

County of Santa Clara

Probation Department

Juvenile Division
840 Guadalupe Parkway
San José, California 95110

Administrative Offices
840 Guadalupe Parkway
San José, California 95110



Sheila E. Mitchell
Chief Probation Officer

TRANSMITTAL

TO: Juvenile Justice Coordinating Council

FROM: Sheila E. Mitchell, *Sheila E. Mitchell*
Chief Probation Officer

DATE: August 21, 2009

SUBJECT: RJP Re-design

RECOMMENDED ACTION

Accept the scheduled status report from the Probation Department on the re-design of the Restorative Justice Program and forward to the Public, Safety, and Justice Committee of the Board of Supervisors.

FISCAL IMPLICATIONS

There are no fiscal implications to accepting this report.

CONTRACT HISTORY

The Restorative Justice Program provides services through community based organizations. Competency Development Services are provided by Community Solutions who sub-contracts with the Alum Rock Counseling Center, the Bill Wilson Center, and the Children's Health Awareness Council (CHAC). Competency Development has included Violence Prevention and Gang Prevention, Outpatient Substance Abuse and Intervention Services, Law Related Education/Property Offenses, Service Learning, and Individual/family counseling.

Mentoring Services have been provided by California Youth Outreach and the Mexican American Community Services Agency (MACSA).

In 2008, the average cost of service per client for Competency Development was \$530 while mentoring cost approximately \$792 per client.

BACKGROUND

In April 2009, the Juvenile Justice Coordinating Council approved an expenditure plan for the FY 2009-2010 JJCPA funds and requested a report on the re-design of the Restorative Justice Program.

An Ad-hoc Committee was formed that assisted the Probation Department in developing the new program design. The Committee included Probation staff, community based organizations, the Silicon Valley Council of Non-profits, and representatives from the Board of Supervisors' offices. Bobbie Huskey & Associates provided research and literature review on existing diversion models around the country.

A sub-committee was formed to help define the service needs for the program. This sub-committee defined a need to provide services that address the four key life domains (personal, family, school, and community) that significantly influence a youth's healthy development and resiliency.

The input from the work of these two groups helped Probation to formulate a re-design plan that was presented back to the Ad-hoc Committee on August 5, 2009. Further input from that meeting finalized the draft of the re-designed Restorative Justice Program.

REASONS FOR RECOMMENDATION

The Ad-hoc Sub-Committee reviewed various diversion models employed by similar counties including Alameda County, San Diego County, Orange County, and San Francisco. These models included, but were not limited to, reviewing San Diego's Community Intervention Officer and San Francisco's Community Assessment and Referral Center. A review of the Office of Juvenile Justice and Delinquency Prevention's (OJJDP) Balanced & Restorative Justice Program Summary also helped in making the decision to stay with the Restorative Justice Model for the newly formed diversion program. The OJJDP states that "Restorative Justice is based on the following values and assumptions:

- All parties should be included in the response to crime—offenders, victims, and the community.
- Government and local communities should play complementary roles in that response.
- Accountability is based on offenders understanding the harm caused by their offenses, accepting responsibility for that harm, and repairing it (McLagan, 1992).

The Balanced Restorative Justice approach values accountability, protects the community, and serves to build capacity in the youth. This model balances the needs of the community, victim, and youth and stood out as the logical choice for diverting youth away from a formal justice process.

The re-designed program targets early offenders and follows them through informal supervision, if needed. Objective tools are used to determine the types of services and length of program indicated. The logic model measures effect for non-contracted services in addition to measuring effort and effect for contracted services. Services needs address all four key life domains and

include referrals to competency development services, counseling, mentoring, 1-day classes such as California Offender Program Services (COPS) and Safe Alternative and Violence Education (SAVE), victim services, parenting classes, parent-teen mediation, and job search services. Future program enhancements will include Support Services and Family Therapy through non-JJCPA funds should they become available.

Data analysis showed that of the 4984 youth, approximately 1000 would be referred for contracted services while the remaining youth will either not require intervention or be served through non-contracted resources. In order to ensure youth are able to receive adequate levels of service, the program length will be adjusted up to 180 days depending on the needs of the youth. For the balance of Fiscal Year 2010, approximately 750 youth will be referred for contracted competency development services and approximately 195 youth will be referred for mentoring services. Approximately 75 youth may be referred for therapy and 38 for support services if these programs become funded.

The balance of Fiscal Year 2010 is recommended to be funded through extensions of existing contracts as appropriate requirements are drafted to issue requests for proposals to meet future service needs. RFP's will be prepared in advance and issued as soon as funding for FY 2011 is known. The FY 2010 JJCPA funds will be expended as approved by the JJCC at the April 2009 meeting.

A restorative justice approach to diversion allows the Probation Department to balance the needs of the community, victim, and youth and is, therefore, recommended as the model for the re-designed program.

CONSEQUENCES OF NEGATIVE ACTION

The status report from the Probation Department on the re-design of the Restorative Justice Program will not be accepted or forwarded to the Public, Safety, and Justice Committee of the Board of Supervisors.

STEPS FOLLOWING APPROVAL

The Probation Department will work with contracted service providers to amend existing contracts to provide services per the April 2009 approved expenditure plan.