

AB 1007 (Jones-Sawyer) Bill Language Annotated with State Audit Findings

AB 1007 – The Promoting Reinvestment and Oversight Measures for Individual Success and Empowerment (P.R.O.M.I.S.E.) Act – aligns with recent audit findings and recommendations by the California State Auditor. This copy of AB 1007 bill language, as of June 27, 2020, is annotated to highlight the author’s reasoning for amendments including relevant excerpts of the May 2020 report titled *Juvenile Justice Crime Prevention Act: Weak Oversight Has Hindered Its Meaningful Implementation*.

LEGISLATIVE COUNSEL’S DIGEST

AB 1007, as amended, Jones-Sawyer. Local government financing: juvenile justice.

Under existing law, there is established in each county treasury a Supplemental Law Enforcement Services Account (SLESA) to receive all amounts allocated to a county for specified purposes. In any fiscal year for which a county receives moneys to be expended for implementation, existing law requires the county auditor to allocate the moneys in the county’s SLESA within 30 days of the deposit of those moneys into the fund. Existing law requires the moneys to be allocated in specified amounts, including, but not limited to, 50% to a county or city and county to implement a comprehensive multiagency juvenile justice plan, as specified. Existing law requires the juvenile justice plan to be developed by the local juvenile justice coordinating council in each county and city and county. Existing law requires the plan to be annually reviewed and updated by the council and submitted to the Board of State and Community Corrections. Existing law requires the multiagency juvenile justice plan to include certain components, including, but not limited to, a local juvenile justice action strategy that provides for a continuum of responses to juvenile crime and delinquency. Existing law also requires each council to annually report to their board of supervisors and the board information on the effectiveness of the programs and strategies funded under these provisions, and requires the board to annually report this information to the Governor and the Legislature and post it on its internet website.

This bill would revise and recast required components of the multiagency juvenile justice plan to, among other things, additionally require a plan to include an assessment of existing community-based youth development services, identification and prioritization of areas of the community that face significant public safety risk from violence and crime, documentation of the effectiveness of the programs funded under these provisions, and a description of the target population funded under these provisions. The bill would require programs and strategies funded under these provisions to, among other things, be modeled on trauma-informed and youth development approaches and in collaboration with community-based organizations. The bill would require that at least 95% of the funds allocated under these provisions be distributed to community-based organizations and other public agencies or departments that are not law enforcement entities, as specified. The bill would require a council to include additional information in its annual report to the board of supervisors and the board relating to their programs, including data on participants, and would impose additional requirements on the board with respect to those annual reports, including, but not limited to, providing a statewide analysis of county spending.

Existing law requires a juvenile justice coordinating council to consist of certain members, including, but not limited to, the chief probation officer, as chair, and a representative from the district attorney's office, the public defender's office, and the sheriff's department, among others.

This bill would revise and recast those membership provisions, and instead require each Juvenile Justice Coordinating Council to, at a minimum, include 7 members and consist of at least 50% community representatives with the remainder of the seats allocated to government agencies. The bill would require a council to select 2 cochairs from amongst its members, as specified. The bill would require a council to meet no less than 3 times per year and announce its meetings at least 10 days in advance of a meeting.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 30061 of the Government Code is amended to read:

30061. (a) There shall be established in each county treasury a Supplemental Law Enforcement Services Account (SLESA), to receive all amounts allocated to a county for purposes of implementing this chapter.

(b) In any fiscal year for which a county receives moneys to be expended for the implementation of this chapter, the county auditor shall allocate the moneys in the county's SLESA within 30 days of the deposit of those moneys into the fund. The moneys shall be allocated as follows:

(1) Five and fifteen-hundredths percent to the county sheriff for county jail construction and operation. In the case of Madera, Napa, and Santa Clara Counties, this allocation shall be made to the county director or chief of corrections.

(2) Five and fifteen-hundredths percent to the district attorney for criminal prosecution.

(3) Thirty-nine and seven-tenths percent to the county and the cities within the county, and, in the case of San Mateo, Kern, Siskiyou, and Contra Costa Counties, also to the Broadmoor Police Protection District, the Bear Valley Community Services District, the Stallion Springs Community Services District, the Lake Shastina Community Services District, and the Kensington Police Protection and Community Services District, in accordance with the relative population of the cities within the county and the unincorporated area of the county, and the Broadmoor Police Protection District in the County of San Mateo, the Bear Valley Community Services District and the Stallion Springs Community Services District in Kern County, the Lake Shastina Community Services District in Siskiyou County, and the Kensington Police Protection and Community Services District in Contra Costa County, as specified in the most recent January estimate by the population research unit of the Department of Finance, and as adjusted to provide, except as provided in subdivision (i), a grant of at least one hundred thousand dollars (\$100,000) to each law enforcement jurisdiction. For a newly incorporated city whose population estimate is not published by the Department of Finance, but that was incorporated prior to July 1 of the fiscal year in which an allocation from the SLESA is to be made, the city manager, or an appointee of the legislative body, if a city manager is not available, and the county administrative or executive officer shall prepare a joint notification to the Department of Finance and the county auditor with a population estimate reduction of the unincorporated area of the county equal to the population of the newly incorporated city by July 15, or within 15 days after the Budget Act is enacted, of the

fiscal year in which an allocation from the SLESA is to be made. No person residing within the Broadmoor Police Protection District, the Bear Valley Community Services District, the Stallion Springs Community Services District, the Lake Shastina Community Services District, or the Kensington Police Protection and Community Services District shall also be counted as residing within the unincorporated area of the County of San Mateo, Kern, Siskiyou, or Contra Costa, or within any city located within those counties. Except as provided in subdivision (i), the county auditor shall allocate a grant of at least one hundred thousand dollars (\$100,000) to each law enforcement jurisdiction. Moneys allocated to the county pursuant to this subdivision shall be retained in the county SLESA, and moneys allocated to a city pursuant to this subdivision shall be deposited in a SLESA established in the city treasury.

(4) Fifty percent to the county or city and county to implement a comprehensive multiagency juvenile justice plan as provided in this paragraph. The juvenile justice plan shall be developed by the local juvenile justice coordinating council in each county and city and county with the membership described in Section 749.22 of the Welfare and Institutions Code. The plan shall be reviewed and updated annually by the council. The plan or updated plan may, at the discretion of the county or city and county, be approved by the county board of supervisors. The plan or updated plan shall be submitted to the Board of State and Community Corrections by May 1 of each year in a format specified by the board that consolidates the form of submission of the annual comprehensive multiagency juvenile justice ~~multiagency~~ plan to be developed under this chapter with the form for submission of the annual Youthful Offender Block Grant plan that is required to be developed and submitted pursuant to Section 1961 of the Welfare and Institutions Code.

(A) The comprehensive multiagency juvenile justice plan shall include, but not be limited to, all of the following components:

- (i) An assessment of existing law enforcement, probation, education, mental health, health, social services, drug and alcohol, and ~~youth services resources that specifically target at-risk juveniles, juvenile offenders, community-based youth development services and resources that specifically target at-promise youth, youth involved in the justice system,~~ and their families.
- (ii) An identification and prioritization of the neighborhoods, schools, and other areas in the community that face a significant public safety risk from ~~juvenile crime, such as gang activity, daylight burglary, late night robbery, vandalism, truancy, controlled substances sales, firearm related violence, and juvenile substance abuse and alcohol use- violence and crime.~~
- (iii) A local juvenile justice action strategy that provides for a continuum of responses to juvenile crime and delinquency ~~and demonstrates a collaborative and integrated approach for implementing a system of swift, certain, and graduated responses for at-risk youth and juvenile offenders; that is modeled on a framework of youth development and demonstrates a community-based, collaborative, and integrated approach for at-promise youth and youth involved in the justice system.~~
- (iv) A description of the ~~programs, strategies, or system enhancements~~ programs and strategies that are proposed to be funded pursuant to this subparagraph, including documentation of their effectiveness, specific objectives and outcome measures.

Commented [1]: The state audit finds that, according to the BSCC, "The comprehensive plans are intended to describe how JJCPA-funded programs fit within the context of counties' overall juvenile justice strategies." (Page 17)

The state audit notes that, while juvenile arrests declined by 76 percent from 2002 through 2018, and various state laws have dramatically changed approaches to juvenile justice in California, "Coordinating Councils for the counties we reviewed generally did not update their counties' comprehensive plans, and when they did, the counties made only limited revisions that failed to demonstrate how their strategies for addressing juvenile crime and delinquency had changed over the last 20 years." (Page 19)

According to the State Auditor, updated plans "could demonstrate to their communities that their counties are appropriately modifying their strategies for serving juveniles to reflect changes in the State's approach to addressing juvenile crime and delinquency." (Page 18)

Commented [2]: The state audit finds most sample counties failed to ensure effective JJCPA investments: "Regardless of the programs they chose to operate, counties did not demonstrate in the reports they submitted to Community Corrections that their JJCPA-funded programs were effective." (Page 3)

To adequately assess the effectiveness of JJCPA-funded programs, the State Auditor recommends that sample counties (Los Angeles, Mendocino, and San Joaquin) "should collect data on all participants in each JJCPA program and for each service they provide." (Page 31)

(v) A description of the target population for the programs strategies that are proposed to be funded pursuant to this subparagraph, including a description of the target population's race, ethnicity, age, gender identity, and residence ZIP code.

(B) ~~Programs, strategies, or system enhancements~~ Programs and strategies proposed to be funded under this chapter shall satisfy all of the following requirements:

(i) Be based on programs and approaches that have been demonstrated to be effective in reducing ~~delinquency, and addressing juvenile crime for any elements of response to juvenile crime and delinquency, including prevention, intervention, suppression, and incapacitation.~~ crime and violence and are modeled on trauma-informed and youth development approaches.

(ii) Collaborate and integrate services of all the resources set forth in clause (i) of subparagraph (A), to the extent appropriate, and prioritize collaboration with community-based organizations.

(iii) Employ information sharing systems to ensure that county actions are fully coordinated, and designed to provide data for measuring the success of juvenile justice programs and strategies, while still protecting participant confidentiality in prearrest and prebooking diversion programs.

Commented [3]: The State Auditor "expected that in response to the decreasing number of juvenile offenders, counties would have periodically reassessed the areas where juvenile crime occurs and made changes to their strategies for addressing juvenile crime." (Page 17)

The State Auditor goes on to recommend the following: "Counties should update their plans to reflect changes both to the populations of at risk youth and juvenile offenders that they need to serve and to the areas in their communities at highest risk of juvenile crime." (Page 21)

Commented [4]: The state audit notes that collaboration is not occurring as intended: "Although we found that these five counties used JJCPA funds primarily to pay for services and programs that their probation departments provided, counties may choose to direct JJCPA funds to other county departments or local entities." (Page 10)

Further, 2 of the 5 sample counties audited "used their JJCPA funding solely for programs their probation departments operated." (Page 24)

(C) (i) No less than 95 percent of the funds allocated under this chapter shall be distributed through an accessible and transparent solicitation process to the following types of entities:

(I) Community-based organizations.

(II) Public agencies or departments that are not law enforcement agencies or departments.

(ii) Funds distributed to entities listed in (I) and (II) of clause (i) shall not be used for law enforcement activities or personnel.

Commented [5]: Despite dropping youth contact with probation and JJCPA's emphasis on collaboration, the State Auditor finds, "Four of the five counties we reviewed generally used JJCPA funds for probation department programs, which primarily serve juvenile offenders." (Page 24)

For example, Santa Barbara used JJCPA funds on two programs involving probation supervision with some referral to counseling services. During the audit period, the county spent approximately 75% and 89%, respectively, of these two program budgets on probation department salaries and benefits. (Pages 70-71)

Los Angeles County, which began redistributing its JJCPA grant funds in recent years following community pressure, funding continues to be allocated primarily to law enforcement entities. Between FY 2013 and FY 2017-18, Los Angeles County spent nearly 50.9% of its JJCPA dollars on its Probation Department and another 4.8% on other law enforcement agencies (55.7% combined). During the same period, the county spent 23.8% on CBOs and 20.4% on non-law enforcement public agencies. (Pages 50-60)

Commented [6]: Amid concerns about the harmful long-term impacts of law enforcement on school campuses, contributing to the school-to-prison pipeline, the state audit finds, "San Joaquin and Santa Barbara both used JJCPA funds for school based programs that their probation departments provided." (Page 25)

For example, "San Joaquin's probation department operated a school based program that assigns probation officers to specific school sites where they work with school staff to supervise juveniles on probation and to ensure their educational needs are met." (Page 25) Such programs place youth in contact with law enforcement whose educational and developmental needs could be better met by relevant professionals.

Additionally, 42% of Los Angeles County's JJCPA funds (FY 13-14 to FY 17-18) went to school-based supervision (\$59M total). Youth of color were disproportionately impacted, making up 87% of all youth supervised under the JJCPA-funded program (18% Black youth; 69% Latino youth). (Page 50-60)

(D)~~(C)~~ To assess the effectiveness of ~~programs, strategies, or system enhancements~~ programs and strategies funded pursuant to this paragraph, the Juvenile Justice Coordinating Council of each county or city and county shall submit by October 1 of each year a report to the county board of supervisors and to the Board of State and Community Corrections on the ~~programs, strategies, or system enhancements~~ programs and strategies funded pursuant to this chapter. The report shall be in a format specified by the board that consolidates the report to be submitted pursuant to this chapter with the annual report to be submitted to the board for the Youthful Offender Block Grant program, as required by subdivision (c) of Section 1961 of the Welfare and Institutions Code. The report shall include all of the following:

(i) An updated description of the ~~programs, strategies, or system enhancements~~ programs and strategies that have been funded pursuant to this chapter in the immediately preceding fiscal year. Descriptions shall include evidence supporting the program, program staff qualifications and positions, and the number of years the program has received funding under this chapter.

(ii) An accounting of expenditures during the immediately preceding fiscal year for each ~~program, strategy, or system enhancement~~ program and strategy funded pursuant to this chapter.

(iii) A description and expenditure report for ~~programs, strategies, or system enhancements~~ programs and strategies that have been cofunded during the preceding fiscal year using funds provided under this chapter and Youthful Offender Block Grant funds provided under Chapter 1.5 (commencing with Section 1950) of Division 2.5 of the Welfare and Institutions Code.

(iv) ~~An updated list of Juvenile Justice Coordinating Council members, including their assigned seats and professions, if applicable, and dates for all Council meetings in the immediately preceding fiscal year.~~

(v)~~(iv)~~ Countywide juvenile justice trend data available from existing statewide juvenile justice data systems or networks, as specified by the Board of State and Community Corrections, including, but not limited to, arrests, diversions, petitions filed, petitions sustained, placements, incarcerations, subsequent petitions, and probation violations, disaggregated by race, ethnicity, gender identity, age, and residence ZIP code, and including, in a format to be specified by the board, a summary description or analysis, based on available information, of how the ~~programs, strategies, or system enhancements~~ programs and strategies funded pursuant to this chapter have or may have contributed to, or influenced, the juvenile justice data trends identified in the report.

Commented [7]: According to the state audit, "Counties have not submitted meaningful evaluations of the effectiveness of their respective JJCPA-funded programs in their year-end reports." (Page 26)

Currently, the year-end reporting template established by the BSCC includes limited measures for program effectiveness, only requiring counties to "include descriptions or analyses of how their JJCPA-funded programs may have contributed to or influenced countywide juvenile justice trends, such as declining arrests." Even then, the State Auditor notes year-end report submissions lacking such information. (Page 26)

In FY 2013-14 through FY 2016-17, "RAND consistently reported that Los Angeles did not maintain the information necessary to measure program-specific outcomes for several programs the county operated with JJCPA funds." (Page 29)

The State Auditor adds, "The counties we visited generally have not demonstrated that the programs they have chosen to operate represent an effective use of JJCPA funds. [...] Nonetheless, three of the five counties we reviewed have not evaluated the effectiveness of their JJCPA funded programs." (Page 24)

Commented [8]: The State Auditor recommends that the BSCC "modify its template for comprehensive plans to require counties to report about their Coordinating Councils, thereby taking steps to mitigate the risk that a county would submit a plan that a Coordinating Council has not approved." (Page 35)

(vi) Data on total number of youth referred to and receiving services funded under this chapter, disaggregated by program, race, ethnicity, age, gender identity, residence ZIP code, probation status, charges or activities warranting intervention, and program outcomes, including, but not limited to, an accounting of all participants' completion or non-completion of the program.

(E) (D) The board shall, within 45 days of having received the county's report, post on its Internet Web site the report and a description or summary of the ~~programs, strategies, or system enhancements~~ programs and strategies that have been supported by funds made available to the county under this chapter.

Commented [9]: According to the state audit, "To determine how their funded programs may have contributed to countywide juvenile justice trends, counties must maintain data on participants in those programs." (Page 28)

In fact, "Some counties did not track program participants in some years, some counties could not identify all of their program participants, and one county could not identify the programs in which some youth participated. As a result, we determined that the data each county provided to us are not sufficiently reliable for the purposes of this audit." (Page 79)

For example, "Mendocino, Los Angeles, and San Joaquin could not provide any data, such as age, race, or gender, on participants in at least one of their programs for certain fiscal years. [...] Los Angeles did not collect and therefore could not provide data on participants in one of its largest programs during fiscal year 2017-18—a mental health program that the county spent roughly \$4.5 million of JJCPA funds in that year to operate." (Page 28)

The State Auditor explains, "Specifically, when we requested basic information about the participants in JJCPA funded programs, the five counties were not always able to provide this information and, in some instances, provided inaccurate information. Without reliable information about the individuals who participated in JJCPA funded programs, counties cannot adequately assess the effectiveness of those programs in reducing juvenile crime and delinquency." (Page 27-28)

(E) ~~(i)~~ The Board of State and Community Corrections shall compile the local reports and, by March 1 of each year following their submission, make a report to the Governor and the Legislature summarizing the ~~programs, strategies, or system enhancements~~ programs and strategies and related expenditures made by each county and city and county from the appropriation made for the purposes of this paragraph.

(ii) The annual report shall provide statewide analysis of county spending on programs and strategies that have been funded pursuant to this chapter, including a quantitative and qualitative description of the total population of youth served in the preceding fiscal year, disaggregated by race, ethnicity, age, gender identity, residence ZIP code, and charges or activities warranting intervention.

The annual report to the Governor and the Legislature shall also summarize the countywide trend data and any other pertinent information submitted by counties indicating how the programs and ~~strategies, or system enhancements~~ supported by funds appropriated under this chapter have or may have contributed to, or influenced, the trends identified. The board may consolidate the annual report to the Legislature required under this paragraph with the annual report required by subdivision (d) of Section 1961 of the Welfare and Institutions Code for the Youthful Offender Block Grant program. The annual report shall be submitted pursuant to Section 9795, and shall be posted for access by the public on the Internet Web site of the board.

(c) Subject to subdivision (d), for each fiscal year in which the county, each city, the Broadmoor Police Protection District, the Bear Valley Community Services District, the Stallion Springs Community Services District, the Lake Shastina Community Services District, and the Kensington Police Protection and Community Services District receive moneys pursuant to paragraph (3) of subdivision (b), the county, each city, and each district specified in this subdivision shall appropriate those moneys in accordance with the following procedures:

- (1) In the case of the county, the county board of supervisors shall appropriate existing and anticipated moneys exclusively to provide frontline law enforcement services, other than those services specified in paragraphs (1) and (2) of subdivision (b), in the unincorporated areas of the county, in response to written requests submitted to the board by the county sheriff and the district attorney. Any request submitted pursuant to this paragraph shall specify the frontline law enforcement needs of the requesting entity, and those personnel, equipment, and programs that are necessary to meet those needs.
- (2) In the case of a city, the city council shall appropriate existing and anticipated moneys exclusively to fund frontline municipal police services, in accordance with written requests submitted by the chief of police of that city or the chief administrator of the law enforcement agency that provides police services for that city.
- (3) In the case of the Broadmoor Police Protection District within the County of San Mateo, the Bear Valley Community Services District or the Stallion Springs Community Services District within Kern County, the Lake Shastina Community Services District within Siskiyou County, or the Kensington Police Protection and Community Services District within Contra Costa County, the legislative body of that special district shall appropriate existing and anticipated moneys exclusively to fund frontline municipal police services, in accordance with written requests

Commented [RM10]: The State Auditor finds that the BSCC has a "mandate to collect and maintain information related to juvenile justice so that the public is aware of the impact of state and local programs on juvenile justice and so that local entities can access information about promising practices and innovative approaches to reducing juvenile crime and delinquency." (Page 36)

Currently, the BSCC does not review county reports to assess whether the information it receives from counties is reasonable and provides a meaningful response to the JJCPA requirements. Since the BSCC does not require counties to address deficiencies, including inaccuracies, in their reports, "The value of the information on Community Corrections' website is diminished." (Page 33)

"Given that it already collects the information counties report, Community Corrections is best positioned to provide additional value by presenting that information in a manner that enables users to easily review how counties across the State use JJCPA funds to address juvenile crime and delinquency." (Page 38)

The State Auditor recommends the following: "The Legislature should direct Community Corrections to monitor counties' year-end reports to ensure that they include meaningful descriptions or analyses of how their JJCPA-funded programs may have contributed to or influenced countywide juvenile justice trends, as required by state law." (Page 30)

Commented [RM11]: The State Auditor finds that the BSCC does not collect JJCPA-funded program participant information from counties. (Page 78)

In fact, the BSCC "does nothing beyond posting on its website the individual reports that counties submit, without synthesizing the information in those reports in a manner that is helpful to users." (Page 36)

submitted by the chief administrator of the law enforcement agency that provides police services for that special district.

(d) For each fiscal year in which the county, a city, or the Broadmoor Police Protection District within the County of San Mateo, the Bear Valley Community Services District or the Stallion Springs Community Services District within Kern County, the Lake Shastina Community Services District within Siskiyou County, or the Kensington Police Protection and Community Services District within Contra Costa County receives any moneys pursuant to this chapter, in no event shall the governing body of any of those recipient agencies subsequently alter any previous, valid appropriation by that body, for that same fiscal year, of moneys allocated to the county or city pursuant to paragraph (3) of subdivision (b).

(e) For the 2011-12 fiscal year, the Controller shall allocate 23.54 percent of the amount deposited in the Local Law Enforcement Services Account in the Local Revenue Fund 2011 for the purposes of paragraphs (1), (2), and (3) of subdivision (b), and shall allocate 23.54 percent for purposes of paragraph (4) of subdivision (b).

(f) Commencing with the 2012-13 fiscal year, subsequent to the allocation described in subdivision (c) of Section 29552, the Controller shall allocate 23.54363596 percent of the remaining amount deposited in the Enhancing Law Enforcement Activities Subaccount in the Local Revenue Fund 2011 for the purposes of paragraphs (1) to (3), inclusive, of subdivision (b), and, subsequent to the allocation described in subdivision (c) of Section 29552, shall allocate 23.54363596 percent of the remaining amount for purposes of paragraph (4) of subdivision (b).

(g) Commencing with the 2013-14 fiscal year, subsequent to the allocation described in subdivision (d) of Section 29552, the Controller shall allocate 23.54363596 percent of the remaining amount deposited in the Enhancing Law Enforcement Activities Subaccount in the Local Revenue Fund 2011 for the purposes of paragraphs (1) to (3), inclusive, of subdivision (b), and, subsequent to the allocation described in subdivision (d) of Section 29552, shall allocate 23.54363596 percent of the remaining amount for purposes of paragraph (4) of subdivision (b). The Controller shall allocate funds in monthly installments to local jurisdictions for public safety in accordance with this section as annually calculated by the Director of Finance.

(h) Funds received pursuant to subdivision (b) shall be expended or encumbered in accordance with this chapter no later than June 30 of the following fiscal year. A local agency that has not met the requirement of this subdivision shall remit unspent SLESA moneys received after April 1, 2009, to the Controller for deposit in the Local Safety and Protection Account, after April 1, 2012, to the Local Law Enforcement Services Account, and after July 1, 2012, to the County Enhancing Law Enforcement Activities Subaccount. This subdivision shall become inoperative on July 1, 2015.

(i) In the 2010-11 fiscal year, if the fourth quarter revenue derived from fees imposed by subdivision (a) of Section 10752.2 of the Revenue and Taxation Code that are deposited in the General Fund and transferred to the Local Safety and Protection Account, and continuously appropriated to the Controller for allocation pursuant to this section, are insufficient to provide a minimum grant of one hundred thousand dollars (\$100,000) to each law enforcement jurisdiction, the county auditor shall allocate the revenue proportionately, based on the allocation schedule in paragraph (3) of subdivision (b). The county auditor shall proportionately allocate, based on the allocation schedule in paragraph (3) of subdivision (b), all revenues received after the distribution of the fourth quarter allocation attributable to these fees for which payment was due prior to July 1, 2011, until all

minimum allocations are fulfilled, at which point all remaining revenue shall be distributed proportionately among the other jurisdictions.

(j) The county auditor shall redirect unspent funds that were remitted after July 1, 2012, by a local agency to the County Enhancing Law Enforcement Activities Subaccount pursuant to subdivision (h), to the local agency that remitted the unspent funds in an amount equal to the amount remitted.

SEC. 2. Section 749.22 of the Welfare and Institutions Code is amended to read:

749.22. To be eligible for this grant, each county shall be required to establish a ~~multiagency juvenile justice coordinating council~~ Juvenile Justice Coordinating Council that shall develop and implement a continuum of county-based responses to juvenile crime. The coordinating councils shall, at a minimum, include seven members with at least 50 percent community representatives with the remainder of seats allocated to government agencies. A community representative shall be defined as an individual who has not formerly served as a law enforcement agent and who is not currently a government employee.

The coordinating councils ~~shall, at a minimum, include the chief probation officer, as chair, and may include~~ one representative each from the district attorney's office, the county probation department, the public defender's office, ~~the sheriff's department,~~ the board of supervisors, the department of social services, the department of mental health, a community-based drug and alcohol program, a city police department, and the county office of education or a school district, ~~and an at-large community representative.~~

In order to carry out its duties pursuant to this section, a coordinating council shall also include community representatives who are currently or formerly justice system-involved and representatives from nonprofit, community-based organizations providing services to youth minors. The coordinating councils shall elect two cochairs from among its members, at least one of which shall be a community representative. The board of supervisors shall be informed of community-based organizations participating on a coordinating council. The Juvenile Justice Coordinating Council shall meet no less than three times per year and announce meetings at least 10 days in advance.

The coordinating councils shall develop a comprehensive, multiagency juvenile justice plan that identifies the resources and strategies for providing an effective continuum of responses ~~for the prevention, intervention, supervision, treatment, and incarceration of male and female juvenile offenders, of male and female juvenile offenders, including strategies to develop and implement locally-based or regionally based out-of-home placement options for youths who are persons described in Section 602. Counties may utilize community punishment plans developed pursuant to grants awarded from funds included in the 1995 Budget Act to the extent the plans address juvenile crime and the juvenile justice system or local action plans previously developed for this program.~~ for at-promise youth and youth involved in the justice system. The plan shall include, but not be limited to, the following components:

(a) An assessment of existing law enforcement, probation, education, mental health, health, social services, drug and alcohol, and ~~youth services resources that specifically target at-risk juveniles, juvenile offenders, development services that specifically target at-promise youth, youth involved in the justice system,~~ and their families.

(b) An identification and prioritization of the neighborhoods, schools, and other areas in the community that face a significant public safety risk from ~~juvenile crime, such as gang activity, daylight burglary, late-~~

Commented [12]: Counties' insufficient JJCC processes are made clear in the state audit. Findings show outdated and incomplete comprehensive multiagency juvenile justice plans as well as questionable effectiveness of JJCPA-funded programs. Concerns about poor planning and spending can be addressed by amending JJCC requirements.

The state audit finds that, out of 53 counties, "Six counties confirmed that they lacked Coordinating Councils during our audit period. Another four counties' websites are unclear whether they have councils, and these counties did not respond to our inquiries; therefore, they may also lack Coordinating Councils." (Page 14)

Additionally, only two of the five sample counties—San Joaquin and Santa Barbara—had a JJCC with all required representatives in each of the five-year audit period. (Pages 14)

The State Auditor notes, "The diverse representation of Coordinating Councils is key to ensuring the multiagency approach that the JJCPA requires and to directing JJCPA funding toward the services, geographic areas, and programs that councils deem most important." (Page 14)

Commented [13]: While JJCCs are required to maintain and update their county's multiagency juvenile justice comprehensive plans, counties only meet once annually, limiting their ability to carry out such critical responsibilities.

The state audit finds, "Although state law requires counties to annually update their comprehensive plans to reflect their current approaches to responding to at-risk youth and juvenile offenders, the five counties we reviewed have rarely made substantial revisions to their plans over the last 20 years, despite significant changes in state law and decreases in juvenile arrest rates." (Page 16)

The State Auditor acknowledges, "When counties make only minimal updates to their comprehensive plans and fail to adequately identify services and strategies to address at-risk youth, their comprehensive plans are likely to be outdated, incomplete, and of limited use for stakeholders and the public." (Page 16)

~~night robbery, vandalism, truancy, controlled substance sales, firearm-related violence, and juvenile alcohol use within the council's jurisdiction.~~ violence and crime.

(c) A local action plan (LAP) for improving and marshaling the resources set forth in subdivision (a) to reduce the incidence of ~~juvenile crime and delinquency in the areas targeted pursuant to subdivision (b) and~~ violence and crime in the greater community. The councils shall prepare their plans to maximize the provision of collaborative and integrated services of all the resources set forth in subdivision (a), and shall provide ~~specified strategies for all elements of response, including prevention, intervention, suppression, and incapacitation, to provide a continuum for addressing the identified male and female juvenile crime problem, and strategies to develop and implement locally-based or regionally-based out-of-home placement options for youths who are persons described in Section 602.~~ a continuum of responses for at-promise youth and youth involved in the justice system.

(d) Develop information and intelligence-sharing systems to ensure that county actions are fully coordinated, and to provide data for measuring the success of the grantee in achieving its goals, while protecting participant confidentiality in prearrest and prebooking diversion programs. The plan shall develop goals

related to the outcome measures that shall be used to determine the effectiveness of the program.

(e) Identify outcome measures which shall include, but not be limited to, the following:

- (1) The rate of juvenile arrests.
- (2) The rate of successful completion of probation.
- (3) The rate of successful completion of restitution and court-ordered community service responsibilities.

(Amended by Stats. 1998, Ch. 500, Sec. 6. Effective September 15, 1998.)