



SB 823 County Collaboration Consortium Workgroup Brief Summary of Provisions (SB 823, 2020)

Close State Level Division of Juvenile Justice

- Closes intake July 1, 2021 as long as an allocation is being provided to counties.
- Allows a court – until DJJ is closed – to commit any ward for whom a motion to transfer to criminal court was filed as long as the youth is otherwise eligible to be committed to DJJ under existing law.
- Charges counties \$125,000 annually for each youth committed to DJJ after July 1, 2021 (unless the youth is 23 years or older).

New State-level Oversight for Youth and Community Restoration

- Establishes the Office of Youth and Community Restoration (OYCR) within the state's Health and Human Services Agency (HHSA), effective July 1, 2021.
- Confers OYCR various responsibilities, including:
 - Identifying and disseminating best practices for the provision of rehabilitative and restorative resources to youth.
 - Providing concurrence on all youth related grants administered by the Board of State and Community Corrections (BSCC).
 - Assuming all BSCC juvenile grant functions by January 2025.
 - Providing for a new state-level ombudsman for youth in the juvenile justice system with investigatory authority, although not operationally defined.
- Requires OYCR to evaluate the efficacy of local programs being utilized for realigned youth and report its findings to the Governor and Legislature no later than July 1, 2025.

Child Welfare Council/Stakeholder Involvement

- Continues Youth Justice Committee within HHSA's Child Welfare Council until July 2023 to assist in planning.
- Charges Youth Justice Committee with advising and providing recommendations related to policies, programs, and approaches that improve youth outcomes, reduce youth detention, and reduce recidivism for the realigned population.

Funding and Accountability

- Statewide funding: \$225,000 per estimated youth statewide to the county Board of Supervisors to provide appropriate rehabilitation and supervision.
- Allocation of statewide funding to counties:
 - \$250,000 per county minimum
 - For fiscal years 2021-22 through 2023-24, per-county allocation derived by formula:
 - 30% on the per-county percentage of the average number of wards committed to the Department of Corrections and Rehabilitation, Division of Juvenile Justice, as of December 31, 2018; June 30, 2019; and December 31, 2019;
 - 50% on the by-county distribution of juveniles held in county facilities for certain violent and serious felony crime categories per 2018 Juvenile Court and Probation Statistical System (JCPSS) data, updated annually based on the most recently available data; and
 - 20% on the by-county distribution of all individuals between ages 10 and 17 from the preceding calendar year.
 - Requires the Governor and Legislature to work with stakeholders by January 2024 for an allocation methodology starting in 2024-25.
- Establishes a subcommittee of the local juvenile justice coordinating council within each county.
- Requires each county to establish a subcommittee of the juvenile justice coordinating council charged with developing the county's realignment plan.
- Provides for \$9.6 million in one-time facilities and planning grant funding to be awarded by the BSCC to assist counties in the development of a local continuum of care.

Protections

- Makes annual funding subject to statutory appropriation (does not require action as part of state budget process).
- Reverts responsibility for realigned youth back to state if annual funding, as specified in statute, is not appropriated.

Age of Jurisdiction

- Establishes the age of jurisdiction at age 23 for youth adjudicated of WIC 707(b) offenses and age 25 for youth adjudicated of offenses that would result in an aggregate sentence of 7 or more years in adult court.
- Establishes age of jurisdiction for all other youth at 21.

Creation of Secure Track for Realigned Population to Limit Adult Court Commits

- States legislative intent to create a separate jurisdictional track for “higher need youth” by March 2021.

Juvenile Justice Statewide Data Collection and Reporting

- Directs DOJ to convene a workgroup focused on how, and what would be required, to update the JCPSS.
- Requires workgroup plan to be presented to the Legislature by January 2023.
- Enumerates required components of the replacement plan in extensive detail, including timeline, a cost analysis, what the data should encompass, and what elements are to be examined.