



July 7, 2023

The Honorable Phil Ting
Member of the Assembly
1021 O Street, Suite 8230
Sacramento CA 95814

**RE: AB 505 (Ting) – The Office of Youth and Community Restoration
As amended 6/15/2023 – Oppose
Awaiting hearing – Senate Appropriations Committee**

Dear Assembly Member Ting:

On behalf of the California State Association of Counties (CSAC), the Urban Counties of California (UCC), and the Rural County Representatives of California (RCRC), we write to jointly express our respectful opposition to AB 505. This measure seeks to make substantive changes to several key provisions of SB 823, the 2020 legislation that realigned full responsibility for the juvenile justice continuum to county governments.

AB 505, at its core, disrupts the vital governance principle that authority must follow responsibility by upending three important aspects of the Division of Juvenile Justice (DJJ) realignment framework that were the subject of considerable negotiation during deliberations on SB 823. Provisions in that measure are explicit with respect to realigning responsibility from the state to county governments for the population of young people who previously were eligible for placement in a DJJ facility. Additionally, the legislative intent language in SB 823 reads in relevant part:

To ensure that justice-involved youth are closer to their families and communities and receive age-appropriate treatment, it is necessary to close the Division of Juvenile Justice and move the jurisdiction of these youth to **local county jurisdiction**. [Emphasis added.]

With this important context in mind, we believe that AB 505 would erect barriers to counties' efforts to responsibly and thoughtfully carry out DJJ realignment and would, in fact, fracture the important link between the *responsibility* for addressing the needs of youth and the *authority* to develop, guide, implement, and support a responsive local plan.

In counties' view, Section 19 of the bill, which amends Welfare and Institutions Code (WIC) Section 1991, features the most problematic set of changes. These changes would reverse key provisions in SB 823 by (1) conditioning the release of a county's funds allocated to carry out realigned responsibilities on the approval of a local plan by the OYCR and (2) further specifying that an approved plan would direct the local board of supervisor's related expenditures. From the county perspective, it is vital – again, in keeping with the principle of aligning responsibility and authority – that counties have the necessary flexibility and discretion to act with an appropriate level of local independence, informed but not directed by the input of the established subcommittee.

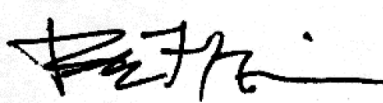
Further, we would point out that the amendments to WIC Section 1991 contradict provisions in WIC Section 733.1, the latter of which require that the state assure the continuous and uninterrupted flow of funding to support DJJ realignment or, effectively, the responsibility for the youths' care reverts to the state. These provisions were expressly included in the 2020 DJJ realignment framework to provide counties with assurances that funding would accompany the critical new responsibilities shifted to the county level. Unfortunately, those protections are directly undermined by the proposed changes in AB 505. Furthermore, these changes are also inconsistent with prior negotiated "realignments" such as 2011 Public Safety Realignment. Both SB 823 and AB 109/2011 Public Safety Realignment legislation require counties to develop an implementation plan and further require accompanying resources be spent on a broadly defined target population. However, both structures also respect the constitutional authority for county Boards of Supervisors to direct local expenditures.

Also troubling are the changes in Section 20 of the measure that would recast the subcommittee of the multiagency juvenile justice coordinating council by stripping the chief probation officer of the role as subcommittee chair. Counties find it wholly inappropriate that the subcommittee charged with developing a plan – a plan that now potentially could delay receipt of resources needed to support the youth now in our care – would be deprived of the leadership and guidance of the county department head responsible and accountable for carrying out the realigned responsibilities. Again, this change is not only inconsistent with the principles of SB 823, but also departs from a carefully negotiated and agreed-upon structure in 2011 Public Safety Realignment where the Chief Probation Officer serves as the chair of the Community Corrections Partnership—the body charged with implementation planning.

Finally, AB 505 transfers all juvenile justice-related responsibilities from the Board of State and Community Corrections (BSCC) to OYCR, including regulatory and inspection authority. Counties raised considerable concerns about the scope and reach of the newly established OYCR in our opposition to SB 823. Counties fundamentally oppose upending existing structures that created a state-local partnership where, pre-SB 823, counties were managing 98% of the juvenile justice system locally. Presumably, it was precisely this prior success that gave the state confidence that counties could again be successful with this latest round of juvenile realignment, despite counties' objections to SB 823.

Regrettably, counties believe that AB 505 would disrupt the DJJ realignment funding stream; inappropriately weaken county oversight and administrative authority; and create additional barriers to local implementation efforts. The proposed changes would not, in our view, advance what certainly are our shared goals – to ensure that trauma-informed, evidence-based care and treatment are provided to the youth and young adults in counties’ care and to create strong and sustainable pathways for successful youth outcomes in our communities. It is for these reasons that CSAC, UCC, and RCRC must respectfully oppose AB 505. Please feel free to contact Ryan Morimune at CSAC (rmorimune@counties.org), Josh Gauger at UCC (jdjg@hbeadvocacy.com), or Sarah Dukett at RCRC (sdukett@rcrcnet.org) for any questions on our associations’ perspectives. Thank you.

Sincerely,



Ryan Morimune
Legislative Representative
CSAC



Josh Gauger
Legislative Representative
UCC



Sarah Dukett
Policy Advocate
RCRC

cc: Members and Consultants, Senate Appropriations Committee