



## **ASSEMBLY FLOOR ALERT**

September 13, 2023

TO: Honorable Assembly Members

FROM: California State Association of Counties

Urban Counties of California

Rural County Representatives of California

Chief Probation Officers of California

Counties of Alameda, Butte, Contra Costa, El Dorado, Fresno, Imperial, Inyo, Kern, Lassen,

Madera, Marin, Mendocino, Merced, Monterey, Napa, Nevada, Orange, Placer, Riverside,

Sacramento, San Bernardino, San Diego, San Joaquin, Santa Barbara, Siskiyou, Solano, Sonoma,

Stanislaus, Sutter, Trinity, Tulare, and Ventura

**RE: AB 505 (Ting) – The Office of Youth and Community Restoration:**

**As amended 9/9/2023 – OPPOSE**

On behalf of the California State Association of Counties (CSAC), the Urban Counties of California (UCC), the Rural County Representatives of California (RCRC), the Chief Probation Officers of California (CPOC), and the 32 individual counties listed above, we write to reaffirm our strong opposition to AB 505, by Assembly Member Phil Ting. This measure seeks to make changes to several key provisions of SB 823, the 2020 legislation that realigned full responsibility for the juvenile justice continuum to county governments.

Our county associations and counties oppose this measure for the following reasons:

- AB 505 disrupts the vital governance principle that **responsibility** must be accompanied by the **authority** to implement.

- The Governor and Legislature approved the Division of Juvenile Justice (DJJ) Realignment in 2020 – with the confidence in counties to address the most challenging placements, intensive treatment, and transformative programming needs of youth and young adults previously under state jurisdiction – along with a guaranteed funding stream for the realigned population and the local flexibility to develop and implement responsive local juvenile justice plans that yield positive outcomes.
- AB 505 creates multiple, substantive impediments to counties' ability to carry out realigned responsibilities and to the delivery of direct services for youth and young adults in our care and custody.
- AB 505 prematurely proposes additional and burdensome changes less than three years after the enactment of SB 823, and not even three months after DJJ's final closure date.
- More specifically, changes that will unnecessarily elongate the local planning process and disrupt the provision of direct service delivery include:
  - Unclear language amending the local subcommittee process, local implementation plan development process, and the state's plan review process that adds further unnecessary, premature barriers and compounding pressure on local governments.
  - Potential removal of the chief probation officer as chair of the local subcommittee, which inappropriately diminishes the authority of the county official who is fully responsible and held accountable for the realigned population.
  - Increase in the frequency in which subcommittees must convene and update their plans (at least twice per year, with annual reports; whereas the agreement in SB 823 requires the subcommittee to convene every three years to appropriately evaluate programmatic success and overall implementation progress).
  - Newly required follow-up progress reports to the state regarding any local subcommittee plan revisions the OYCR requests, which is open to interpretation and can quickly lead to interrupted implementation and arbitrary assessment that does not consider local resources, funding, capacity, and treatment limitations.
  - Addition of unnecessary and ambiguous language that expands the scope of the OYCR and their Ombudsperson by authorizing:
    - access to any local juvenile facility at any time of day, which could exacerbate existing probation staffing shortages.
    - access to an expansive and exhaustive list of county records, which would also add to staffing and resource concerns as it relates to county counsel review, record tracking, and the creation of new policies and procedures.

Ultimately, although counties share the goal of providing the most effective housing, treatment, and programming conducive to rehabilitation, AB 505 would only create additional impediments to achieving this goal. Most importantly, while the changes within AB 505 seem minor or reasonable on the surface, in combination they are reflective of the latent intent to create endless litigation, grinding local and state processes to a halt – an outcome that will result in diminished or delayed support and service delivery to the young people in counties' care.