



2019 Budget Asks

In 2017, more than 56,000 youth in California were arrested by law enforcement officers. Approximately 66% of those kids were arrested for misdemeanor and status offenses.ⁱ A disproportionate number were children of colorⁱⁱ, children with disabilities, girlsⁱⁱⁱ, youth who identify as lesbian, gay, bisexual, transgender, or queer^{iv}, and foster children^v. In 2016, too many foster youth were arrested by law enforcement officers for low-level offenses. Youth in the foster care system, particularly those placed in congregate care, are especially vulnerable to being referred to law enforcement while in placement.^{vi} Data showing congregate care facilities too often misuse law enforcement to respond to behavior that would otherwise be handled without law enforcement intervention are part of the research base underpinning California's Continuum of Care Reform (CCR).

The Youth Reinvestment Grant and Fostering Success Fund are dedicated to improving outcomes for youth in over-policed communities, using trauma-informed, community-based, and health-based interventions in lieu of arrest and incarceration. This budget package is composed of four parts.

- \$40 million to fund Local Diversion Programs for youth disproportionately impacted by arrest and incarceration over a 3-year Youth Reinvestment Grant period
- \$10 million to fund Trauma-Informed Diversion Programs for Native American Youth
- \$10 million to fund Office of Youth Development and Diversion Pilot Counties
- \$7.575 million to fund Foster Youth Development, Diversion and Permanency Programs

YOUTH REINVESTMENT GRANT (\$40 MILLION)

AUTHOR: ASM. JONES-SAWYER AND SEN. BRADFORD

COAUTHOR: REQUESTING COAUTHORS

CO-SPONSORS: ALLIANCE FOR BOYS AND MEN OF COLOR, CALIFORNIA TRIBAL FAMILIES

COALITION, NATIONAL CENTER FOR YOUTH LAW, SISTER WARRIORS FREEDOM COALITION, YOUNG WOMEN'S FREEDOM CENTER

Low-income children and youth of color are over-represented in the juvenile system statewide. System-involved youth often suffer from abuse, abandonment, neglect, trauma, and developmental disabilities that influence their behaviors. Rather than receive supports and services to address their underlying needs via a public health and child development lens, far too many are funneled into the juvenile system where they experience further harms, increasing their chances of reincarceration.

SUMMARY OF PROPOSAL

An investment of \$40 million dollars will allow California to create local youth diversion and development programs that are both socially and fiscally responsible by treating all children arrested for low level offenses appropriately for their age, in community settings, with an emphasis on health and wellbeing. Investments would fund nonprofit and community-based organizations ("CBOs") to collaborate with public agencies to expand local youth diversion programs and deliver developmentally-appropriate services in under-served communities statewide.

TRAUMA-INFORMED DIVERSION PROGRAMS FOR NATIVE AMERICAN YOUTH (\$10 MILLION)

AUTHOR: PENDING CONFIRMATION

COAUTHOR: REQUESTING COAUTHORS

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Today’s Native American youth have inherited a legacy of historical trauma caused by loss of home, land, culture, and language as the result of centuries of eradication and assimilation-based policies.^{vii} This intergenerational trauma continues to have a devastating impact on Native American youth and has resulted in “substantial social, spiritual, and economic deprivations, with each additional trauma compounding existing wounds over several generations.”^{viii}

According to the literature, enculturation, spirituality, and social connections are protective factors that play important roles in fostering resilience among Native American children and families.^{ix} Augmenting the fund for tribes to provide programming to youth at-risk of system involvement, will increase the likelihood that the aforementioned protective factors “will be central to the development of youth, enhance their sense of responsibility and understanding, and show them that they matter to their tribe and their communities.”^x

SUMMARY OF PROPOSAL

\$10 million to fund Programs for Native American youth using trauma informed, community-based, and health-based interventions. In 2018, \$1 million of the \$10 million budget request for Native American youth was granted. There are a total of 109 tribes in California and given the disproportionate arrest, adjudication, and detention of Native American youth, the total \$10 million budget request is necessary to provide the services youth in tribal communities need and deserve.

OFFICE OF YOUTH DEVELOPMENT AND DIVERSION PILOT PROGRAM (\$10 MILLION)

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The OYDDs would work locally to coordinate interagency collaboration, manage youth diversion programs, and fund community-based services as alternatives to arrest and incarceration to divert youth away from the justice system. The OYDDs would establish a community-based infrastructure to link youth to culturally-relevant, trauma-informed, and developmentally-appropriate programs and services proven effective at promoting positive development and community health and safety utilizing a public health approach.

These county youth diversion and development systems managed by the OYDD’s would serve all children in their home communities through programs that are appropriate for their age and emphasize health and wellbeing in lieu of arrest.

SUMMARY OF PROPOSAL

\$10 million to establish a pilot program for 3-5 counties to develop local Offices of Youth Development and Diversion (OYDD) under the Department of Public Health. This multi-million-dollar investment will allow California to create socially and fiscally responsible local youth diversion and development systems in 3-5 counties with high youth arrest rates and high disparities among youth populations, including by race, gender, sexual orientation, gender identity and expression, foster care status, and ability.

FOSTERING SUCCESS FUND (\$7.575 MILLION)

AUTHOR: ASM. GIPSON

COAUTHOR: REQUESTING CO-AUTHORS

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Children in the foster care system, particularly those placed in group care, are especially vulnerable to crossing over to the delinquency system. Foster youth placed in group care should receive the highest level of care and supervision designed to return them immediately to a family and to their community. This level of care is not met when foster care facilities rely on law enforcement to intervene for behavior management purposes. Law enforcement intervention in congregate care is too frequently a result of facility inability to provide appropriate care and supervision or a facility culture that relies on the justice system as a punishment or consequence for normal teenage behavior.

California group homes and shelters call law enforcement on vulnerable youth in their care at astoundingly high rates. In 2016, of the 6,217 non-mandated calls statewide for youth behavior, 60% were for behavioral health emergencies, property damage, substance abuse, and theft. The calls resulted in 435 youth being cited, 527 youth being detained or arrested, and another 319 youth being booked into juvenile hall. In the 2016 annual report on dual status youth in Los Angeles, almost 40% of foster youth who crossed over into the delinquency system were residing in group care at the time of the delinquency referral.^{xi}

SUMMARY OF PROPOSAL

An investment of \$7,575,000 will allow California to create a community-based foster youth development system that is both socially and fiscally responsible by treating children accused of low-level offenses appropriately for their age, in community settings, with an emphasis on health and wellbeing. Investments would fund nonprofits and community organizations to: (1) provide trauma-informed, culturally-relevant training to law enforcement and professionals interacting with vulnerable youth populations; and (2) collaborate with public agencies to expand local youth diversion programs and deliver developmentally-appropriate services in under-served communities statewide, including expanding the capacity to serve youth in families rather than in congregate care.

- Training to professionals interacting with youth should include adolescent development principles, de-escalation techniques, culturally relevant and trauma-informed interventions, and evidence-based interventions;
- Community-based services for children and youth in out-of-home care should include, education (academic and vocational); mentoring (authentic, lived experience); extracurricular activities and supports such as art, music, civic engagement, and sports; behavioral health (Aggression Reduction Therapy and Multi Systemic Therapy); and mental health (mindfulness and self-awareness) services and permanency services that are designed for older youth in congregate care.

For More Information

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- ⁱ Bacerra, X. (2018). Juvenile Justice in California, 2017. <https://openjustice.doj.ca.gov/downloads/pdfs/jj17.pdf>
- ⁱⁱ <https://www.sentencingproject.org/publications/racial-disparities-in-youth-commitments-and-arrests/>
- ⁱⁱⁱ <https://www.cssp.org/reform/child-welfare/alliance/fight-for-our-girls-status-offenses.pdf>
- ^{iv} <https://www.americanprogress.org/issues/lgbt/reports/2012/06/29/11730/the-unfair-criminalization-of-gay-and-transgender-youth/>
- ^v <http://projects.sfchronicle.com/2017/fostering-failure/>
- ^{vi} Data showing congregate care facilities too often misuse law enforcement to respond to behavior that would otherwise be handled without law enforcement intervention are part of the research base underpinning for California's Continuum of Care Reform (CCR). CCR is based on overwhelming national evidence that for vulnerable youth, congregate care is not only less effective at achieving safety, permanency, and wellbeing outcomes than other less restrictive settings, but is also more costly in providing that care. Instead, the best outcomes result when supports, including intensive mental health and positive youth development activities, are delivered by community-based organizations to youth living in family settings.
- ^{vii} *A Roadmap For Making Native America Safer Report To The President And Congress Of The United States*, INDIAN LAW AND ORDER COMMISSION, 149 (2013), https://www.aisc.ucla.edu/iloc/report/files/A_Roadmap_For_Making_Native_America_Safer-Full.pdf. *Attorney General's Advisory Committee on American Indian/Alaska Native Children Exposed to Violence: Ending Violence so Children Can Thrive*, NATIONAL CENTER FOR JUVENILE JUSTICE FOR THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, 7 (2014), <https://www.justice.gov/sites/default/files/defendingchildhood/pages/attachments/2014/11/18/finalaianreport.pdf>.
- ^{viii} *A Roadmap For Making Native America Safer Report To The President And Congress Of The United States*, INDIAN LAW AND ORDER COMMISSION, 149 (2013), https://www.aisc.ucla.edu/iloc/report/files/A_Roadmap_For_Making_Native_America_Safer-Full.pdf; See also Daniel L. Dickerson & Carrie L. Johnson, *Mental Health and Substance Abuse Characteristics Among Urban Native Youth Living in California*, *Community Mental Health Journal*, 1, 5, (2010), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3267929>.
- ^{ix} *Attorney General's Advisory Committee on American Indian/Alaska Native Children Exposed to Violence: Ending Violence so Children Can Thrive*, NATIONAL CENTER FOR JUVENILE JUSTICE FOR THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, 134 (2014), <https://www.justice.gov/sites/default/files/defendingchildhood/pages/attachments/2014/11/18/finalaianreport.pdf>.
- ^x *Attorney General's Advisory Committee on American Indian/Alaska Native Children Exposed to Violence: Ending Violence so Children Can Thrive*, NATIONAL CENTER FOR JUVENILE JUSTICE FOR THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, 134 (2014), <https://www.justice.gov/sites/default/files/defendingchildhood/pages/attachments/2014/11/18/finalaianreport.pdf>.
- ^{xi} A Summary of Findings for the Los Angeles County 241.1 Multidisciplinary Team, Report to the Los Angeles County Board of Supervisors Denise Herz (September 2016), p. 10 <http://juvenilejusticeresearch.com/sites/default/files/2016-12/2016%20Enhancing%20Services%20to%20Strengthen%20241.1%20Project%20Annual%20Report.pdf>