - <https://rivcoprobation.org/sites/g/files/aldnop236/files/migrated/pdf-ijcc-JJCC-Application.pdf>
- Applications are due by September 5, 2023, and must be emailed to Supervising Probation Officer Kathy Arias, karias@rivco.org, and CC Monica Rose, mrose@rivco.org, and Bryon Hansen, brhansen@rivco.org.
- The voting of said members will take place at the next JJCC meeting on November 13, 2023, 2:00 p.m.

Public Comments:

Rebecca Acevedo thanked Monica for the update and appreciates the transparency regarding SB 823. I have experience working on SB 823 back in 2017 and excited to hear that you are currently accepting applications.

7. Status of Council Plan and Survey / GAP Analysis RFP

Jessica Holstein, Administrative Services Manager, Riverside County Probation

The JJCC approved the ability to go out to bid for the Request for Proposal (RFP) to accrue services which include the GAP analysis, evaluation services and a strategic plan on July 18, 2022. Since the last report out on March 20, 2023, the JJCC subcommittee reviewed the initial draft RFP scope of work in January; however, there was an additional request from the JJCC subcommittee to have a second review. Probation received and reviewed the second round of edits in April. Probation's dedicated Procurement Contract Specialist (PCS) continued with drafting the final documents needed to post the RFP which Probation received in early May. Since May Probation's dedicated PCS went out on FMLA leave which has caused delays in posting the RFP to the County's Purchasing website. County Purchasing is currently assessing workloads of staff to identify which PCS will be assigned to facilitate the RFP. County Purchasing is currently reviewing the draft and researching all necessary criteria prior to posting the RFP. Based on the prior timeline there is still about 145 days left on the RFP which would adjust the timeline to mid-March of 2024.

8. Public Comments

Elisa Judy introduced herself as the Chief Deputy over Juvenile Services and will be the Chief Deputy attached to the JJCC. As the Probation Department and Chief work towards filling the vacant Board of Supervisor district's representatives, this will include a recommendation to fill the vacant CBO Drug and Alcohol Program as stated in the Bylaws under Article V Membership. If anyone knows of any organizations that fit this space, please reach out to Elisa or LaToya Thomas.

Jeannette Sepulveda introduced herself and the organization Inland Southern California United Way. Thank you for the Grant provided to Inland SoCal 211. Inland SoCal 211 has gone through various mergers covering much of Riverside, and San Bernardino Counties and most recently the Desert with the merger of United Ways of the Desert. We have grown our service area and services. 211 offers many resources and direct services. We have peer mentors from the adult re-entry population who offer case management along with re-entry services such as training, supportive services, employment services and housing services. We also offer direct services such as Cal Fresh applications, Medi-Cal application submissions, transportation, and the Riverside Crisis Helpline along with resources for a myriad of assistance. We have re-branded TEMPO to Youth Connect and have opened it up to the general public for those families, counselors or anyone in the community looking for Diversion programs for a fee. We currently have over 2500 agencies in our database with over 4000 programs, we ask that anyone who has a program to please connect with 211 to have the program in the database available to our community whenever needed we are a 24/7 contact center that can be reached by phone, text, or chat.

Van Houston, Locked In Inc. We are a new grassroots organization comprised of people passionate about mental health awareness, substance abuse and treatment and social justice. We are focused primarily on three pillars: Communication, Education, Action. Our services include motivational interviewing, educational three-month curriculum that engages young people, and provide alcohol and drug counseling. We believe we can help the community solve a lot of problems with our personal experiences and system impact. Our programs are currently found in

two prison facilities and facilitated by rehabilitated system impacted individuals. We are new and continue to network across the community and government agencies sharing our vision and goals.

9. Council Comments

Norma Biegel reported there are beds available at Operation Safe House if anyone is interested in learning about our programs, please contact me. Goal is to try and reach out to more community agencies including the Sheriff and Police Departments. Operation Safe House serves youth ages 11-17 and youth that are on informal probation. Operation Safe House does not take CPS youth or youth on formal probation. Norma will be available after the meeting if anyone has any questions.

10. Adjournment

Chris Wright thanked everyone for their attendance.

The meeting was adjourned at 2:40 p.m.

An attendance sheet was signed by all present and will be kept on file.

Meeting Minutes submitted by Executive Secretary Bryon Hansen



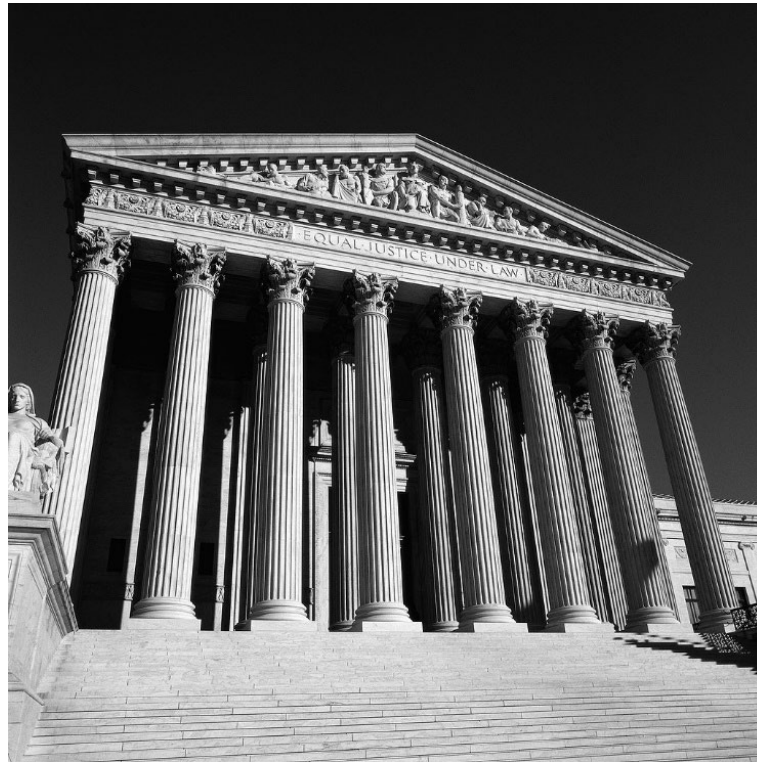
THE BROWN ACT

Based on a presentation by
Deputy County Counsel Sarah Moore

Running a Meeting

- Governing procedures for meetings:
 1. Robert's Rules of Order and
 2. Ralph M. Brown Act
- JJCC members should use parliamentary procedures as guidelines when conducting a public meeting.
- This is only a quick overview of the Brown Act.

Robert's Rules of Order and Parliamentary Procedure



Overview of the Robert's Rules of Order and Parliamentary Procedure

- It is a set of rules for conduct at meeting
- It allows everyone to be heard
- It allows decisions to be made without confusion

Order of Business

- Meetings are generally run in the following order:
 1. Call to order
 2. Roll call of the members present
 3. Reading/approval of the minutes of the last meeting
 4. Public Comments
 5. Officer or Committee Reports & Comments
 6. Unfinished or new business
 7. Adjournment



Quorum & Voting

- Membership: 19 members (10 from specific agencies and 9 representatives from Community-Based Organizations (CBO's))
- Quorum: A simple majority (10 members) of the members of the Council shall constitute a quorum for the transaction of business at any meeting of members.
- Voting: Decisions shall be reached through majority voting which is defined as a majority of the quorum members present.
 - Ex. 10 members present would require a vote of 6 for a motion to carry

Quorum & Voting

- Only actions you can take in the absence of a quorum:
 - (1) Take measures necessary to obtain a quorum;
 - (2) Fix the date and time to which to adjourn;
 - (3) Adjourn or take a recess; and/or,
 - (4) Continue the entire agenda to the next meeting.

The Brown Act

Open and Public

The People's Business

Purpose of the Brown Act: **Open and Public**

To ensure that almost all aspects of the decision-making process of legislative bodies of local agencies are conducted in public and open to public scrutiny.

Our Discussion of the Brown Act

1. Legislative bodies
2. Meetings
3. Agendas
4. Public participation

Brown Act - Legislative Bodies

The Brown Act applies only to legislative bodies:

1. Governing body of the agency (Board of Supervisors)
2. Subordinate boards or commissions created by formal action of the governing body (JJCC)
3. Standing committees with regular meeting schedule and continuing subject matter jurisdiction (JJCC standing committees)

Brown Act - Legislative Bodies

Standing committees (a Brown Act body) meet all of the following:

1. Less than a quorum of the members of the body that created the committee
2. Continuing subject matter jurisdiction
3. Created by the legislative body
4. Fixed meetings schedule by charter, ordinance, resolution, or formal action of the legislative body that created the committee

Ad hoc committees (not a Brown Act body) meet all of the following:

1. Less than a quorum
2. Cannot be a “standing committee”
3. Serves a limited or single purpose that is not perpetual
4. Cannot have fixed meeting schedule

Brown Act Meeting



What is a meeting?

- Any congregation of a majority of the members at the same time and location to hear, discuss, deliberate, or take action upon any matter under their jurisdiction.
- No action needs to be taken for a meeting to occur; conversations or deliberations about issues confronting their agency is sufficient.
- Includes “workshops,” “study sessions,” and retreats.

Brown Act – Meeting **Prohibited Serial Meetings**

Serial meetings are expressly prohibited and illegal

Serial meetings are:

- A series of communications, direct or indirect, each of which involves less than a quorum of the legislative body, but when taken as a whole, involves a majority of the members and develops concurrence on a topic.
- Can be through email, phone calls, letters, intermediaries

Brown Act – Meetings

Location

- General rule: Must be held within the jurisdiction of the body

Brown Act – Meeting

Location - Teleconference

Normal Teleconferencing requirements:

- At least a quorum of the JJCC to participate within the area of jurisdiction.
- Votes by roll call (i.e., each member state name and vote, one by one)
- Each teleconference location specifically identified in the notice and agenda, including a full address and room number, as may be applicable.
- Post the agenda at each teleconference location per Brown Act rules - 72 hours prior to the meeting in a spot that is available for viewing (i.e. window or glass case outside) 24 hours a day, free of charge.
- Each teleconference location must be accessible to the public and have technology, such as a speakerphone, to enable the public to participate.
- Opportunity for members of the public to address the legislative body directly at each teleconference location.

Brown Act – Meeting

Agenda for Regular Meetings

Agenda Rules for Regular Meetings:

- Posted 72 hours prior to the meeting
 - Physically post in a location “freely accessible to the public” 24 hours per day and on website, if agency has website.
 - Include the time and location of the meeting
- Brief general description of each item to be discussed or addressed – including closed session.
- Publicly accessible and distributed in advance to those that request copies. A fee may be charged to recover the cost.

Brown Act – Meeting **Member Participation**

- Meetings shall not begin before the publicly noticed meeting time
- Follow the agenda – only speak on those items.

Brown Act – Meeting Public Participation

The Public's Right to Comment at Regular Meetings:

- At every meeting, members of the public have the right to directly address the body on **any item of public interest if that item is under the jurisdiction of the body.**
- For agenda items, the public must be given an opportunity to comment **before or during** the body's consideration of the item.

Brown Act – Violation and Consequences

Civil violation and consequences:

- A civil suit to have the action declared “null and void”
- Repeated violations: injunction prohibiting future violations
- Court fees and attorneys costs are recoverable.

Criminal violation and consequences:

- A member takes action, intending to deprive the public of information to which the public is entitled.
- Guilty of a misdemeanor
- Criminal sanctions (up to 6 months in jail; \$1,000 fine)

Brown Act

Summary of Key Points

- A majority may not consult outside of a noticed meeting.
- Meetings include any communication among a majority to hear, discuss, or deliberate on public business (e-mail, telephone calls, serial meetings etc.).
- Legislative Body includes committees, commissions and advisory boards.
- Attendance of quorum at other events not a violation as long as no business of the JJCC is discussed (conferences & seminars, community meetings, another body of agency, social or ceremonial events).
- Assume all information is public or will become public.

Third Annual Progress and Compliance Review of Youth Accountability Team Program
Class Action Settlement Agreement
Date of Report: October 23, 2023
Reporting Period: Fiscal Year 3 (July 1, 2022-June 30, 2023)
Report Prepared By: Scott MacDonald and Naomi E. Goldstein, Ph.D.

The following report is a review of progress toward and compliance with the class action settlement agreement between plaintiffs and the County of Riverside by the United States District Court, Central District of California, Eastern Division, case number 5:18-cv-01399-JGB-JEM (hereafter referred to as “settlement agreement”); final approval of the settlement agreement was granted on June 22, 2020, and an addendum was accepted and agreed to on August 20, 2020. This is the third annual report, covering the period from July 1, 2022 through June 30, 2023, and building upon the first two reports.

Background

The class action lawsuit, *Sigma Beta Xi, Inc. v. County of Riverside*, was filed July 1, 2018, by three youths and Sigma Beta Xi, a youth-mentoring organization in Riverside. The lawsuit challenged the constitutionality of the Youth Accountability Team (“YAT”), a youth diversion program.

As stated in the document, “Notice of Class Action Settlement About the Rights of Youth Involved in the Riverside County Youth Accountability Team,” posted on the Riverside County website per a requirement of the settlement agreement:

The lawsuit raised numerous concerns over the harsh penalties imposed on children accused of only minor school misbehavior. The lawsuit alleged that the YAT program had placed thousands of children on onerous YAT probation contracts on the basis of common teenage behavior, including for children’s “persistent or habitual refusal to obey the reasonable and proper orders or directions of school authorities” under California Welfare & Institutions Code section 601(b). The lawsuit further alleged that the YAT program violated children’s due process rights by failing to give them adequate notice of their rights and failing to provide them with counsel. The lawsuit further alleged that the program imposed intrusive and unconstitutional contract terms that allowed officers to search children, in violation of their rights to be free from unreasonable search and seizure and imposed supervision conditions that restricted their expressive and associational rights. The lawsuit also alleged that the YAT program’s referral practices led to racial disparities.

Riverside County denied any and all allegations of wrongdoing, and after conducting a series of settlement conferences, parties agreed to the terms of the settlement.

On August 26, 2019, the Court preliminarily approved the class settlement of this case, pending notice to all class members and an opportunity for class members to formally object to the settlement. Notice of the proposed class settlement agreement was mailed to all known class members, posted on several websites, and posted in locations where Riverside County YAT probation officers were regularly stationed.

The settlement agreement requires that two individuals monitor the YAT program and compliance with conditions of the settlement agreement for five years (through fiscal year 2024-25) and prepare an annual report summarizing yearly progress toward and compliance with the settlement agreement. This report reflects information obtained via monitoring that is relevant to the settlement agreement requirements.

Monitoring Methodology and Approach

Monitors' Appointment and Role: The parties to the settlement agreement jointly requested the appointment of us, Mr. Scott MacDonald and Dr. Naomi Goldstein, as qualified joint third-party monitors. Per the agreement, we are to complete annual reports to advise on compliance, or non-compliance, with the terms set forth in the agreement and provide these reports to the parties and the court for the duration of the agreement. The agreement requires that we are provided with reasonable access to any persons, information, and documents maintained by the County of Riverside concerning the YAT program or any other non-court-ordered supervision program (NCOSP) to ensure compliance.

Monitoring Methods: To evaluate compliance or non-compliance with the terms set forth in the agreement, we used the following methods: on-site visit, video calls, phone calls, emails, and record review/record exchange.

Most of the monitoring activities were conducted by remote video meetings with Riverside County Probation Department personnel, primarily with those Riverside County Probation Department personnel designated to oversee and manage the settlement agreement (i.e., hereafter referred to as "agreement managers"). As monitors, we conducted periodic calls with Chief Ron Miller and Assistant Chief Christopher Wright, who became Chief during this monitoring period after the retirement of Chief Miller, to obtain and provide updates, information, and recommendations relevant to the settlement agreement. Additionally, we held individual calls with key justice stakeholders, remotely attended scheduled Juvenile Justice Coordinating Council (JJCC) meetings, and facilitated other web-based meetings to oversee the settlement agreement. We conducted a site visit to the Riverside Probation Department from February 27 through March 3, 2023. During this visit, we: 1) had conversations with probation leadership, including continued discussions regarding the scope of the settlement agreement; 2) reviewed probation officer notes on all overrides from fiscal

year 2022-23; 3) provided probation administrators/ managers with a half-day review of the training content presented to probation staff; 4) provided a full-day training/ workshop to probation staff; 5) connected with members of the JJCC; and 6) met with several leaders of community-based organizations that have service contracts with probation to learn about the challenges and opportunities encountered following execution of the settlement agreement . We prepared a summary memo of our visit, describing our observations and recommendations, and emailed this memo to Chief Ron Miller and then-Assistant Chief Christopher Wright following the site visit.

Throughout the review period, we communicated with the agreement managers regularly via email to schedule meetings and request information and updates on progress toward and ongoing compliance with the settlement requirements. Lastly, the agreement managers regularly provided documents to us via email and shared online folders to inform our evaluation of compliance with the requirements of the settlement agreement, and they responded to our questions/comments regarding these documents.

Monitoring Approach: In coordination with the Probation Department's agreement managers, we continued to use the settlement agreement tracking form developed in the first year of monitoring to 1) guide our discussions with the agreement managers and other relevant parties; 2) track our review of compliance with each requirement; 3) record the mechanisms or documents we reviewed to evaluate compliance or non-compliance with each requirement; 4) communicate questions to and receive answers from the agreement managers between meetings regarding documentation and progress/compliance with requirements; 5) identify specific actions needed; 6) assist with ongoing quality assurance review to ensure that written policies and procedures were followed, used consistently in practice, and reflected in casefile documentation; and, 6) record level of compliance and indicate whether the actions taken to comply represent a one-time requirement or must be performed on an ongoing basis.

Monitoring Report Overview

This report represents a summary of the progress toward and compliance with the settlement agreement requirements, as determined using the monitoring methods and approach described. This report first provides an overview of the categories of requirements in the settlement agreement. Then, for each category, the report includes 1) a summary of requirements and reference to progress made in years one and two; 2) a summary of compliance with and progress toward those requirements in year three; 3) an overall status designation (i.e., in compliance, in partial compliance, not in compliance); and 4) recommendations for ongoing quality assurance within each category. We then include a section looking at system-wide referral data to

contextualize and better understand diversion utilization within the totality of referrals. This report concludes with a summary and recommendations for year four and beyond to support adherence to the requirements and intent of the settlement agreement.

Requirements in the Settlement Agreement: An Overview

The final settlement agreement includes multiple categories of requirements for Riverside County that pertain predominantly to the Youth Accountability Team (YAT). Several settlement requirements are also relevant to other NCOSPs under Welfare & Institutions (W&I) Code section 654. Additionally, use or non-use of YAT and other NCOSPs could result in broader case processing changes—such as increased use of less restrictive diversion options without probation supervision or increased frequency of formal court filings. Thus, to better understand how YAT and other NCOSP’s utilization impacted juvenile case processing outcomes, we requested system data on all referrals that led to diversion and all cases filed with the court from fiscal year 2018-19 through fiscal year 2022-23 and for continued provision of these data for the duration of the settlement agreement. Monitoring of this settlement agreement involved review of requirements within the following categories:

- Probation referrals;
- Defense counsel;
- Probation notice to youth;
- Risk assessments;
- Contracts under the YAT Program or any NCOSP;
- Record collection, creation, and retention;
- Data tracking;
- Modification of existing Probation Department policies, processes, and/or procedures and other public information regarding the YAT Program and any other NCOSP; and training;
- Composition of the Juvenile Justice Coordinating Committee (JJCC);
- Increased allocation of Juvenile Justice Crime Prevention Act (JJCPA) funding to community representatives; and
- Sealing and destruction of YAT records for all class members.

Summary of Agreement and Progress

I. Probation referrals

Summary of requirements

Prior to the preliminary settlement agreement, the YAT program included youth referred under W&I Code section 601, commonly known as status offense charges, or charges

only applying to youth. The YAT program also included youth referred under W&I Code section 602—law violations not defined solely by age.

The settlement agreement prohibits Riverside County from seeking or accepting referrals to or placing youth in the YAT program or to any other NCOSP for youth under the age of 18, if the youth is alleged to have committed an offense under W&I Code section 601 or alleged to have engaged in non-criminal behavior, including non-criminal violations of school rules. This does not prohibit the Riverside Probation Department from responding to inquiries and providing information about programming that exists in the community and is open to the public.

As noted in the settlement agreement, based on substantial research indicating that contact with the justice system leads to worse outcomes for youth, the Probation Department committed to minimizing contact between youth and the juvenile justice system to the extent possible, consistent with public safety and evidence-based practices. For youth alleged to have committed a law violation under W&I Code section 602 and where the Probation Department has statutory discretion, the department may contact a youth or their parent/guardian to determine whether to close at intake, counsel and close with referral to community-based services, or refer the youth to the YAT or other NCOSP program. Information obtained from the parent/guardian cannot be shared with the District Attorney or be used against a youth in any court proceeding. For specific offenses (see settlement agreement for list), there must be a presumption upon application for a petition that the Probation Department counsel and close the matter or refer youth to a community-based organization.

Summary of compliance/progress with requirements in this category

The Riverside County Probation Department ended the practice of accepting referrals of youth referred under W&I Code section 601 for status offenses on July 1, 2019. The Department created a “Standard Work” document, which delineates intake procedures for staff to follow. These intake procedures outline appropriate contact for the purpose of making an intake assessment and referrals to the YAT program of youth alleged to have committed a W&I Code section 602 violation. The Standard Work document also includes the directive that information obtained as part of the intake assessments will not be shared with the District Attorney or at any subsequent court proceeding. Additionally, as documented in training materials in the form of a PowerPoint presentation and referenced in the Out of Custody Standard Work document, the formal intake orientation procedures for new staff include information about not accepting W&I Code section 601 referrals. And lastly, the Out of Custody Intake Standard Work document specifies that the Department must presume that they will counsel and close cases with applications for a petition for any of the offenses specified in the agreement.

In our review of fiscal year 2022-23, we determined that the Probation Department is continuing the practice of not accepting referrals of youth referred under W&I Code section 601. Based on training documentation and reports received from the agreement managers, the Department reviews the practice of not accepting 601 W&I referrals—along with review of other requirements specified in the settlement agreement—during staff orientations and booster trainings on intake protocols. The Department documented related policies and protocols in the Standard Work.

As previously noted, to the extent possible based on available data, we will review later in this report whether frequency of referrals for diversion and formal processing (i.e., going through the formal court process) has changed with the substantial reduction in use of YAT and NCOSP utilization. Research supports utilization of diversion to minimize formal justice system involvement, and, as noted in the settlement agreement, “Substantial research shows that contact with the juvenile justice system leads to worse outcomes for youth. The Probation Department is committed to minimizing contact between the youth and the juvenile justice system to the extent possible consistent with public safety and evidence-based practices.”

Status: In compliance.

II. Defense counsel

Summary of requirements

The settlement requires inclusion of defense counsel in the YAT team or in any other NCOSP team. The County Probation Department must provide legal counsel to advocate for and protect the rights of the youth client, including ensuring that the youth understands their legal rights and the potential consequences and benefits of entering into the YAT program, entering into another NCOSP, or proceeding to court. Defense counsel is also responsible for ensuring that the youth is able to consent to participating in the YAT or other NCOSP knowingly, intelligently, and voluntarily.

After determining that a youth is suitable for the YAT program or other NCOSP, the Probation Department must provide a copy of the petition and accompanying documents to defense counsel, initiating appointment of counsel. Counsel is provided to youth at no cost to the client. Youth referred to the YAT program or other NCOSP must consult with counsel prior to meeting with the Probation Department and prior to deciding whether to participate in the program. If the youth decides to participate in the YAT program or any NCOSP, counsel must continue throughout the program, and ensure, as permitted or required by law, that the youth’s records and files are timely sealed

and/or destroyed. If a youth decides not to participate in the program, counsel's obligations are terminated.

Summary of compliance/progress with requirements in this category

The County of Riverside Probation Department executed contracts with the Oblachinski and Burns defense firm and with defense attorney Barbara Brand to provide legal representation to youth from the time of referral to the YAT program, or to any other NCOSP, throughout the duration of the program, and until their records are sealed and/or destroyed. The terms of these contracts are consistent with the settlement requirements. Standard Work documents specify the order of operations, including the requirement to refer a youth's case to defense counsel (i.e., to initiate contact with the youth and parent/guardian) prior to any Probation Department personnel meeting with the youth and/or family. The Probation Department developed an informational YAT Program notice for youth and parent/guardian about setting up an appointment with defense counsel, and this notice specifies that legal counsel is provided free of charge.

During this reporting period (fiscal year 2022-23), YAT handled a total of four referrals handled by the YAT program (two pending from the previous fiscal year and two new referrals. Of the four referrals, one parent declined the program for their child and the other three youth enrolled in YAT. Based on our review of the established intake process, we, as monitors, determined the Probation Department referred all youth who were eligible for an NCOSP, including for the W&I Code section 654.1 program for cases allegedly involving driving under the influence, to free counsel and provided them with information about the YAT program or other NCOSP.

Status: In compliance.

III. Probation notice to youth

Summary of requirements

Youth must be afforded due process in all contacts related to YAT or any other NCOSP. Prior to assigning a youth to one of these programs, the Probation Department must determine that there is probable cause to believe that the youth committed the alleged offense. The Department is required to provide information about the program to the youth to inform the youth's decision about participating in YAT or another NCOSP, including: written information about the charges or allegation; a detailed description of the relevant program and expectation of the youth if the youth chooses to participate; notice that information obtained during the course of the program may be disclosed in future juvenile court proceedings; a statement regarding the use and retention of records unless or until the record is destroyed or sealed; a description of how the Probation Department will determine successful completion by the youth; and the right

to have certified interpretation, provided by the county, at all meetings with the Department if the youth or parent/guardian does not speak English as a first language. All notices and any written information required by the settlement agreement must be in a language easy to understand, at no more than a fifth-grade reading level.

For any youth or parent/guardian with a disability, the Probation Department must provide reasonable accommodations to ensure effective communication from initial contact through exit interview, ensuring that they are able to participate fully and understand all critical components of the YAT program or other NCOSP. The Probation Department is required to make its best efforts to work with each youth and parent/guardian to schedule meetings to avoid conflicts with school, scheduled activities, or other appointments and to ensure that individuals who play a supportive role in the youth's life can attend. The Probation Department must provide notice at least 48 hours ahead of any home visit unless the parent/guardian agrees otherwise.

Youth in YAT or another NCOSP cannot be required to admit culpability as a condition of program participation. There must be a presumption against assigning drug or alcohol testing as a condition of any contract under one of these programs. The Probation Department will not assign drug or alcohol testing unless there is a direct nexus between the condition and the alleged offense, or where subsequent incidents of drug or alcohol usage have been identified. The Department must provide written notice to the youth, parent/guardian, and legal counsel of any drug or alcohol testing condition it seeks. No testing may be assigned without a referral to drug and alcohol testing. The Department cannot terminate a contract due to a youth or family's inability to pay for drug and alcohol counseling and must make best efforts to refer the youth to the best low- or no-cost resources available.

The Probation Department will provide youth with written notice within 72 hours of successful completion of YAT or any other NCOSP. If a youth is in danger of not successfully completing the program, the Department must provide the youth with every opportunity for additional services and supports to help the youth progress toward successful completion. Written notice must be provided to the youth, parent/guardian, and the youth's attorney and mailed to the youth's home address at least one week prior to any meeting at a critical stage (i.e., initial interview, exit interview, proposal of a new condition, and any time a youth may be in jeopardy of termination from the program).

Summary of compliance/progress with this category of requirements

During the first monitoring year, the Standard Work document (referenced above) was created to guide staff on all processes for the programs at issue—from assessment

intake through sealing or destruction of records. This includes intake probation officers determining sufficient probable cause for alleged offenses. The Probation Department created notices to send to parents/guardians of youth referred to the YAT program or other NCOSP. These forms remain available in English and Spanish and, in the event of another primary language, the Standard Work calls for use of interpreter services through the Probation Department. These forms contain all information and advisements required by the settlement agreement.

Both the Standard Work and Roles and Responsibilities for YAT Probation Officers documents incorporate settlement requirements, including indication that youth are not required to accept culpability for the alleged offense in order to participate in the program, and instructions to staff that they must make their best efforts to be flexible in scheduling meetings to accommodate the needs of youth, families, and other individuals with supportive roles in the youth's life. Additionally, staff are trained to routinely ask youth and families how they can accommodate them with location and timing of scheduled appointments.

The Standard Work includes requirements related to drug and alcohol testing, as specified in the settlement agreement, including the presumption against assigned drug testing and assigning drug testing only in cases in which there is a nexus to the alleged offense. The Standard Work also specifies the required provision of notice of successful program completion within 72 hours and of written notice mailed to the youth's residence at least one week prior to a meeting at any critical stage or at any time a youth is in jeopardy of program termination. The Department created a "Jeopardy Letter" for this latter purpose.

During this fiscal year 2022-23 reporting period, no youth in YAT had drug or alcohol requirements or were subject to drug testing. The YAT program processed a total of four YAT referrals during this fiscal year. Two of those referrals were pending enrollment from the prior reporting period. Of those, one referral was declined by the youth's parent during the reporting period and the other referred youth was enrolled and successfully completed during this reporting period. YAT received two additional referrals to YAT during this reporting period; one youth successfully completed YAT during the reporting period, and the other successfully completed YAT after this reporting period, on July 6, 2023.

Additionally, during this monitoring period, 20 youth were enrolled in a state mandated diversion program, which is considered an NCOSP and is the only NCOSP used by Riverside County Probation. Youth are referred to this program, not to exceed six months, due to allegedly having driven under the influence, pursuant to W&I Code

section 654.1. Following referral to this NCOSP, youth voluntarily participate in a drug/alcohol awareness program and agree to having their case heard and dismissed by a juvenile court judge upon successful completion of the program.

During this monitoring period, one family requested and was accommodated with a certified interpreter. No drug testing was required of any participating youth, and no youth was deemed in jeopardy of unsuccessful completion during this reporting period. During fiscal year 2022-23, 13 of the 20 youths enrolled successfully completed the program. The remaining seven were still enrolled at the end of the fiscal year.

The Probation Department maintains documentation, in the form of dated emails, of notice to youth of successful completion within 72 hours. The probation department also maintains notes regarding compliance with the objective requirements of the settlement agreement.

The number of YAT and NCOSP referrals has been small and the success rate in those cases has been high. However, to truly evaluate fulfillment of the subjective settlement agreement requirements (e.g., flexibility in scheduling and accommodating families), feedback must be obtained from youth and families.

Status: In compliance. *We recommend for the coming fiscal year 2023-24 that the Probation Department and agreement managers, in consultation with us as monitors, develop and implement an approach to solicit feedback directly from youth and parents/guardians who participate in YAT and other NCOSPs.*

IV. The use of risk assessments

Summary of requirements

The Probation Department currently uses the Ohio Youth Assessment System (OYAS) - Diversion tool (OYAS-DIV) to determine if youth at diversion intake have their cases closed, receive a counsel-and-close decision, or receive a contract of up to six months of supervision via YAT or other NCOSP.

To maintain consistency of scoring/results of the OYAS-DIV (or other assessment tool used in the future), the Probation Department is required to provide 14 hours of introductory training to staff newly assigned to use the OYAS-DIV and to provide ongoing annual training on the correct use of the OYAS-DIV to all staff members conducting assessments for the YAT or other NCOSPs. OYAS-DIV scores may only be used to determine the level of diversion intervention; they may not be used for any other purpose. The Department also must provide supervisors who approve overrides (i.e., deviations from the level of intervention indicated by the OYAS-DIV score) with annual

training to help them consistently make appropriate override approval decisions. The Department was also required to develop guidelines for the appropriate use of overrides, including at least a written explanation of the reason for any override.

If the Probation Department chooses another risk instrument other than the OYAS-DIV, the Department must provide the number of training hours recommended by the instrument's creator to staff prior to use of the tool and annual training on appropriate tool use for all staff using the tool and all staff who approve overrides. If the instrument can be overridden, the Department must require supervisor approval for any override and the written documentation of the reasons for the override. The instrument may only be used for the purpose for which it was intended.

Summary of compliance/progress with this category of requirements

The Ohio Youth Assessment System (OYAS) is a dynamic risk and needs assessment system that contains five tools to support case planning in diversion, detention, disposition, residential treatment, and reentry. Riverside County uses the OYAS Diversion (OYAS-DIV) tool. The OYAS-DIV tool categorizes youth at low, medium, or high risk of rearrest for any type of offense within 12 months and to use this information to determine the level of diversion intervention. The OYAS-DIV tool includes six items that address: prior offenses, previous probation, current offense, age at first contact, family criminality, and caregiver's ability to supervise.

The OYAS-DIV tool was structured locally to help inform the level of diversion. OYAS-DIV scores are currently used to determine three levels of intervention: low-risk scores result in closing the case at intake, moderate-risk scores result in a determination of counsel and close, and high-risk scores result in a referral to YAT or another NCOSP. OYAS-DIV scores may not be used for any purpose other than the one intended—to guide the decision regarding level of diversion. An OYAS-DIV score that categorizes a youth as at high-risk for rearrest cannot, for example, be used as the basis for a referral to the District Attorney's Office for formal processing; this is not the intended use of this tool, and in fact, less than half of all youth (48% of boys and 44% of girls) identified as high risk in the normative research sample were rearrested within 12 months of assessment.

An override of an assessment tool is traditionally defined as a deviation of an outcome/decision from the outcome/decision indicated by an assessment tool's score. A downward override—or override down—involves a decision that results in a lower level (i.e., less serious) outcome than the assessment tool's score indicated. For example, a staff member's decision to close at intake would represent a downward override if the OYAS-DIV score were in the moderate-range, which would indicate that the case

should be counseled and closed. In contrast, an upward override—or override up—involves a decision that results a higher level (i.e., more serious) outcome than the assessment tool’s score indicated, such as if a youth is referred to YAT when the OYAS-DIV score is in the moderate-risk range, which indicates counsel and close. An upward override would also include the Probation Department referring a youth’s case to the District Attorney’s Office for formal filing if the matter was eligible for diversion at the discretion of the probation officer per section 653.5 of the California W&I Code; this type of upward override will be referred to a “non-mandatory” referral throughout this report.

Data were not available for this report on all overrides; however, we, as monitors, have requested this comprehensive information for fiscal year 2022-23 and beyond, and, ideally, retrospectively to fiscal years 2019-20, 2020-21, and 20221-22. We did receive data on a subset of the override cases that are of highest concern—those non-mandatory referrals that resulted in referral to the prosecutor for formal filing (i.e., no downward overrides of any type, and no upward overrides within the three diversion decisions of case closure, counsel and close, refer to YAT or other NCOSP for a supervision contract). Consequently, in this report that covers fiscal year 2022-23, all references to overrides refer to non-mandatory diversion eligible cases that the Probation Department did not divert (at least initially) and, instead, referred to the District Attorney’s Office for filing consideration. Overrides are based on intake staff members’ decisions, relying on criteria of the Rules of Court and other policy criteria, such as having other matters pending in court or multiple prior diversions. The California Rules of Court intake guidelines (Rule 5.514) require probation to assess matters that are suitable to a non-judicial agency or program available in the community and call for the commencement of formal juvenile court proceedings only when necessary for the protection of the public. The goal is to establish and maintain a fair and efficient intake program to establish fair and swift evaluation and referral to appropriate actions and or services.

There were 1,118 non-mandatory referrals (i.e., referrals in which probation has discretion to divert, without requiring prosecutorial review) that were diversion-eligible during this reporting period, up from 784 the year prior (i.e., a 43% increase from fiscal year 2021-22 to 2022-23). Based on data maintained by the Probation Department, intake staff overrode the decision in 81 of these cases (7%), referring the case to the prosecutor for formal filing consideration; 56 of these cases were filed during this fiscal year, and 25 were pending at the end of the fiscal year. It is unknown how many of the 25 pending override cases referred to the prosecutor have resulted or will result in filing. Of the 81 cases with identified overrides, 88% were of youth of color; this compares to 83% youth of color in all diversion-eligible referrals (non-mandatory referrals). A similar

pattern was seen in last year's report: the percent of youth of color who received overrides resulting in a referral to the prosecutor for filing consideration exceeded the percent of youth of color in all non-mandatory referral cases. It is generally a positive sign that the percentage of non-mandatory cases referred to the District Attorney's Office for filing is lower (down from 10% in fiscal year 2021-22 to 7% in 2022-23), but the disparities still exist within this group.

In the last report, we recommended that the Probation Department work vigilantly to further reduce referrals for formal filings by maximizing appropriate diversion responses so that the iatrogenic effects of formal system involvement could be avoided, and a swifter response could be established to connect youth to services to address their needs and prevent use of future system involvement.

During our week-long site visit in early 2023, we worked with agreement managers to review overrides referred to the prosecutor for filing consideration. We found that these cases primarily involved alleged misdemeanors that contained at least one of three factors in the judgment of intake workers: 1) indication of harm to others through injury or property damage; 2) concern about needs relating to parental supervision, substance use, or other factors; and/or 3) a prior referral or multiple referrals (but without indication of prior services provided to address needs). In our assessment, and through follow up conversations with staff, we believe that most of the overrides could have been successfully diverted with appropriately matched service responses.

Given the increasingly strong research base on the better outcomes achieved with diversion than formal processing—including of cases involving felonies and aggression that can be safely and appropriately addressed using services and restorative practices—we recommended at the time that the Probation Department work closely with community partners to create appropriate diversion responses that obviate the concerns that lead to overrides that result in exposure to court adjudication. We were pleased to see probation managers taking steps to explore opportunities to build community-based diversion options. Probation managers attended a national convening, held in San Diego on June 5, 2023, on community-led diversion programs and have had ongoing discussions with San Diego County juvenile prosecutors to learn about the community-based diversion services there. The Riverside County Probation (RCP) Department submitted this summary of their efforts:

As the number of youth actively participating in RCP's non-court ordered supervision program (i.e. YAT and 654.1 WIC DUI program) has remained consistently low over the last couple of years, RCP has begun to strongly consider an alternative diversion program for applicable youth. With that being

said, department leadership attended a regional community-led diversion conference on June 5, 2023. From that, multiple efforts have been made to connect to active practitioners in surrounding counties, to gain further insight into the various programs currently utilized. RCP has initiated a collaborative effort with both the Office of the Public Defender and District Attorney's Office to discuss such alternative models, as well as the details of moving this effort forward. Preliminary discussions have included items such as program design, eligibility, criteria, referral process, as well as potential funding options. All aforementioned parties have also met in unison with the National Center for Youth Law, on September 15, 2023, to gather additional input on locally available resources, alternative program designs, and initial outcomes from other active programs throughout the state. The Riverside County stakeholder collaborative is fully committed to outlining a new, more effective model designed to address the multitude of needs of youth and families, at the diversion stage of the juvenile justice system. We plan to provide an update on the status of these efforts at the next JJCC meeting in November.

As monitors, we will continue to offer guidance and support to probation managers as they develop methods to expand use of community-based diversion.

Fifteen probation staff members, including a supervisor, were assigned to intake or YAT throughout this reporting period, and 11 staff members were assigned at the conclusion of this period. The Probation Department has been maintaining logs with the dates staff were assigned to the program, the dates of the initial 14 hours of OYAS trainings and the related booster trainings, and names of attendees at these training; we reviewed these logs and concluded the requisite trainings were provided within the specified timeframes. The Department also provided relevant supervisors with the required trainings on appropriate and consistent decision making regarding their approval of overrides. The Department developed guidelines for appropriate use of overrides, which include the requisite details. These guidelines are covered in the OYAS training and are incorporated into the Standard Work documents.

Status and recommendations: In compliance. Probation Intake is in compliance with the settlement agreement. We, nevertheless, recommend the department continue to pursue options to reduce referrals to the prosecutor based on overrides and to reduce racial disparities by connecting youth to community-led diversion programs that address concerns identified during the intake process.

V. Contracts for YAT or other non-court-ordered supervision programs

Summary of requirements

For any youth participating in the YAT program or any other NCOSP, the Probation Department, the youth, and the youth's parent/guardian must sign a written contract that explains the basis for the contract and each party's program-related responsibilities. The contract must be developed between the youth, parent/guardian, defense counsel, and probation officer using a contract template included in the settlement agreement to ensure all items are developmentally appropriate and designed to meet the specific needs of the youth to promote positive behavioral change.

The settlement agreement mandates information that must be included in the contract, including charges/allegations, offense code, and relevant text of the law. The contract must identify the jointly created list of positive development opportunities, goals, incentives, terms, and resources designed to build upon the youth's strengths and to meet the specific needs of the youth. These should include 1) the youth's needs to be addressed by the contract and an identification of the youth's strengths; 2) the resources the Probation Department will provide to the youth (e.g., the provision of bus cards to travel to courses or meetings); 3) the goals the youth agrees to work toward, including short-term goals and targeted incentives; 4) terms the youth agrees to comply with; and 5) information about any Community Representatives that may work with the youth.

For any youth or parent/guardian for whom English is not a first language, the Probation Department will provide a copy of the contract in a language that the youth and parent/guardian understand. The Probation Department will make accommodations as needed to ensure that it is accessible to any youth or parent/guardian with a disability.

The settlement agreement prohibits contracts from including any term related to touring a correctional facility; prohibiting associations (with the possible exception of co-participants, victims, or witnesses related to the alleged offense); or searches of the youth's person, vehicle, premises, cell phone, or personal possessions.

Contracts may include terms to address drug or alcohol use, consistent with the aforementioned settlement agreement requirements. Completion of goals related to drug and alcohol use should emphasize a youth's efforts toward meeting those goals rather than the outcome of any particular drug or alcohol test.

Contracts may be amended to reflect youth progress or adjusted to respond to youth needs. In no circumstance will new conditions be added to a contract absent notice to appointed counsel and consent from the youth and parent or guardian. Contracts will remain in place for no more than six months and may be closed sooner if the Probation

Department believes the youth has successfully cooperated and met the goals and objectives set out in the contract.

Summary of compliance/progress with requirements in this category

The Probation Department developed a revised YAT agreement (i.e., previously referred to as the YAT contract) that includes all of the information outlined in the settlement agreement. The Standard Work includes protocols for ensuring that the Department provides contracts to youth and their parent/guardian in their first language. During this monitoring period, the mother of one YAT participant was provided translation services, and translation services were provided to two mothers, one guardian, and one youth in the NCOSP cases for driving under the influence. As stated previously, no youth participating in YAT or other NOSP was required to drug test at any point.

The Standard Work also includes prohibition of the terms identified in the settlement agreement, instructions on the appropriate use of drug and alcohol testing, and specification of the six-month limit on program duration.

Status and recommendations: In compliance. *We recommend that the agreement managers continue conducting real-time (i.e., while youth are participating) review of YAT cases and review case files after closing.*

VI. Record collection, creation, and retention

Summary of requirements

The Probation Department may not collect or maintain any information on youth who do not fall under W&I Code section 601 or 602. For youth referred under section 601, the Probation Department may not retain information beyond what is obtained in the application for a petition, including in its Juvenile and Adult Management System (JAMS) database, and this application may be retained only for records management purposes for the time period specified in the Department's record retention policy. The Department may not collect or maintain information about youth who do not fall under section 602 in any database intended to track gang-related information, and the Probation Department will not enter any information discovered during the YAT or other NCOSP into any external gang-related database.

The Probation Department will not seek to obtain any documentation of a youth or parent/guardian regarding immigration status.

For any youth referred for petition under section 602 and involved with the YAT or other NCOSP, the Probation Department may receive, solicit, and maintain records pertaining

to the youth and store them in the JAMS database and/or in hard copy with the following provisions: records must be obtained for the purpose of preparing the contract and providing services to the youth; the Department must seek to minimize the amount of information solicited and incorporated into the file and provide notice to any youth, parent/guardian, and legal counsel; the Department must obtain authorization prior to requesting medical records, mental health records, or Individualized Education Plans; consistent with W&I Code section 827, the Department must maintain confidentiality of youth records and a youth and parent/guardian have the right to inspect the information in the youth's JAMS file; the Department may be obligated to provide information (e.g., whether the youth declined participation) from a youth's participation in the YAT or other NCOSP in subsequent juvenile proceedings should they arise.

Summary of compliance/progress with requirements in this category

The Probation Department officially stopped accepting referrals for cases under W&I Code section 601 on July 1, 2019. By March 2020, all W&I Code section 601 cases had been destroyed. Consistent with the policy to end the acceptance of cases referred for section 601 violations, the JAMS does not provide the option to capture information for youth under W&I Code section 601. Additionally, the non-acceptance of 601 W&I cases is covered in the intake orientation training provided to all intake staff. The Probation Department's Standard Work specifies, as outlined in the settlement agreement, the appropriate use of information and records for probation officers assigned to conduct intakes to the YAT program or other NCOSP. Based on information provided by the agreement managers, during this monitoring period, the Probation Department has not requested medical, mental health records or Individualized Education Plans for any youth with a YAT or NCOSP referral.

Status and recommendations: In compliance. We, as monitors, recommend the Probation Department track and document, thorough quality assurance audits, compliance with the requirements in this section (e.g., nature and use of records requested, maintenance of records received, youth and parent/guardian awareness of right to inspect records).

VII. Data tracking

Summary of requirements

Within 180 days of the signed agreement and on a quarterly basis, the Probation Department must collect and analyze data regarding youth placed into the YAT program or any other NCOSP. Analyses must disaggregate data by race/ethnicity, gender, age at time of alleged offense, and foster youth status. A full listing of the youth data required by the settlement is included in the settlement agreement.

The Probation Department must provide the analysis in a written report to the Juvenile Justice Coordinating Council (JJCC) in open session, and to the County Executive officer, on an annual basis in a format that will protect confidentiality of youth and personnel. Written reports must be published and maintained on the Probation Department website, and a hyperlink to the Department's website must be maintained on the county's primary website and all relevant county departmental websites, directing the reader to the reports and associated materials. The Probation Department's report to the JJCC must include information on referrals, participation, and outcomes of the youth participating in the YAT or NCOSP. Annual reports must include findings from three sets of analyses: participant, assessment, and community-level analyses. A full listing of the analytic information required in each annual report is included in the settlement agreement.

Summary of compliance/progress with requirements in this category

The Probation Department contracts with WestEd to conduct research and evaluation of the YAT program and other NCOSPs. The Probation Department worked with WestEd to ensure that the Department's case management system captured all data elements required in the settlement agreement, and that these data elements could be extracted via Structured Query Language (SQL) reports for the purpose of quarterly and annual data collection. Although data collection mechanisms were established, the YAT program received only four referrals (two carried over from fiscal year 2021-22 and two from fiscal year 2022-23); the other NCOSP, based on driving under the influence referrals, enrolled 20 youth.

Given the continuing small numbers during this reporting period (fiscal year 2022-23), , data analysis and reporting requirements are not applicable. If additional youth are referred to at least one of these programs in the future, the Department and WestEd are prepared to analyze required data, and WestEd is prepared to incorporate required findings into the annual reports. Importantly, to protect youths' confidentiality, we, as monitors, continue to recommend that results of these analyses only be made publicly available if at least 25 youth have been referred to and participated in YAT or another NCOSP; further, disaggregated data should only be made publicly available if there are more than 10 youth per data category (data categories may be combined to meet this minimum threshold). In the case of a small number of referrals and/or participants, we, as monitors, will work with the Probation Department and West Ed to review the data to ensure compliance with the settlement agreement and to identify areas in need of improvement.

Although data and analytic results are not public given the small number of participants, we, as monitors, have reviewed the available data on referrals to the YAT program and

other NCOSPs, including but not limited to the number of youth and families that accepted and declined program participation and youth engagement in the program (e.g., length of participation; race, ethnicity, and gender identity of youth). This information informed our review and analysis of compliance with the settlement agreement and provided insight into whether the program functions as an individualized, voluntary, and youth centered program, as intended. For example, we learned from our data review that, of the four youth referred to YAT, three enrolled and successfully completed (including one that completed after the fiscal year, on July 6, 2023), and the family of the fourth declined participation. We observed that the length of program participation was individualized and under six months in all cases.

The very small numbers of youth enrolled in YAT prevents data analysis related to equitable (or inequitable) representation in program referrals and involvement. However as stated earlier in this report, youth of color are overrepresented in override cases. A deeper, ongoing analysis of referrals, use of OYAS-DIV, and the potential impacts of subjective decision making with overrides, should be conducted on an ongoing basis. Also, programs and services should be maximized to divert youth from formal court filing, especially for youth of color who are overrepresented. As recommended in last year's report, to guide system improvement efforts, we encourage the Probation Department to work with other system partners (e.g., District Attorney's Office) to capture data, disaggregated by race/ethnicity and gender, on all juvenile justice referrals, non-mandatory and mandatory referrals diverted, and referrals formally filed.

As requested, the Probation Department provided fiscal year data on all juvenile referrals, disaggregated by race/ethnicity and gender; these data are essential to more fully understanding the use of diversion and formal processing. Later in this report, we will review the 2022-23 data and describe trends over time.

Status and recommendations: In compliance. *The Probation Department is in compliance, having provided data to WestEd for analysis on a quarterly basis. We, as monitors, received total referral data (mandatory plus non-mandatory referrals) for fiscal year 2022-23 and for prior years dating back to fiscal year 2018-19, which provide a better understanding of changes and observe trends in diversion and formally processed cases.*

VIII. Modification of existing Probation Department policies, processing and/or procedures and other public information regarding the YAT program and any other non-court-ordered supervision program; and training

Summary of requirements

The Probation Department was required to modify all formal and informal policies, processes, and operating procedures and related training materials in accordance with the settlement agreement. Within 180 days of the settlement agreement, the Department was required to train all personnel assigned to administer the YAT program and personnel assigned to juvenile intake on the policies and procedures reflected in the agreement.

The Probation Department was required to review and revise any and all public information, including awareness, educational, and outreach information created, drafted, or released by Riverside County Departments to reflect the agreed upon settlement terms.

Within 180 days of the effective date of the settlement, the Probation Department was required to create a mandatory training plan reflecting the mandate that all personnel assigned to administer the YAT Program or any NCOSP, and all personnel assigned to juvenile intake functions, receive training in the areas of “Engaging Youth for Better Probation Outcomes” and “Advancing Probation Practice” as outlined and identified by us, the monitors of the settlement agreement. Additionally, we, the monitors, must coordinate and lead the training annually, beginning in fiscal year 2020-21 with two 8-hour blocks for STC certified trainings. A four-hour refresher training for each course will be held annually through the end of fiscal year 2024-25.

Summary of compliance/progress with requirements in this category

During the first year of the settlement agreement, the Probation Department created detailed Standard Work documents incorporating all settlement agreement requirements into written policy. Given the small number of youths in YAT, we, as monitors, were able to review and discuss all YAT cases with the YAT supervisor for this fiscal year 2022-23 monitoring period.

The Probation Department developed the required internal trainings for all required personnel, which we, as monitors, reviewed during the first year of the settlement agreement to confirm inclusion of required content. The Probation Department maintains rosters of all trainings attended by individuals assigned to conduct intakes and those assigned to operate the YAT program or other NCOSPs. These include 14 hours of OYAS trainings and booster OYAS trainings, intake orientation trainings, and trainings offered by monitors. This documentation confirms that the required 14-hours of OYAS trainings and the booster trainings were provided as required and according to the timeline specified in the agreement.

Per the requirements, we, as monitors, trained 10 staff, including all staff assigned to juvenile intake and diversion, on March 3, 2022. We informed the group of trainees that we understood that probation staff often rotate unit assignments (e.g., to and from diversion and probation supervision units). Although much of the curriculum content this year focused on diversion, as in the past, we stressed that our training applied to staff in both the diversion and probation units and asked individuals to think about and apply training information and skills when working with youth in their current unit, as well as in their past and future departmental assignments.

The intent of training in the settlement agreement was to support organizational change within the Probation Department and to advance the establishment, implementation, and sustainability of strength-based, developmentally appropriate, youth- and family-centered practices that emphasize positive youth development—with the goal of promoting better outcomes for youth while on diversion and probation, and beyond. With this intent in mind, we designed a curriculum that encourages ongoing system improvement and use of evolving best-practices to better serve youth and families, promote positive youth outcomes, and enhance public safety.

Through our staff training, we learned of the great extent to which probation officers are committed to supporting young people and making positive connections for them with meaningful services. We were able to discuss our analysis of OYAS overrides in detail, which provided us with the understanding that many of the referrals were due to concerns that youth and families are not connecting with services that would address concerns around the risk and needs of youth and families. In discussing the current intake process with staff, it became clear that staff are concerned by the lack of face-to-face interviews with youth and families with higher risk and need levels and the absence of a “warm handoff” to connect youth and families with responsive community-based services. In fact, we learned that there was a misperception that the settlement agreement prohibited such a process due to the required voluntary nature of services. We hope to continue working with staff, managers, and probation leadership to implement a more responsive youth- and family-centered approach, emphasizing positive youth development and involving accountability and reparation when appropriate, while ensuring consistent and complete adherence to the settlement agreement. We hope to continue these discussions in future trainings and create upcoming training curricula that engage probation officers in co-designing solutions to some of the concerns raised during the Year 3 training. It was always the intent that these trainings would help catalyze positive policy, practice, and culture changes.

In the last monitoring report, we recommended that probation managers schedule time during our site visit for us to share with them the training content we have provided to line staff so that they understand and can support related policy and practice changes

going forward. We were pleased that probation leadership adopted our recommendation to participate in a half-day review of the information we provide staff in trainings. This meeting generated productive discussions between and among probation leaders and us regarding future improvements to diversion practice in Riverside County, which demonstrated to us not only a commitment to adhering to the settlement agreement requirements but also a commitment to continuous improvement.

Status and recommendations: In compliance. *We are encouraged by the Probation Department's openness to reexamine current practices, move beyond strict adherence to the requirements of this settlement agreement, and embrace the intent of this agreement, which is to: promote the wellbeing of youth; reflect best practices by investing in school, health, and community-based holistic youth development; increase community engagement in pre-arrest youth programs; and aim to improve youth outcomes. We recommend managers continue working with line staff and us, as monitors, to develop solutions to the concerns raised in trainings over youth and families' unmet needs and limited connections to service.*

IX. Composition [and role] of the Juvenile Justice Coordinating Committee (JJCC)

Summary of requirements

The agreement required that, within 180 days of the effective date of the settlement, five additional Community Representatives were to be added to the JJCC, appointed by the Board of Supervisors. The agreement prohibited Community Representatives from being an arm of a law enforcement entity and required that Community Representatives make up at least 45% of the JJCC membership. In addition, the agreement required that Sigma Beta Xi, Inc., have a temporary seat on the JJCC for two years. The agreement indicated that, in addition to its statutorily-defined duties, the JJCC should also: develop a process for soliciting community review of and feedback on the operations of at-risk youth programs and services available in Riverside County and incorporate that feedback into their quarterly meetings; review data reports described above and develop action plans and strategies to reduce disproportionalities in referrals and enrollment of youth in the YAT or other NCOSPs to ensure they are centered on youth development, needs, and success; identify potential improvements or modifications to Probation Department policies and/or practices; and review and comment on at-risk youth programs and services available in Riverside County.

Summary of compliance/progress with requirements in this category

During this reporting period, Riverside County was in compliance with the required community representation on the JJCC. Through the January 23, 2023 meeting, the JJCC included 21 voting members, including Jessica Aparicio, who represented Sigma

Beta Xi, Inc., fulfilling the settlement agreement's two-year requirement. January 23, 2023 was her final meeting, and the JJCC decreased in size to 20 voting members.

At the July 17, 2023 JJCC meeting, 17 of the 20 voting members were serving, and there were three vacancies at the time. One member from District 3 and one from District 5 resigned from the JJCC prior to that meeting. Additionally, a third member, a representative of a community-based drug and alcohol program, was no longer on the committee by the July 17th meeting. Therefore, as of the last reported JJCC meeting in July, three of the eight community representative seats were vacant, which means that the community representation on the JJCC at 25%, which is short of the required 45% minimum representation required by the settlement agreement. According to the agreement managers, it is anticipated that the vacant positions will be filled prior to the November 13, 2023 JJCC meeting.

In fiscal years 2020-21 and 2021-22, we noted that, although JJCC meetings are open to the public and provide opportunity for community feedback, and WestEd reports provide useful information about programs for at-risk youth, no formal or structured process had been established within the JJCC for soliciting community review and feedback regarding operations of at-risk youth programs and services available in Riverside County. We recommended that the JJCC Chair work with JJCC members to develop, document, and execute a process for soliciting feedback from youth, families, community members, and individuals with lived juvenile justice experiences regarding the availability and quality of current programs/services, as well as gaps in services and areas for improving the quality and quantity of programs/services available. We also recommended the JJCC establish and follow a procedure, based on solicited feedback and future data analysis, to identify potential improvements to policies and practices and commentary regarding at-risk programs and services.

During the fiscal year 2021-22 monitoring period, the JJCC voted to establish a Community-Based Organizations Review and Feedback subcommittee to establish a formal process to meet the settlement agreement requirement to solicit review and feedback of community-based programs for at-risk youth and services available to youth and families in Riverside County. The subcommittee recognized that it would need support and resources to fulfill this agreement, and the JJCC voted to solicit, through a request for proposals (RFP), the development of a strategic plan to comprehensively assess needs for the county. The RFP was released on September 14, 2023.

According to the agreement managers, the subcommittee will focus on developing a survey that can be used by all service providers that will be age-appropriate for

respondents. We continue to encourage the ongoing solicitation of feedback from youth and families receiving diversion services to ensure continuous quality.

Status and recommendations: In partial compliance, as of July 17, 2023. We understand that JJCC membership will fluctuate with time, and when a member resigns, it may take time to work with the County Board of Supervisors to appoint new members. Currently, the four vacant Community Representative seats do not meet the requirement that at least 45% of JJCC members much be Community Representatives. However, as we understand, the JJCC membership was in compliance throughout fiscal year 2022-23. We, again, recommend the work of the JJCC subcommittee continue and that the JJCC prioritize efforts to oversee the solicitation of feedback from youth and families and to use that feedback to identify potential improvements to policies and practices and commentary regarding at-risk programs and services.

X. Increase Allocation of JJCPA Funding to Community Representatives

Summary of requirements

The agreement required that, beginning in the year fiscal year 2020-21, the Probation Department must direct a minimum of \$1.4 million annually for five years to Community Representatives, with funds available through a Request for Proposal process. The agreement also required that JJCC members or their designees review and vote on proposals (except those they may submit).

Summary of compliance/progress with requirements in this category

During the fiscal year 2022-23, \$1,877,882.74 was allocated to community-based organizations to provide services to youth, exceeding the minimum requirement.

Status: In compliance.

XI. Sealing and destruction of YAT records for all class members

Summary of requirements

The settlement agreement and its addendum specified that, within 180 days of the effective date of the settlement, the Probation Department was required to:

- 1) Identify, seal, and destroy the YAT case files for all youth referred to and/or placed on a YAT contract without an application for a petition.
- 2) Identify all youth who were referred to and/or placed on a YAT contract through an application for a petition under W&I Code section 601, and maintain or destroy these youths' YAT case files in accordance with the Department's two-year records retention policy.

- 3) Identify all youth who were referred to and/or placed on a YAT contract under the jurisdiction of W&I Code section 602. YAT case files for such youth were required to be maintained or sealed in accordance with W&I Code sections 781 and 786.5.

More specifically, quoting the settlement agreement:

Within 7 days of executing the agreement, the parties shall file a joint application to the Presiding Judge of the Riverside Juvenile Court, requesting that the court seal all juvenile case files that would be eligible for sealing in accordance with W&I Code section 781 and section 786.5.

For the 23,717 youth the Riverside County Probation Departments deemed to have “successfully completed” the YAT program, pursuant to W&I Code 786.5, the Department shall seal the YAT Program case file records in its custody relating to all of these 23,717 youth referred to the YAT program and/or who participated in the YAT Program.

The Riverside County Probation Department shall also notify all public or private agencies involved in operating the YAT Program to seal the YAT Program case file records in the custody of those agencies relating to all of the 23,717 youth’s referral and participation in the YAT Program in accordance with W&I Code 786.5. These agencies shall promptly seal all such records in accordance thereto.

Pursuant to W&I Code 786.5, upon the sealing of any records of these 23,717 youth, the arrest or offense giving rise to the youth’s participation in the program shall be deemed not to have occurred and the youth may respond accordingly to any inquiry, application, or process in which disclosure of their information is requested or sought.

For the approximately 2,600 records related to youth who were unsuccessful or withdrew from the YAT program, some of these youth may be eligible for record sealing under W&I Code section 781, after the filing of a petition, assessment by the District Attorney, and a possible Court hearing has occurred.

A process has been established whereby the names and information related to each of the approximately 2,600 petitions have been provided to Burns & Oblachinski, counsel retained by the County to represent the approximately 2,600 youth who were unsuccessful or withdrew from the YAT program for the purpose of possibly sealing the YAT records under W&I Code section 781. Burns and Oblachinski will review each matter and will file a petition for sealing of YAT records under W&I Code section 781 where appropriate. The petition will be

reviewed by the District Attorney's Office and potentially objected to. If no objection is filed, the court may approve the sealing of the youth's specific YAT program file for which the petition was filed. If an objection is filed, the Court will set the matter for a hearing.

- 4) Notify all youth who were referred to and/or placed on a YAT contract under the jurisdiction of W&I Code section 601 and their parent/guardian that the youth continues to be eligible for diversion under section 654. The agreement specified that this notification must be done by: 1) Amending the Final Notice of Class Settlement to include one sentence indicating that "All youth who were referred to and/or placed on a YAT contract under the jurisdiction of Welfare & Institutions Code section 601 continue to be eligible for diversion under Welfare and Institutions Code section 654"; 2) including the aforementioned provision in the Addendum to Class Action Settlement Agreement as set forth herein; 3) posting the Final Notice and Addendum to Class Action Settlement Agreement on the County, Probation, and Class Counsels' website within 7 days of the Court's approval of the Addendum to Class Action Settlement Agreement; and 4) distributing copies of the Final Notice and Addendum to Class Action Settlement Agreement to the Juvenile Defense Panel and the District Attorney's Office within 7 days of the Court's approval of the Addendum to Class Action Settlement Agreement.

Summary of compliance/progress with requirements in this category

The status of compliance with regard to the sealing and destruction of records is indicated below for each specific area of the agreement (noted in italics).

Compliance/progress with requirements 1 and 2:

Identify, seal, and destroy the YAT case files for all youth referred to and/or placed on a YAT contract without an application for a petition.

Identify all youth who were referred to and/or placed on a YAT contract through an application for a petition under W&I Code section 601, and maintain or destroy these youths' YAT case files in accordance with the Department's two-year records retention policy.

According to the Probation Department, all referrals for W&I Code section 601 cases were made without a petition and were filed primarily by schools. According to the Probation Department's settlement agreement managers, within 180 days of the settlement agreement, the Probation Department destroyed all 19,617 alleged W&I Code section 601 violations. The Department destroyed the remaining 571 case files

after the 180-day period but by June 22, 2021 (i.e., during the first year of the settlement agreement).

Compliance/progress with requirement 3:

Identify all youth who were referred to and/or placed on a YAT contract under the jurisdiction of W&I Code section 602. YAT case files for such youth were required to be maintained or sealed in accordance with W&I Code sections 781 and 786.5.

Within 7 days of executing the agreement, the parties shall file a joint application to the Presiding Judge of the Riverside Juvenile Court, requesting that the court seal all juvenile case files that would be eligible for sealing in accordance with W&I Code section 781 and section 786.5.

The Probation Department Standard Work includes information on the sealing process, consistent with W&I Code sections 781 and 786.5, upon a youth's completion of the YAT program or other NCOSP, for past and future cases.

For the 23,717 youth the Riverside County Probation Departments deemed to have "successfully completed" the YAT program, pursuant to W&I Code 786.5, the Department shall seal the YAT Program case file records in its custody relating to all of these 23,717 youth referred to the YAT program and/or who participated in the YAT Program.

Although the settlement agreement specified that 23,717 youth with W&I Code section 602 petitions successfully completed the YAT program, the Probation Department's review and cleaning of data revealed that 897 were duplicate cases or data entry errors, leaving 22,820 total cases for sealing. Of these 22,820 cases, the Probation Department identified only 16,990 as successful YAT completions, and the Department documented that all of those cases have been sealed and closed. The remaining 5,830 cases included 4,778 cases that had not been YAT referrals, 485 cases for which the files had already been sealed, four cases that were still active, and 563 cases in which the youth did not successfully complete the program. These 563 "unsuccessful" cases were added to the cases that would be eligible for sealing by the court.

The Riverside County Probation Department shall also notify all public or private agencies involved in operating the YAT Program to seal the YAT Program case file records in the custody of those agencies relating to all of the 23,717 youth's referral and participation in the YAT Program in accordance with W&I Code 786.5. These agencies shall promptly seal all such records in accordance thereto.

In March 2021, the Probation Department sent and maintained copies of notices sent to all agencies involved in operating the YAT program to seal the YAT program case file records as stipulated in the agreement.

Pursuant to W&I Code 786.5, upon the sealing of any records of these 23,717 youth, the arrest or offense giving rise to the youth's participation in the program shall be deemed not to have occurred and the youth may respond accordingly to any inquiry, application, or process in which disclosure of their information is requested or sought.

Upon sealing of these successfully completed cases, notice was provided to youth of this requisite information—that the arrest that led to program participation is deemed to never have occurred and that the youth may respond accordingly to an inquiry, application, or process in which disclosure of their information is requested or sought.

For the approximately 2,600 records related to youth who were unsuccessful or withdrew from the YAT program, some of these youth may be eligible for record sealing under W&I Code section 781, after the filing of a petition, assessment by the District Attorney, and a possible Court hearing has occurred.

Although the settlement agreement specified that approximately 2,600 youth with W&I Code section 602 petitions were unsuccessful or withdrew from the YAT program, the Probation Department's review and cleaning of data revealed duplicate cases or other data entry errors, leaving only 2,194 cases. However, as indicated above, the Department identified 563 additional unsuccessful cases while reviewing and cleaning the cases originally deemed successful completions. Thus, a total of 2,757 cases were identified as eligible for sealing, pending the specified filing, assessment, and possible hearing process .

A process has been established whereby the names and information related to each of the approximately 2,600 petitions have been provided to Burns & Oblachinski, counsel retained by the County to represent the approximately 2,600 youth who were unsuccessful or withdrew from the YAT program for the purpose of possibly sealing the YAT records under W&I Code section 781. Burns and Oblachinski will review each matter and will file a petition for sealing of YAT records under W&I Code section 781 where appropriate. The petition will be reviewed by the District Attorney's Office and potentially objected to. If no objection is filed, the court may approve the sealing of the youth's specific YAT program file for which the petition was filed. If an objection is filed, the Court will set the matter for a hearing.

The Probation Department provided the youth names and identifying information for the 2,757 unsuccessful YAT program cases to the Burns and Oblachinski firm. The court reviewed approximately five cases per day, beginning December 7, 2020 for sealing determinations. It was noted at the time of the first monitoring report (prepared in September 2021) that 1,716 cases were pending at that time. The court continued to approve the sealing of records throughout this monitoring period, and by June 31, 2022, all but 19 of the 2,757 unsuccessful YAT program cases had been sealed. By October 6, 2022, the remaining cases were sealed by the court. The Probation Department plans to continue sealing and destroying records of successful diversion cases and will track any cases closed as “unsuccessful” for court review and potential sealing when eligible. It is encouraging that there have been no unsuccessful cases, rendering the sealing of records moot.

Compliance/progress with requirement 4:

Notify all youth who were referred to and/or placed on a YAT contract under the jurisdiction of W&I Code section 601 and their parent/guardian that the youth continues to be eligible for diversion under section 654. The agreement specified that this notification must be done by: 1) Amending the Final Notice of Class Settlement to include one sentence indicating that “All youth who were referred to and/or placed on a YAT contract under the jurisdiction of W&I Code section 601 continue to be eligible for diversion under W&I Code section 654”; 2) including the aforementioned provision in the Addendum to Class Action Settlement Agreement as set forth herein; 3) posting the Final Notice and Addendum to Class Action Settlement Agreement on the County, Probation, and Class Counsels’ website within 7 days of the Court’s approval of the Addendum to Class Action Settlement Agreement; and 4) distributing copies of the Final Notice and Addendum to Class Action Settlement Agreement to the Juvenile Defense Panel and the District Attorney’s Office within 7 days of the Court’s approval of the Addendum to Class Action Settlement Agreement.

On September 15, 2020, counsel provided the Probation Department with an updated Final Notice of the Class Settlement to be posted on all applicable sites. The updated version added the language, “all youth who were referred to and/or placed on a YAT contract under the jurisdiction of W&I Code section 601 continue to be eligible for diversion under W&I Code section 654.” Both the Probation Department and County posted the updated Final Notice and Addendum to the Class Action Settlement on their websites by October 1, 2020. Counsel also provided the Final Notices to the Juvenile Defense Panel and District Attorney’s Office.

Links to the final notice were posted and remain on the American Civil Liberties Union, National Center for Youth Law, and Sheppard, Richter, Mullin, & Hampton LLP websites within seven days of the settlement agreement.

Status: In compliance. *Although not all cases were sealed and destroyed in the required time frames, as noted in the first two monitoring reports, all cases have now been sealed and/or destroyed. We request that the Probation Department continue monitoring and reporting, throughout this settlement agreement, the number of unsuccessfully completed YAT and NCOSP cases that are eligible for sealing, the number of eligible cases sealed, the number of eligible cases for which the determination is that the records should not be sealed, the number of cases pending, and the actions taken to timely assess unsuccessful cases for sealing.*

Contextualizing Agreement Compliance: A Review of Diversion Utilization

An extensive body of research has documented the long-term benefits of youth diversion over formal case processing, such as lower risk of recidivism, greater educational attainment, higher rates of future employment, and better mental health outcomes (e.g., Barrett & Janoaul-Naylor, 2016; Raffaele Mendez, 2003; Wilson et al., 2013). Research shows that youth of color are less likely than their white peers to be diverted. Inequity in diversion rates results in youth of color facing formal court proceedings with greater frequency, leading them to accumulate more extensive legal histories and face harsher consequences for subsequent arrests. Expanding diversion opportunities for youth of color represents a crucial opportunity to address continuing disproportionality in the juvenile justice system (Mendel, 2022). Additionally, when revising or reforming juvenile justice policies and practices, it is critically important to examine equity in both diversion and formal case processing.

As with previous reports, due to the consistently low number of referrals to YAT and other NCOSPs, we found exploring the broader context of diversion from formal processing essential. We aimed to determine if formal processing rates rose with the significant drop in youth referrals to YAT and other NCOSPs. Such a result would indicate that the department's policy updates may have expanded the reach of Riverside County's juvenile justice system, contrary to the goals set out in the settlement agreement. Conversely, Riverside County would align with best practices if the marked decrease in YAT and other NCOSP usage came from more cases being closed at intake or from those counseled and closed due to OYAS-DIV scores. Research generally suggests that this best practice approach results in youth having less contact with the system in the future. Many young people naturally grow out of delinquent behavior or require only minimal support to do so (e.g., Mulvey, 2012; Piquero, 2008; Sampson & Laub, 2005)

To provide a fuller context to help interpret diversion rates and practices, the Probation Department provided the following data, disaggregated by race/ethnicity and gender for

each fiscal year from 2018-19 through 2022-23: total juvenile referrals; data on diversion-eligible referrals (i.e., “non-mandatory” referrals not requiring prosecutorial review); referrals to the YAT program; referrals diverted through closure at intake or through counsel and close; and non-mandatory cases that were sent to the prosecutor and were formally filed or pending review for formal filing at the end of the reporting period, based on overrides to OYAS-DIV scores.

Importantly, following preparation of this report and provision of a draft to the Probation Department for review, a settlement manager informed us, the monitors, about potential inaccuracies of the data provided. The settlement manager noted that, although the Probation Department had confidence in the total number of referrals to the District Attorney’s Office each year, the department questioned the accuracy of the number of mandatory and non-mandatory referrals in fiscal years 2018-19 and 2019-20. The settlement manager reported that the probation case management system does not include a required field to distinguish between mandatory and non-mandatory referrals; it includes only an option to identify a mandatory referral, and if that option was not selected in a given case, the department concludes the referral was non-mandatory. The settlement manager reported that, in fiscal years 2018-19 and 2019-20, there were at least several cases in which the mandatory box should have been checked but was not, leading to an under-reporting in the data provided of mandatory referrals to the District Attorney’s Office for filing consideration and an inflated number of non-mandatory referrals. The scale of this problem in those two years is unknown, calling into question the accuracy of the baseline and Year 1 data provided. Individual and time-consuming case-by-case investigation by the Probation Department might provide more accurate information about these referrals; alternatively, the District Attorney’s Office might have more accurate data regarding the nature (i.e., mandatory or non-mandatory) of each case referred by the Probation Department.

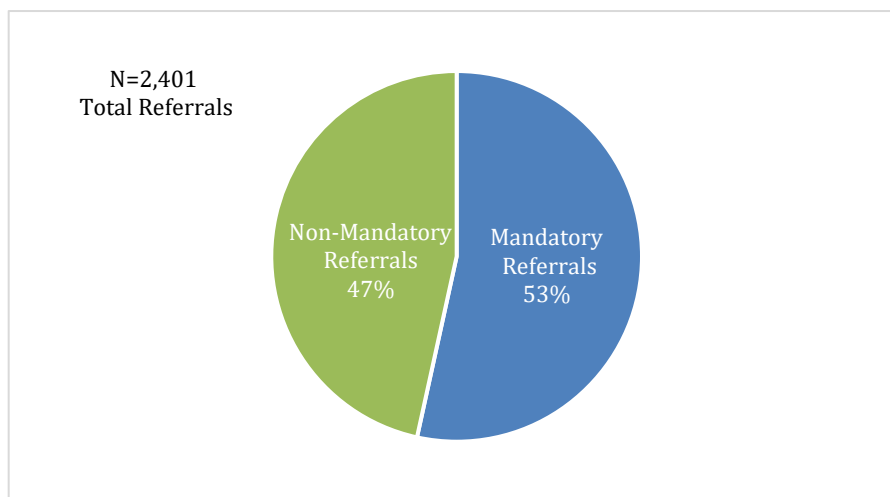
The settlement managers reported that, in 2020, a Probation Department staff member brought this potential inaccuracy to the department’s attention. At that time, the department sought to improve the reliability of the data by reminding staff to select the mandatory referral option for all mandatory referrals. They also instructed supervisors, via a group phone call, to confirm consistent and accurate recording of mandatory cases in the case management system. Thus, the settlement manager reported that the accuracy of the mandatory and non-mandatory case data provided should be more accurate for the past three fiscal years (since 2020-21) than it was for the prior two years. The settlement manager also said that in the new, forthcoming case management system, both mandatory and non-mandatory options will be included for each case referred, and the system will require entry of one of these options, increasing reliability.

Below, we provide summaries of the data the Probation Department provided. We offer a strong warning that the classification of mandatory and non-mandatory cases may not be accurate, particularly for 2018-19 and 2019-20, and we do not know the extent to which the data are unreliable. Although we considered omitting these data summaries from this report based on this uncertainty, we believe that the data are too important to fully ignore. Thus, we present the data provided and our related interpretations, but we urge Riverside County (e.g., Probation Department, District Attorney's Office) to review the data so system change decisions can be based on accurate information.

Based on the data provided:

Figure 1 below shows a total of 2,401 referrals in fiscal year 2022-23, as well as the proportion of referrals identified as non-mandatory and as mandatory. Slightly more than half of referrals were mandatory.

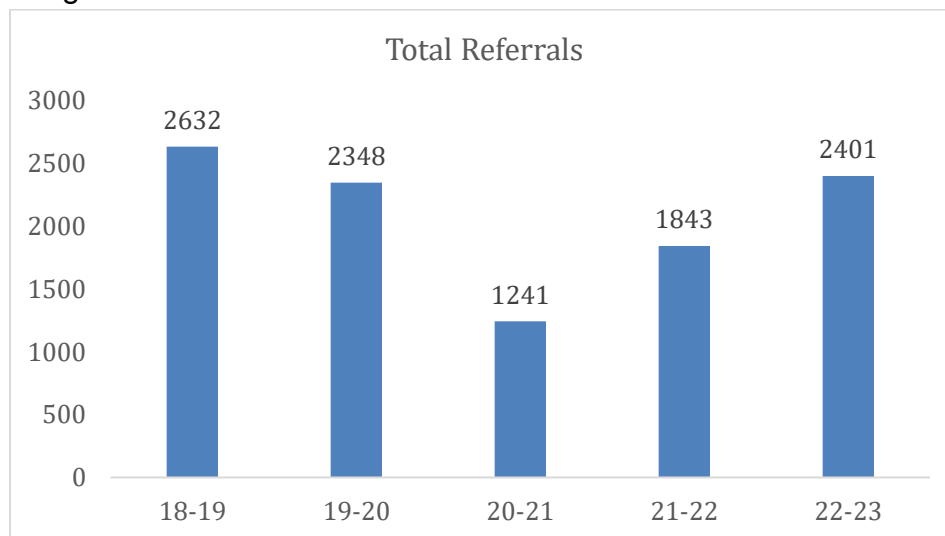
Figure 1. Total Referrals to the Juvenile Justice System: Percent Mandatory and Non-mandatory (Fiscal Year 2022-23).



Based on the data provided, total referrals (non-mandatory and mandatory) to the Riverside County juvenile justice system initially declined, beginning with fiscal year 2018-19 (i.e., the baseline year, the year before the settlement agreement) and continuing through fiscal year 2020-21, the height of the pandemic. As COVID-19 effects diminished in fiscal year 2021-22, referrals increased. Then, in fiscal year 2022-23, referrals surged by 193% from their lowest point in 2020-21, reaching just 9% below the baseline year. With all other things equal, we would expect a decrease after fiscal year 2018-19, given that the practice of receiving W&I Code section 601 cases (status offenses) ended on July 1, 2019. However, we do not know the share of referrals these

types of offenses represented because data on the number of W&I Code section 601 referrals were unavailable for fiscal year 2018-19.

Figure 2. Total Referrals to Riverside County Juvenile Justice System: Fiscal Years 2018-19 through 2022-23.



Based on the data provided, we examined data on total referrals by considering the number and distribution of mandatory and non-mandatory cases by year to more fully understand the changes in and utilization of diversion since the settlement agreement. This information is particularly important given the near elimination of YAT cases since the settlement agreement and that mandatory cases were accepted into YAT *before* the settlement agreement. Without this type of data for context, it is difficult to determine whether referrals formerly handled through YAT are now being diverted or formally filed in court, the latter of which would suggest net widening and generate concern. Examining, by year, the raw number for each type of referral and the ratio of mandatory to non-mandatory referrals serves as an initial step in analyzing trends.

Figure 3 below shows the total number of referrals and the number of non-mandatory and mandatory referrals for each fiscal year since the baseline year (i.e., fiscal year 2018-19). The baseline year is strikingly different from the other years in three ways: 1) the total number of referrals is the highest of all subsequent years, 2) the ratio of non-mandatory to mandatory referrals is much higher in the baseline year than in subsequent years, and 3) the number of cases formally filed was the smallest of any subsequent year. Although the Probation Department cannot determine the accuracy of the latter two differences, a settlement manager reported that the Probation Department is confident about the total number of referrals reported each year.

Based on the data provided, non-mandatory referrals represented 95% of all referrals in the baseline year. We know that the practice of accepting W&I Code section 601 cases (status offenses) ended on July 1, 2019, the day after the baseline fiscal year, which may help explain why the ratio of non-mandatory referrals to mandatory referrals was much higher that year. However, there was also a much smaller number of mandatory referrals in the baseline year, and it is unclear why this number changed so dramatically from that year to the next. Although elimination of W&I Code section 601 cases and policies and practices during the initial year of the pandemic may have influenced the drop in the raw number of non-mandatory referrals, the total number of mandatory referrals rose each year since the county began responding to the settlement agreement.

Figure 3 also shows the percentages of mandatory and non-mandatory referrals for each fiscal year. The percentage of each type of referral has been relatively stable for the past three years, with slight increases in the percentage of non-mandatory referrals from year to year since 2020-21, which is a promising recent trend. However, to more meaningfully interpret referral patterns, it is critical to examine the changes in raw numbers over time, along with the annual changes in the percentages of mandatory and non-mandatory referrals. Doing so reveals that the total number of referrals has increased over the past 3 years, exceeding referral rates for 2019-20 and nearing the reported baseline referral rates from the year prior to the execution of the settlement agreement. It also reveals far more mandatory referrals in the most recent fiscal year—both in raw number and as a percentage of total referrals—than in the baseline year prior to the settlement agreement; in fact, the number of mandatory referrals in 2022-23 is nearly 10 times the number of mandatory referrals reported in 2018-19. This highlights the importance of reliable data and, if accurate, suggests potential net-widening and underscores the need for deeper analysis of policies, procedures, charging, and offense characteristics to understand these changes and identify opportunities to increase diversion, particularly in cases with mandatory referrals.

Figure 3. Total Mandatory and Non-Mandatory Referrals to Riverside County Juvenile Justice System: Fiscal Years 2018-19 through 2022-23.

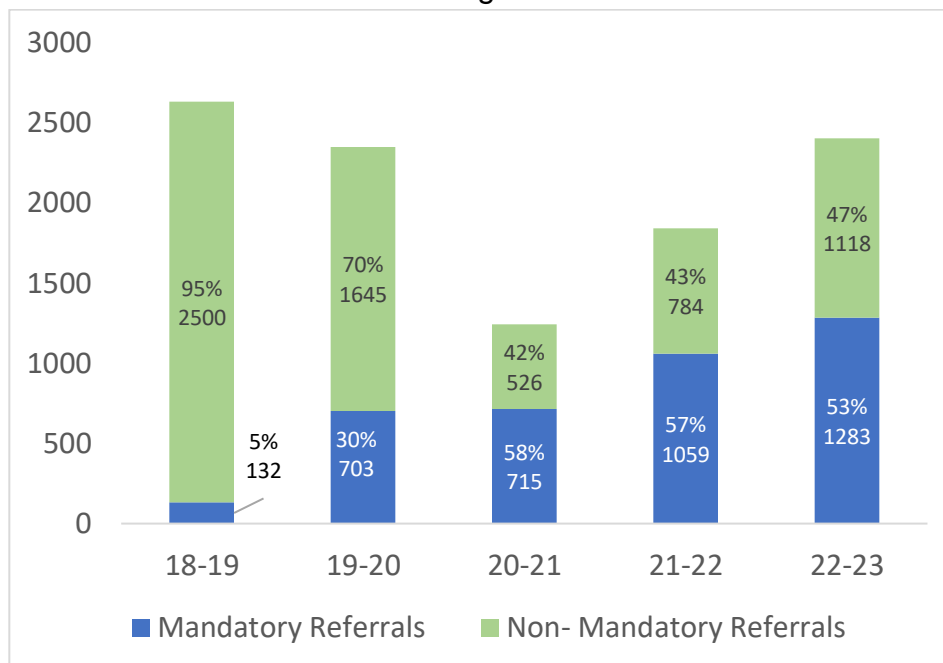


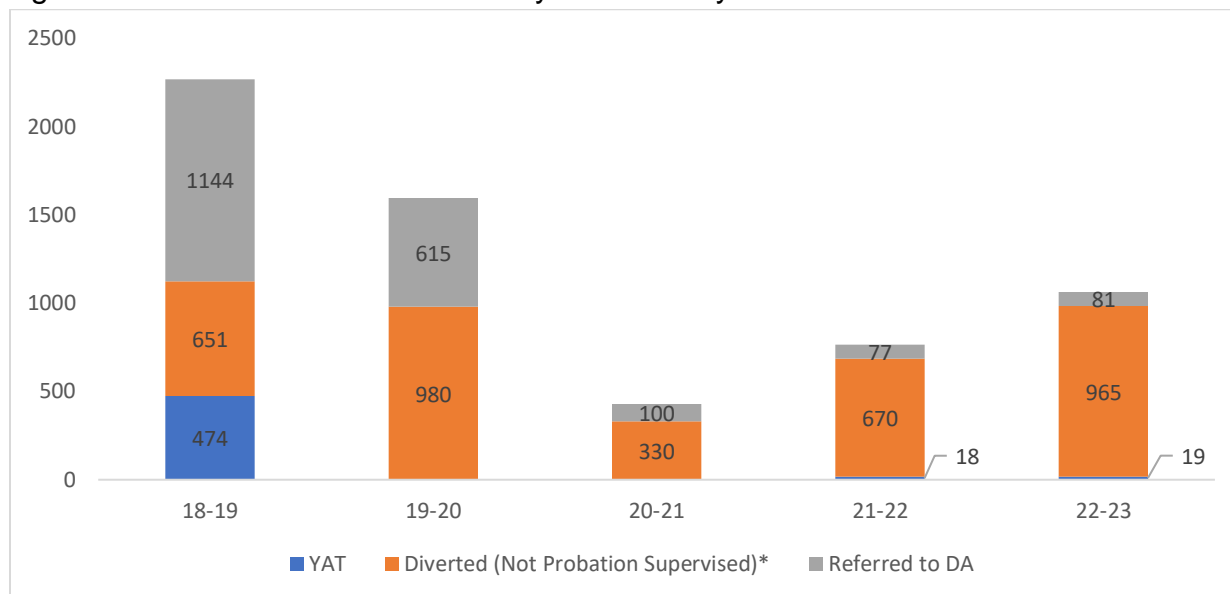
Figure 4 provides additional information regarding the outcomes of non-mandatory referrals: 1) the number of cases diverted to YAT or another NCOSP; 2) the number of cases diverted at intake without probation supervision (counseled and closed or closed at intake); and 3) the number of override referrals that were sent to the district attorney's office for filing. As reflected in the figure based on the data provided, there has been a substantial reduction in the number of non-mandatory referrals among this group since fiscal year 2018-19, along with substantial reductions in the use of YAT or other NCOSPs and in the number of non-mandatory cases referred to the District Attorney's Office for formal filing. Non-mandatory referrals were at their lowest level in the first full year of the pandemic (fiscal year 2020-21) and have been climbing since, but they have not reached the levels seen in data reported for fiscal year 2018-19 or 2019-20.

In fiscal year 2022-23, less than 2% of all non-mandatory referrals were placed on YAT or another NCOSP. This includes a total of 19 enrollments, of which 18 youth were diverted to a state-mandated program for allegedly driving under the influence, and only one of the 1,118 non-mandatory referrals resulted in an enrollment in YAT.

A positive trend in the data provided (see Figure 4) is the reduction in cases referred to the District Attorney's Office for court filing consideration due to an override (i.e., from 50% of cases in fiscal year 2018-19 to 8% in 2022-23. Once an override case is referred to the district attorney's office, the district attorney determines whether to file

the case for court arraignment and adjudication or whether the matter should be handled some other way, such as dismissal or re-referral for diversion.

Figure 4. Outcomes of Non-mandatory Referrals by Fiscal Year.



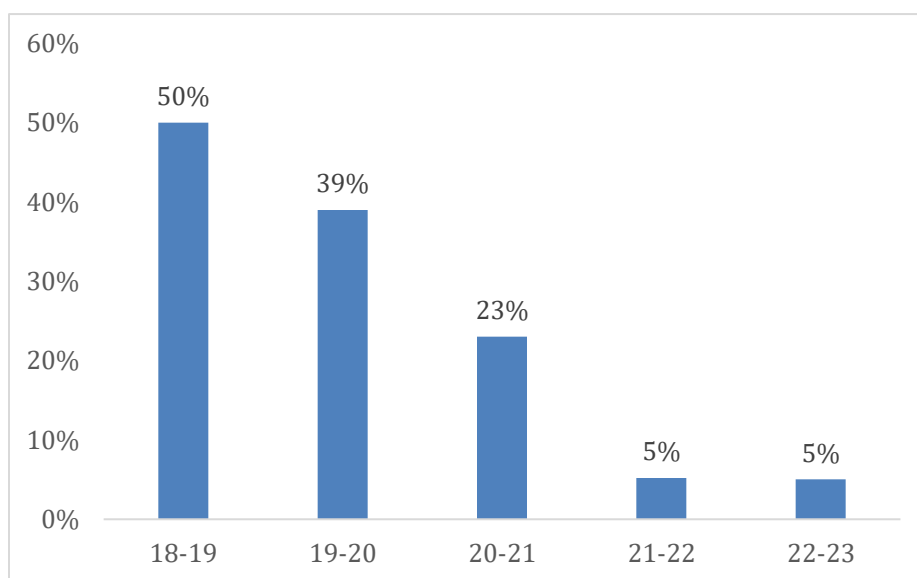
*Note: The “diverted” category does not include referrals that were pending an intake decision at the end of the year (e.g., 53 referrals were pending at the end of fiscal year 2022-23).

Figure 5 provides an alternative view of the data provided to highlight the percentage of the total non-mandatory referrals the Probation Department received in each fiscal year that the department overrode with formal filing *and* which the District Attorney’s Office filed within that fiscal year. Missing from these filing data are those cases with overrides and referrals to the District Attorney’s Office for filing consideration but which were still pending review for filing at the end of the fiscal year. For example, we received data indicating the District Attorney’s Office filed 56 non-mandatory referrals in fiscal year 2022-23, and we are aware of 25 additional overrides of non-mandatory referrals to the District Attorney’s Office for filing consideration that were still pending at the end of the fiscal year. Hence, we are aware of 81 referrals of non-mandatory cases to the District Attorney’s Office for filing consideration in fiscal year 2022-23, which, as stated earlier, is an override rate of 8%, exceeding the 5% indicated in Figure 4 based on data officially reported. Therefore, the filing rate would increase if some or all of those pending cases were subsequently filed.

Nevertheless, based on analysis of differences in available referral data within each fiscal year, we see a substantial reduction over the past five years. It would be safe to assume that the percentage of non-mandatory cases filed might increase slightly after determination of the cases pending a filing decision. However, it appears that, to the extent that the data were largely accurate and that former YAT enrollments were based

on non-mandatory cases, the significant reduction in YAT program enrollment seemed to produce the positive and desired impact of the Probation Department diverting, rather than formally filing, non-mandatory cases.

Figure 5. Percent of Non-mandatory Referrals the Probation Department Referred to the District Attorney's Office and that the District Attorney's Office Filed within the Same Fiscal Year.



As stated earlier in this report, overrides can be based on policies or on discretionary decisions of an intake officer. The Probation Department requires that a probation officer apply the Rules of Court intake guidelines when overriding the OYAS-DIV tool. Whenever overrides occur, it is critical to examine the data associated with the override decisions to ensure that 1) these cases truly needed to be formally processed and could not have been safely diverted and 2) bias is not influencing case processing decisions and contributing to system disparities by race/ethnicity, gender, or other extra-legal factors.

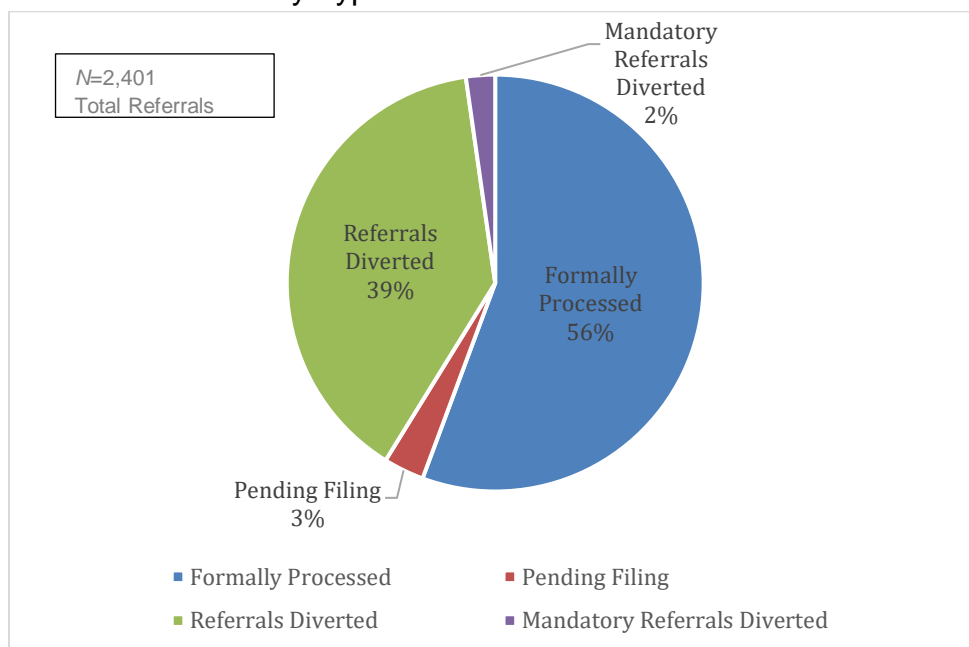
Thirty six percent of the Probation Department's overrides referred to the District Attorney for filing in the most recent fiscal year (2022-23) were based on local policies and practices, such as having two or more non-mandatory referrals or having multiple pending matters, including in-custody cases. The other 64% of the Probation Department's overrides referred to the District Attorney's Office for filing in this fiscal year were discretionary, based on the California Rules of Court (Rule 5.514). Reasons cited for these discretionary overrides included: cases based on harm or threat of harm to person or property; cases in which youth were considered to have serious issues at home, in school or in the community; and cases in which it was presumed that formal handling was necessary for the welfare of the child or protection of the community. Given that non-

mandatory cases reviewed by the Probation Department intake unit are of limited severity (i.e., charges eligible for diversion without prosecutorial review: misdemeanor level cases or below), viable community-based diversion options should be prioritized in lieu of referral to the District Attorney's Office for formal handling. As stated in last year's report, we request the Probation Department conduct a careful case-level analysis of overrides based on interpretation of the Rules of Court and determine how community-based diversion services can be safely utilized to maximize use of diversion.

It should be noted that, according to settlement managers, prior to the settlement agreement, youth in some mandatory referral cases enrolled in YAT, although data on how often that occurred is unavailable. During fiscal year 2022-23, no youth with mandatory referrals enrolled in YAT, although 56 mandatory referral cases during the current monitoring year were forwarded to the Probation Department by the District Attorney's Office for diversion consideration in lieu of filing. This is a 93% increase from the prior year, in which 29 mandatory referrals were forwarded to probation for diversion intake. Based upon OYAS-DIV scores, all of those cases were closed at intake or counselled and closed by the Probation Department (i.e., none were referred to or enrolled in YAT). The increase in mandatory referrals from the District Attorney's Office to probation for diversion consideration is an encouraging and promising trend, but these continue to be only a small percentage of all mandatory referrals (see Figure 6 below).

It is important to note that in Figure 6 below, formal processing refers to all mandatory referrals that remain with the District Attorney's Office; the cases were either filed in court for adjudication, were handled through a non-probation referred diversion, or were declined for filing for insufficient evidence or for some other reason, as those numbers were not included in the probation data received. Other than four cases that were diverted by the court and placed on court informal probation pursuant to W&I Code section 654.2, we do not know how many cases filed with the court were referred to diversion programs. We recommend that the District Attorney's Office work with the Probation Department to systematically examine all mandatory referrals it receives to increase potential candidates for diversion, given the empirically supported benefits of diversion over formal case processing to reduce recidivism and promote long-term positive youth outcomes (e.g., Bergseth & Bouffard, 2007; Petrosino, Turpin-Petrosino, & Guckenburge, 2010). Figure 6 below shows the percentage of cases diverted and those formally processed during fiscal year 2022-23.

Figure 6. Juvenile Referrals by Type and Outcome in Fiscal Year 2022-23.

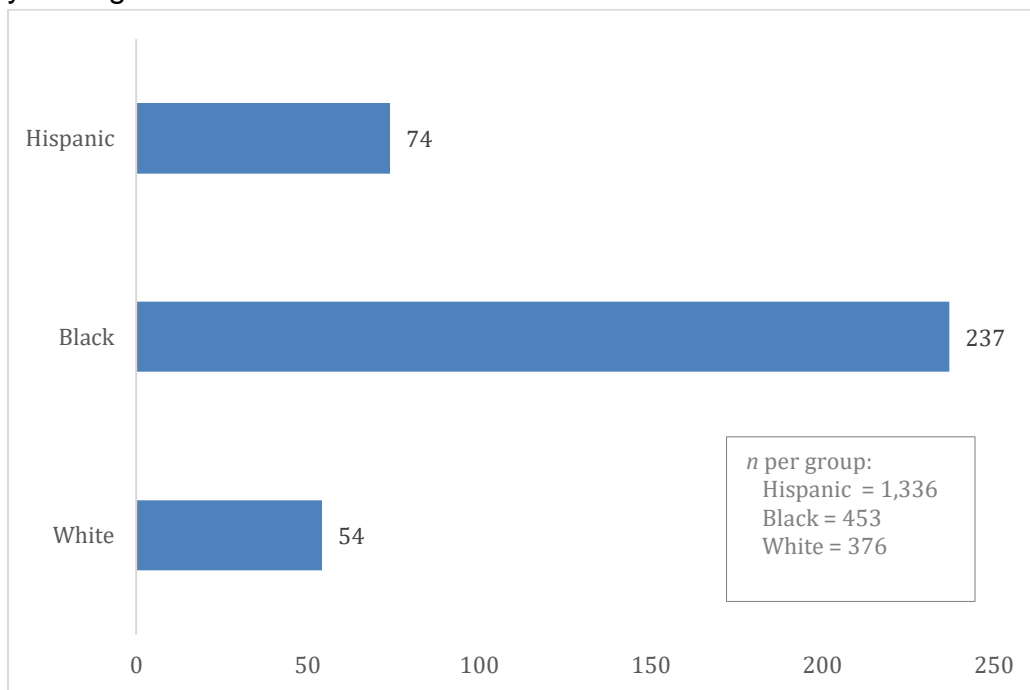


* Due to the nature of the data we received, “Formally Processed” includes all non-mandatory referrals sent to the District Attorney’s Office and those mandatory referrals reviewed by the District Attorney’s Office; it does NOT parse out non-mandatory cases declined by the District Attorney’s Office for filing, although it does include mandatory cases that may not have been filed by the District Attorney’s Office (e.g., cases dismissed for insufficient evidence).

** “Pending filing” includes non-mandatory cases referred by the Probation Department to the District Attorney’s Office that were awaiting filing decisions at the end of the 2022-23 fiscal year.

Based on the data provided, the trends and practices of the Probation Department reflect substantial progress from the pre-settlement baseline year in both number and percent of youth with formal filings. However, we should note that Hispanic and Black youth had higher rates of referrals than White youth to the juvenile justice system in fiscal year 2022-23 (see Figure 6). Based on the most recent census data of youth under the age 18, White youth were referred to the Riverside County juvenile justice system at a rate of 54 per 10,000 youth and Hispanic youth were referred at a rate of 74 per 10,000 youth. The overrepresentation of youth of color is particularly pronounced for Black youth, who were referred at a rate of 237 per 10,000 youth, making them 4.4 times more likely than their White peers to be referred to the juvenile justice system.

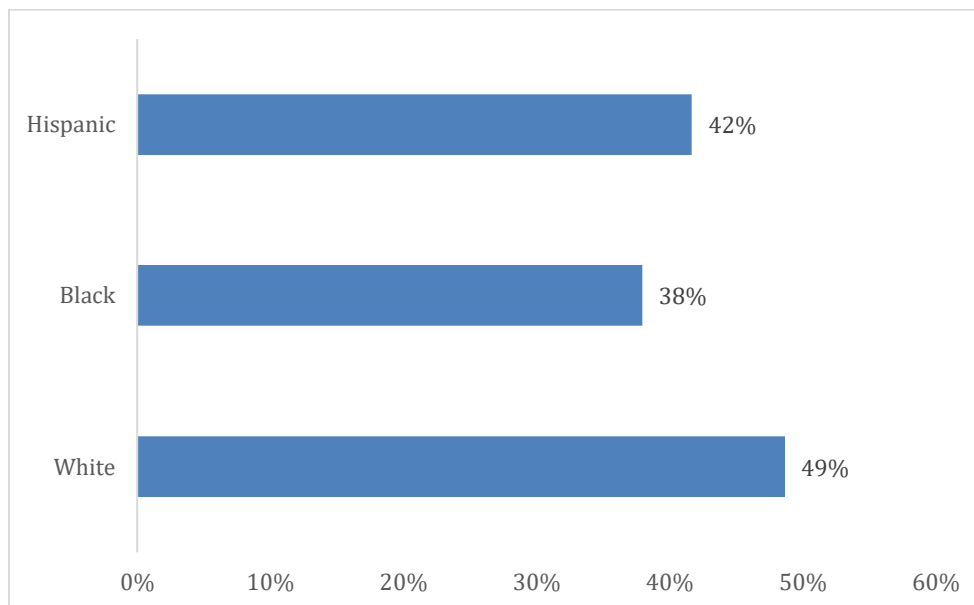
Figure 6. Referral Rates (per 10,000 youth) to the Juvenile Justice System by Race and Ethnicity During Fiscal Year 2022-23.



**Note: Data are only reported for Hispanic, Black, and White youth, as they represent most youth referred to the Probation Department; numbers from other groups are too small for analysis.*

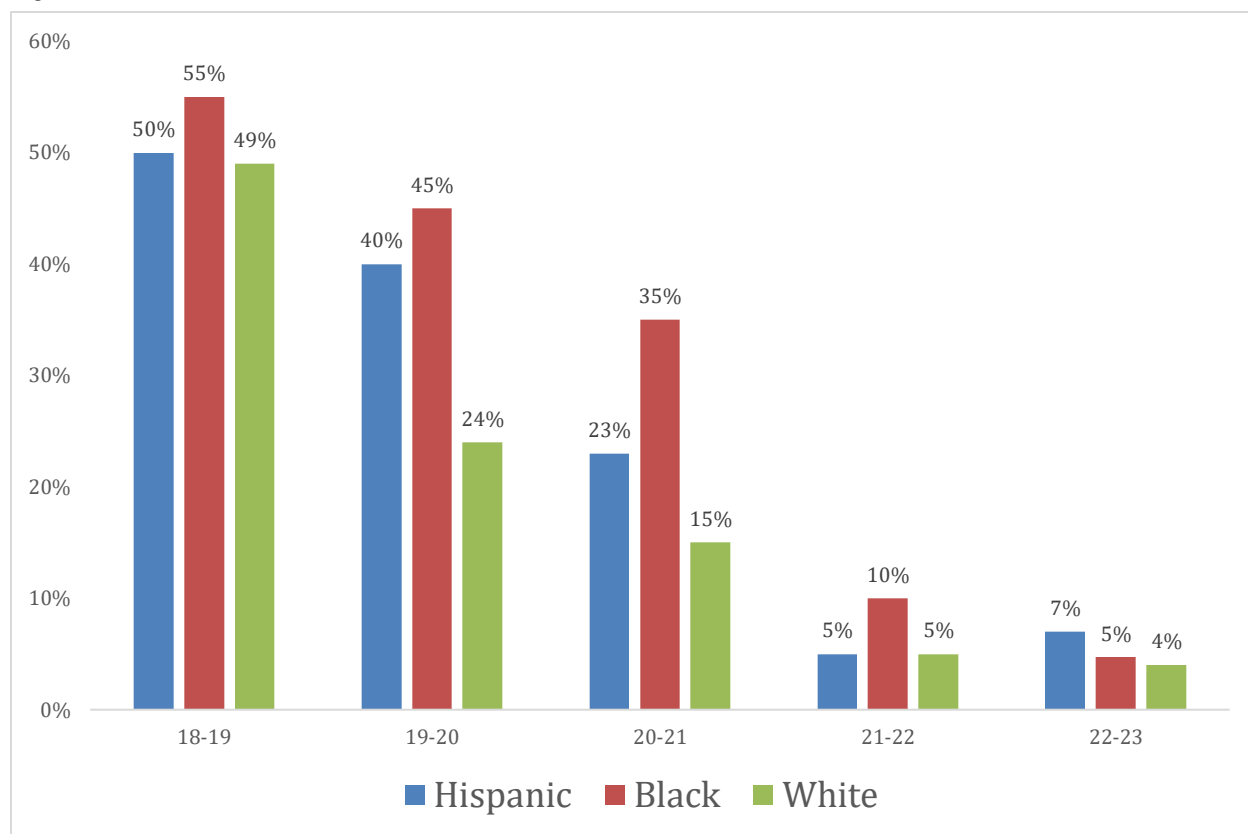
Figure 7 shows the percent of total referrals diverted by race/ethnicity. This includes counselled and closed cases, YAT and other NCOSP diversions, and mandatory referrals referred by the prosecutor for diversion handling by Probation Department intake. The data indicate that White youth referred were diverted at the highest rate (49%), followed by Hispanic youth (42%). Black youth referred were diverted at the lowest rate (38%). The lower rates of diversion for youth of color present concerns about racial and ethnic disparities in the system, a finding consistent with research revealing that diversion efforts across the United States tend to disproportionately benefit White youth (Ericson & Eckberg, 2016; Schlesinger, 2018). It is to the credit of the Probation Department that they are collecting and actively examining outcomes based on race and ethnicity in an effort to identify issues.

Figure 7. Percent of All Referrals Diverted Without Court Filing by Race/Ethnicity During Fiscal Year 2022-23.



Based on the data provided by the Probation Department, Figure 8 shows a reduction in the proportion of non-mandatory referrals filed by the District Attorney's Office during each fiscal year since 2018-19. Prior to the settlement agreement (i.e., in the baseline fiscal year 2018-19), data indicate that approximately half of all White youth and half of all Hispanic youth with non-mandatory referrals had their cases filed; rates were slightly higher among Black youth. Based on the data provided, the proportion of non-mandatory referrals filed was substantially lower in the past two fiscal years (2021-22 and 2022-23), suggesting progress in expanding diversion for youth in all three racial/ethnic groups. If the data are accurate, this is a very positive trend indicating that the Probation Department has greatly increased the acceptance of non-mandatory cases into diversion, without reliance on probation supervision. We observed widening and worsening disparities for Black youth in the two fiscal years following the baseline year. Although disparities still exist, both the numbers and percentages of non-mandatory filings are low for all groups. But as noted above, racial disparities exist in mandatory and non-mandatory referrals, and current diversion practices are not reconciling those differences.

Figure 8. Percent of Hispanic, Black, and White Youth with Non-mandatory Referrals to the Probation Department Formally Filed by the District Attorney's Office in Fiscal Year 2021-22.



The number of youths in YAT or other NCOSPs in fiscal year 2022-23 was very small, and most of the youth in those cases enrolled in a statutorily mandated program for youth who allegedly drove under the influence. If the Probation Department intends to keep YAT as a viable program, we repeat our recommendation from last year's report that the department work with the District Attorney's Office to repurpose YAT for youth with mandatory cases requiring prosecutorial review, including felony matters that can safely be handled through community programming. This will reserve probation-supervised diversion programs for mandatory referrals in lieu of formal processing, while limiting referrals of non-mandatory cases to two options: 1) counsel and close by probation or 2) close at intake.

We recommend that the Probation Department continue to investigate the accuracy of previous years' data to reliably assess trends over time and to inform ongoing system reform efforts. Additionally, we recommend the Probation Department continue to collect and analyze the types of data reviewed in this section to determine opportunities to further expand policies and practices that would safely allow for even greater use of diversion in lieu of formal filing, both in cases with overrides that result in referrals of

non-mandatory cases to the District Attorney's Office for formal filings and in cases requiring prosecutorial review. We also encourage the Probation Department to work closely with the prosecutor and public defender to verify historic and ongoing data and to examine charges filed to determine if overcharging occurs, resulting in mandatory referrals of cases that could qualify as non-mandatory.

Additionally, as stated previously in this report, we strongly recommend the Probation Department collaborate with community-based service providers to evaluate the current utilization of services in cases that were counselled and closed and, if needed, work together to improve the process of meaningfully and effectively connecting youth and families with appropriate community supports that address youths' needs to prevent future system involvement.

Conclusions and Recommendations

For the third year of this settlement agreement (fiscal year 2022-23), we, as monitors, find the Riverside County Probation Department in substantial compliance with the agreement. We understand there were JJCC vacancies, which, at the initial meeting in the fourth fiscal year, resulted in community representation below the settlement agreement's requirement, and that new appointments by Riverside County Board members will be forthcoming. Nevertheless, the JJCC membership required by this settlement agreement was maintained throughout the fiscal year 2022-23 monitoring period.

We encourage the Probation Department to work with the JJCC to continue efforts to obtain ongoing feedback from youth and families for the purpose of continuous improvement to services.

We recommend the Probation Department review its historic data for accuracy of mandatory and non-mandatory filing and improve its tracking system to enhance reliability of this critical data. We also recommend the Probation Department work and District Attorney's Office work closely to enhance data capacity and accuracy to generate data-driven policy and practice changes.

We commend the Probation Department for their intentions to build stronger partnerships and connections with community-based diversion programs. We encourage the Probation Department and other justice system stakeholders to explore ways to maximize the use of diversion opportunities for youth and to emphasize equity in diversion outcomes and at all points of system involvement.

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Riverside County SB 823 Subcommittee Application Attachment

Alejandra Gutierrez

May 2023

Please describe your qualifications in one of the three areas listed above and discuss what contributions you feel you might make to the subcommittee's activities.

For the past 10 years, I have been a youth advocate in the non-profit sector, philanthropy, and statewide coalition-building. I am now an attorney and Legal Fellow working alongside Policy Attorneys focused on juvenile justice policy advocacy and policy implementation.

I have previously worked directly with youth and families as they navigated the juvenile justice system. I also worked with youth and adults as they reintegrated back into their communities. I have a deep understanding of the unique needs of justice-involved youth through an intersectional lens that acknowledges the complex realities they face with multiple experiences ranging from race/ethnicity, gender, socioeconomic status, disability status, identification as LGBTQ+, childhood trauma, and others.

For almost two years, I have partnered with community stakeholders in multiple California counties by supporting with the implementation of DJJ Realignment. I hope to extend this same support for partners in Riverside County.

Please describe why you want to serve on the Juvenile Justice Coordinating Council Subcommittee.

I grew up in Coachella where my parents and relatives still live. I visit my hometown often and it will forever be my home. I hope to join the SB 823 subcommittee as a community member who understands the experience of growing up in the Eastern Coachella Valley, a region in Riverside County that has its unique needs and challenges, warranting unique responses and approaches.

I have a deep desire to contribute my knowledge and abilities to existing efforts in Riverside County that will ensure young people impacted by DJJ Realignment receive the treatment, support, and services necessary to help with healing, restoration, and accountability. I believe that to reduce recidivism and place these young people on a path toward success, while also increasing public safety, it is

essential to bring a group of well-rounded individuals who can strategize and implement.

I hope to add a unique perspective to current efforts by serving as a resource that can help inform effective strategies and practices that exist in other parts of the state. I also hope to leverage statewide connections and partnerships I have developed throughout the years to bring the resources Riverside County needs to continue moving this work forward. Thank you for your consideration.



Application for Community Member

Application Date: _____

PERSONAL INFORMATION

Name: _____ Date of Birth: _____

Address: _____

City: _____ Zip: _____ Phone: _____

Email: _____ Driver's License Number: _____

Employment: _____ Job Title: _____

(If retired, please note previous occupation & employer)

Address: _____

City: _____ Zip: _____ Phone: _____

Educational Background: _____

Professional & Fraternal Affiliations: _____

Community Activities: _____

References (Other than relatives):

Name: _____ Phone: _____ Occupation: _____

Address: _____ City: _____ Zip: _____

Name: _____ Phone: _____ Occupation: _____

Address: _____ City: _____ Zip: _____

Name: _____ Phone: _____ Occupation: _____

Address: _____ City: _____ Zip: _____

PLEASE ANSWER THE FOLLOWING QUESTIONS

(You may use and attach additional pages.)

Which subcommittee are you applying for?

Which category applies to you?

- ☐ Experience in community-based youth services
- ☐ Youth Justice Advocates with expertise in the juvenile justice system.
- ☐ Directly involved in juvenile justice system.

Please describe your qualifications in one of the three areas listed above and discuss what contributions you feel you might make to the subcommunities activities.

Please describe why you want to serve on the Juvenile Justice Coordinating Council Subcommittee:

MEMBERSHIP REQUIREMENTS

Please check the box next to each requirement to acknowledge:

- ☐ Attend scheduled meetings
- ☐ If unable to attend scheduled meetings provide advance notice and send a designee
- ☐ Complete work assignments on time

Print Name

Signature

Date



Application for Community Member

Application Date: 8/25/2023

PERSONAL INFORMATION

Name: Liz Reid Date of Birth: 11/11/11

Address: [REDACTED]

City: [REDACTED] Zip: [REDACTED] Phone: [REDACTED]

Email: [REDACTED] Driver's License Number: [REDACTED]

Employment: [REDACTED] Job Title: [REDACTED]
(If retired, please note previous occupation & employer)

Address: [REDACTED]

City: [REDACTED] Zip: [REDACTED] Phone: [REDACTED]

Educational Background: Business administration, Human services

Professional & Fraternal Affiliations: Moreno Valley citywide coalition

Community Activities: food donations

References (Other than relatives):

Name: [REDACTED] Phone: [REDACTED] Occupation: [REDACTED]

Address: [REDACTED] City: [REDACTED] Zip: [REDACTED]

Name: [REDACTED] Phone: [REDACTED] Occupation: [REDACTED]

Address: [REDACTED] City: [REDACTED] Zip: [REDACTED]

Name: [REDACTED] Phone: [REDACTED] Occupation: [REDACTED]

Address: [REDACTED] City: [REDACTED] Zip: [REDACTED]

PLEASE ANSWER THE FOLLOWING QUESTIONS

(You may use and attach additional pages.)

Which subcommittee are you applying for?

SB823

Which category applies to you?

☐ Experience in community-based youth services

☐ Youth Justice Advocates with expertise in the juvenile justice system.

☐ Directly involved in juvenile justice system.

Please describe your qualifications in one of the three areas listed above and discuss what contributions you feel you might make to the subcommunities activities.

[REDACTED] has provided wraparound services to parolees since 2007

Residential substance abuse treatment, recovery housing, transitional housing, residential mental health high school, peer support, anger management, domestic violence life skills, IOP, detox

Please describe why you want to serve on the Juvenile Justice Coordinating Council Subcommittee:

[REDACTED] has vast experience in dealing with criminal justice impacted persons, being able to share experience to impact juveniles before we have to service them as felons is changing families and communities. [REDACTED]

MEMBERSHIP REQUIREMENTS

Please check the box next to each requirement to acknowledge:

☐ Attend scheduled meetings

☐ If unable to attend scheduled meetings provide advance notice and send a designee

☐ Complete work assignments on time

Liz Reid

Print Name



Signature

8/25/2023

Date



Application for Community Member

Application Date: 06/14/2022

PERSONAL INFORMATION

Name: Tierra Bowen Date of Birth: [REDACTED]
Address: [REDACTED]
City: [REDACTED] Zip: [REDACTED] Phone: [REDACTED]
Email: [REDACTED] Driver's License Number: [REDACTED]
Employment: [REDACTED] Job Title: [REDACTED]
(If retired, please note previous occupation & employer)

Address: [REDACTED]
City: [REDACTED] Zip: [REDACTED] Phone: [REDACTED]

Educational Background: BA Human Services and MS Human Services

Professional & Fraternal Affiliations: National Organization for Human Service

Community Activities: Juvrnile Justice Prevention Comission

References (Other than relatives):

Name: [REDACTED] Phone: [REDACTED] Occupation: [REDACTED]
Address: _____ City: _____ Zip: _____
Name: _____ Phone: _____ Occupation: _____
Address: _____ City: _____ Zip: _____
Name: _____ Phone: _____ Occupation: _____
Address: _____ City: _____ Zip: _____

PLEASE ANSWER THE FOLLOWING QUESTIONS

(You may use and attach additional pages.)

Which subcommittee are you applying for?

Which category applies to you?

- ☒ Experience in community-based youth services
- ☐ Youth Justice Advocates with expertise in the juvenile justice system.
- ☐ Directly involved in juvenile justice system.

Please describe your qualifications in one of the three areas listed above and discuss what contributions you feel you might make to the subcommunities activities.

I currently work with youth on probation and youth currently in foster care. I am also a comissioner with the JJDPC. I do not have direct involvement with juvenile justice system outside of the JJDPC and youth probation.

Please describe why you want to serve on the Juvenile Justice Coordinating Council Subcommittee:

MEMBERSHIP REQUIREMENTS

Please check the box next to each requirement to acknowledge:

- ☒ Attend scheduled meetings
- ☐ If unable to attend scheduled meetings provide advance notice and send a designee
- ☐ Complete work assignments on time

Tierra Bowen

Print Name

Signature

Date



Application for Community Member

Application Date: August 30, 2023

PERSONAL INFORMATION

Name: Laurel Cook Date of Birth: [REDACTED]

Address: [REDACTED]

City: [REDACTED] Zip: [REDACTED] Phone: [REDACTED]

Email: [REDACTED] Driver's License Number: [REDACTED]

Employment: [REDACTED] Job Title: [REDACTED]

(If retired, please note previous occupation & employer)

Address: [REDACTED]

City: [REDACTED] Zip: [REDACTED] Phone: [REDACTED]

Educational Background: BS Criminal Justice

Professional & Fraternal Affiliations: Lifetime, CPPCA; Nat'l member: DAR; Affiliate, Riv Co Bar Assoc

Community Activities: Board of Directors, Reaching New Heights Foundation, a non profit serving veterans of the US military. Commissioner, Juvenile Justice Delinquency Prevention Commission

References (Other than relatives):

Name: [REDACTED] Phone: [REDACTED] Occupation: [REDACTED]

Address: [REDACTED] City: [REDACTED] Zip: [REDACTED]

Name: [REDACTED] Phone: [REDACTED] Occupation: [REDACTED]

Address: [REDACTED] City: [REDACTED] Zip: [REDACTED]

Name: [REDACTED] Phone: [REDACTED] Occupation: [REDACTED]

Address: [REDACTED] City: [REDACTED] Zip: [REDACTED]

PLEASE ANSWER THE FOLLOWING QUESTIONS

(You may use and attach additional pages.)

Which subcommittee are you applying for?

SB823

Which category applies to you?

- ☐ Experience in community-based youth services ☒ Youth Justice Advocates with expertise in the juvenile justice system. ☐ Directly involved in juvenile justice system.

Please describe your qualifications in one of the three areas listed above and discuss what contributions you feel you might make to the subcommunities activities.

As a member of the Juvenile Justice Delinquency Prevention Commission, I have contact with youth who are held in custody at our juvenile detention and treatment facilities. I also have the opportunity to meet with our court ordered youth while in residential treatment facilities. I have been a member of inspection teams and advocate for our youth who reside at those locations.

Prior to my retirement, at Riverside County Probation Department, I completed assignments in institutions, field supervision, intake, investigations, treatment courts, and prevention services.

(I am an independent contractor to a Riverside County private, community based provider, Leaders in Community Alternatives, that provides services as referred by court.)

Please describe why you want to serve on the Juvenile Justice Coordinating Council Subcommittee:

I believe my past and current contact with the Juvenile Justice system provides some insight to the challenges facing our youth today. Changes in our juvenile justice system in recent years seek to identify and expand effective programs and services for our system impacted youth. I would like to be a community presence on this committee, as we seek to reduce reliance on incarceration and expand effective and measured community based options for the youth of Riverside County.

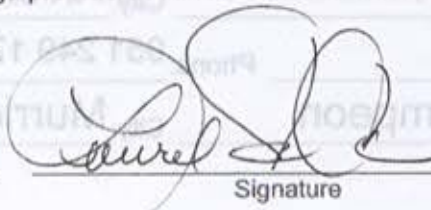
MEMBERSHIP REQUIREMENTS

Please check the box next to each requirement to acknowledge:

- ☒ Attend scheduled meetings
☒ If unable to attend scheduled meetings provide advance notice and send a designee
☒ Complete work assignments on time

Laurel Dawn Cook

Print Name



Signature

8/30/2023

Date

SB823-JJCC Subcommittee 2023



PATHWAYS TO SUCCESS:

Dedicated to creating collaborative re-entry pathways alongside youth to promote healing, healthy, and resilient lifestyles, as well as strengthen families, and restore safety to the community



RIVERSIDE COUNTY PROBATION DEPARTMENT



Legislative Framework

- **SB823** required elements of a secure track program:
 - Mental health, sex offender treatment, or related behavioral or trauma-based needs.
 - Support programs or services that promote healthy adolescent development.
 - Family engagement in programs.
 - Reentry, including planning and linkage to employment, housing, and continuing education.
 - Whether and how the plan will include services or programs for realigned youth that are provided by nongovernmental or community-based providers.
- **875 WIC** provides legislative requirements to ensure eligibility, treatment and suitability have been reviewed.
- **SB92/AB200** provides legislative requirements once a youth has been committed (IRP, 6-month reduction of baseline confinement time, and programming services)



Main Elements of Subcommittee Coordination

- According to 1995 WIC, a JJCC subcommittee of the Council shall be established and comprised of the **Chief Probation Officer as the chair**, *one representative* from the district attorney, public defender, social services, mental health, county office of education or school district, and a representative from the Court.
- The subcommittee shall also **include no fewer than three community members** (someone who has experience providing juvenile programs, youth advocates, or someone directly involved in the justice system).
- All community members will remain on the subcommittee **for three years** to convene as a group within their term.
- Attendance of members shall be taken and recorded in the minutes at all commission meetings. Any community member who **accumulates three unexcused absences from meetings** during the fiscal year shall be considered as having resigned from the commission. Excused absences are within the discretionary authority of the commission executive committee.
- Together, the subcommittee **will develop a plan** describing the facilities, programs, placements, services, and reentry strategies that are needed to provide appropriate rehabilitation and supervision services for the population



Expectations

- The subcommittee is broken into small teams to work on specific tasks.
- Primary goal is to enhance current programming by utilizing community-based organizations and resources
- The members are placed in respective teams based on their areas of expertise, experience, and skills.
- Each team has a leader.
- The team leader will be the point of contact assign expectations for their respective team, gather information, and set periodic meetings.
- The team leader will meet monthly with the subcommittee facilitators (Monica Rose and Kathy Arias) for updates and guidance.
- A member may be assigned to more than one team.
- Remain focused on the shared and desired outcome.
- Stay within the budget and legislative framework.



RIVERSIDE COUNTY PROBATION DEPARTMENT



Subcommittee Teams & Projects

Team 1:

Transitional Services (*Housing, Behavioral Health-Individual therapy, Mentors, Substance Abuse, Parenting classes, etc.*)

- Community Member - Dr. Mona Salomo-Davies
- Behavioral Health - Dr. Michael Gunther
- Public Defenders – Joelle Moore
- DPSS- Mike Scebbi

Team 2:

Vocational Training/Life Skills Programs (*Career Developmental Programs, Adult Life Skills*)

- Community Member – Vacant
- Riverside County Office of Education – Dr. Deanna McCarty
- District Attorney – Amy Glaudini

Team 3:

Parent Services and Resources

- Community Member - Vacant
- Community Member – Vacant
- Behavioral Health - Dwayne George
- DPSS- Mike Scebbi

Team 4:

Outcome Metrics (*Measure the fidelity of and success of current and new processes*)

- Community Member - Dr. Mona Salomo-Davies
- Superior Court – Marcus Walls
- Public Defenders – Joelle Moore
- Behavioral Health-Dr. Michael Gunther



RIVERSIDE COUNTY PROBATION DEPARTMENT



Comments



RIVERSIDE COUNTY PROBATION DEPARTMENT



**Submittal to the Juvenile Justice Coordinating Council
November 13, 2023**

Agenda Item #11

From: Riverside County Probation Department
Subject: FY 2023/24 Revised Budget Adjustment

The Juvenile Justice Coordinating Council (JJCC) agencies for Juvenile Justice Crime Prevention Act (JJCPA) annually receive an allocation from the State Realignment Enhancing Law Enforcement Activities Subaccount. Allocation distributions to counties are entirely determined as a percent-to-total of each county's total population based on the most recent estimates published by the Department of Finance (DOF).

On March 20, 2023, the JJCC approved a FY 2023/24 proposed budget of \$10.31M with the assumption that Riverside County would be receiving approximately \$6.66M in JJCPA Operating Funds, as well as utilizing estimated available one-time funds of \$3.65M (FY 2022/23 carryover of \$6.89M, FY 2022/23 Estimated Growth Allocation funding of \$5.54M and FY 2022/23 contingency of \$7.38M). However, based on the final allocation schedule distributed by the DOF, the state growth allocation from FY22/23 estimated at \$5.54M was received in the higher than the estimated amount of \$5.74M, a \$192,380 increase. The FY 2022/23 carryover was finalized resulting in an additional one-time funding increase of \$3.83M. Overall, the total available FY 2023/24 JJCPA funds have increased from \$23.42M to \$27.44M, a \$4.02M increase.

The proposed budget approved by the JJCC on March 20, 2023, was based on funding each agency request at 100% and placing the additional available funds of \$13.11M in the contingency fund. As a result of the yearend closing an increase of \$4.02M in additional one-time funds, Riverside County Probation Department proposes the following JJCC budget modification for FY 2023/24:

1. Fund each agency as approved by the JJCC on March 20, 2023.
2. Increase the contingency fund from \$13.11M to \$17.13M.

Recommended Motion: That the Juvenile Justice Coordinating Council:

1. Approve the revised JJCC budget adjustment for FY 2023/24.

Respectfully submitted,



Cheryl Williams
Chief Deputy Probation Administrator

**RIVERSIDE COUNTY
JUVENILE JUSTICE COORDINATING COUNCIL MEETING**

REGULAR MEETING DATES – 2024

January 22, 2024 – 2:00 p.m.

March 18, 2024 – 2:00 p.m.

July 15, 2024 – 2:00 p.m.

November 18, 2024 – 2:00 p.m.

APPROVED: TBD

In accordance with State Law (Brown Act):

- ***The meetings of the JJCC are open to the public. The public may address the Council within the subject matter jurisdiction of this committee.***
- ***Disabled persons may request disability-related accommodations in order to address the JJCC. Reasonable accommodations can be made to assist disabled persons if requested 24-hours prior to the meeting by contacting Riverside County Probation Department at (951) 955-2804.***
- ***Agenda will be posted 72 hours prior to meeting.***
- ***The public may review open session materials at <https://rivcoprobation.org/juvenile-justice-coordinating-council-meeting-materials> or at Probation Administration, 3960 Orange St., 6th Floor, Riverside, CA.***
- ***Cancellations will be posted 72-hours prior to meeting.***
- ***Agenda items may be called out of order.***