



September 19, 2023

The Honorable Gavin Newsom
Governor, State of California
1021 O Street, Suite 9000
Sacramento CA 95814

**RE: AB 505 (Ting) – The Office of Youth and Community Restoration
As enrolled 9/18/2023 – Request for Veto**

Dear Governor Newsom:

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 respectfully request your veto of 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.

Counties have expressed significant concerns with the state closing all its juvenile facilities, relinquishing the duties over a population with the most intensive custody and treatment needs, and transferring the responsibility to counties long before the enactment of Division of Juvenile Justice (DJJ) realignment. Despite this opposition, counties remain dedicated to providing the highest quality housing, treatment, and rehabilitative programming closest to home for all youth and young adults in county care. However, not even three years after the signing of SB 823 and less than three months after the closure of DJJ, AB 505 poses additional barriers that impede upon our ability to provide the individualized and specialized treatment of those most in need. Simply put, this bill does not address our ongoing concerns with the existing fiscal and operational structures established through SB 823 and SB 92, but it proposes to further diminish local authority over the mandated responsibilities pushed onto county government, at a time in which stability and state support is needed most for the population transitioning from DJJ to counties.

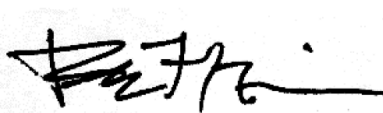
On the surface, the changes in AB 505 appear to be well intended and reasonable. However, from the vantage point of counties as the primary practitioners, they are unclear and premature. For example, potentially reducing the chief probation officer to cochair of the local juvenile justice coordinating council subcommittee inappropriately diminishes the authority of the county official who is responsible and held fully accountable for the realigned population. Increasing the frequency in which the local subcommittees must convene and update their plans, without clearly identifying a problem with the existing process, is excessive. Adding further requirements for counties

to submit follow-up progress reports to the state regarding any plan revisions is open to interpretation and can quickly lead to interrupted implementation and arbitrary assessment that does not consider local challenges with resources, capacity, infrastructure, and a pool of effective specialty treatment providers. Lastly, while counties understand and value the critical importance of transparency, at minimum, the changes pertaining to the expanded authority of the ombudsperson at the Office of Youth and Community Restoration will exacerbate concerns with probation and administrative staffing, county counsel review, record tracking and data retention, and the development of new policies and procedures.

Most importantly, while the changes in AB 505 may appear harmless, in combination they are quite the opposite and reflective of the latent intent to litigate, grinding local and state processes to a halt. Counties and the state experienced this during the first year of DJJ realignment implementation, when proponents of AB 505 filed a preliminary injunction and temporary restraining order, in an attempt to disrupt the disbursement of juvenile justice realignment funding to counties. While the funds were ultimately released, it highlights the validity of litigation concerns from the county (and state) perspective. Since the supporters of this measure have demonstrated the willingness to challenge existing law without legal merit, further amendments to the provisions created under SB 823 raises not only real operational and legal alarms, but subsequently increases overall county fiscal concerns.

Ultimately, while counties share the overarching goal of ensuring safe housing, as well as trauma-informed, culturally competent, evidenced based treatment and programming for all, AB 505 will not advance such efforts. Instead, it would create additional conflict and impediments to successful implementation statewide, while draining valuable public resources necessary to deliver direct services that forge sustainable pathways for positive youth outcomes in our communities. For these reasons, we respectfully request your veto on this measure.

Respectfully,



Ryan Morimune
Legislative Advocate
CSAC



Josh Gauger
Legislative Representative
UCC



Sarah Dukett
Policy Advocate
RCRC

cc: Jessica Devencenzi, Chief Deputy Legislative Secretary, Office of the Governor
Christy Bouma, Legislative Affairs Secretary, Office of the Governor