



Findings to Allow Teleconferenced Meetings Under California Government Code Section 54953(e)

San Francisco Juvenile Justice Coordinating Council's
DJJ Realignment Subcommittee
10.12.21, Agenda Item 4

Findings to Allow Teleconferenced Meetings Under California Government Code Section 54953(e)

- On September 16, 2021, the Governor signed AB 361, a bill that amends the Brown Act to allow local policy bodies to continue to meet by teleconferencing during a state of emergency....provided that the policy bodies make certain findings at least once every 30 days
- Most recent emergency order by the Mayor requires all bodies, except BOS and disciplinary hearings, to continue meeting virtually
- Subcommittee must make two findings (and vote) today on whether to continue remote meetings

Teleconferencing Meetings Continued

- Must make two findings:
 - 1) That the DJJ Realignment Subcommittee has considered the circumstances of the state of emergency and 2) that one of the following circumstances exist:
 - (a) The state of emergency continues to directly impact the ability of members to meet safely in person

OR

 - (b) State or local officials continue to impose or recommend measures to promote social distancing



DJJ Realignment Updates

San Francisco Juvenile Justice Coordinating Council's

DJJ Realignment Subcommittee

10.12.21, Agenda Item 5

DJJ Realignment Updates

- **Youth Programs & Facilities Grant (YPFG)**
- **Settings Topic Area Conversation**
- **FFPSA**
- **Website Updates**

YPFG Updates

- **Purpose:** to award one-time funding to counties solely for infrastructure needs to facilitate youth programming that maintains trauma-informed, culturally relevant and gender appropriate services to youth in the care of counties.
- **Funding Allocation:** \$152,571 *based on Juvenile Population (Ages 12-17)*
- Subcommittee voted to **defer spending** at May 4th meeting

YPFG Updates

- Infrastructure and improvement needs defined as:
 - Site preparation, fixed equipment and fixed furnishings, installation of fixed equipment and fixed furnishings necessary for the operation of the facility or program.
 - Moveable equipment, and moveable furnishings necessary for the activation and operation of the facility or program.
 - Additional infrastructure-related needs and improvements to assist counties in the development of a local continuum of care including but are not limited to supplies; transportation acquisitions; and training material acquisition.

These funds must be spent on infrastructure or improvements to programs, services, or facilities serving youth who are realigned to counties as a result of the closure of the Division of Juvenile Justice.

YPFG Updates

- The intent of this grant is to address more immediate infrastructure needs – not the same as the much larger allocation, Juvenile Justice Realignment Block Grant, which we are currently in planning stages for.
- Counties who elected to defer spending must submit **final proposal and budget by December 10th**
 - Will discuss and vote at November 23rd meeting

DJJ Realignment Updates

- Youth Programs & Facilities Grant (YPFG)
- **Settings Topic Area Conversation**
- FFPSA
- Website Updates

DJJ Realignment Updates

- Youth Programs & Facilities Grant (YPFG)
- Settings Topic Area Conversation
- **FFPSA**
- Website Updates

Family First Prevention Services Act (FFPSA)

- Family First Prevention Services Act (FFPSA)- Part 4
 - New federal requirements intended to reduce foster care placements in group homes & ensure that congregate care is necessary/ the most effective option for the youth.
 - Title IV-E funds for congregate care are restricted in 3 ways.
 1. STRTPs must provide: Trauma-informed treatment & services; 24/7 access to a licensed or registered nurse; Discharge planning & family-based aftercare
 2. STRTP placements must be approved by a qualified individual (QI): a trained professional or licensed clinician who is not an employee of the Title IV-E placement agency and who is not affiliated with any placement setting utilized by the county.
 - Qualified individual (QI) is required to: Assess the youth's mental and behavioral health needs; Evaluate whether family members or a family-setting can address those needs; Determine whether the placement is the most effective and least restrictive option.
 3. STRTP Placements require additional oversight & documentation: CANS, MDT, CFT, QI Assessment, MAST, Case Plan, court oversight in approving STRTP placements & monitoring.

DJJ Realignment Updates

- Youth Programs & Facilities Grant (YPFG)
- Settings Topic Area Conversation
- FFPSA
- **Website Updates**

Visit the City's new website, [SF.gov](https://sfgov.org)

CITY AND COUNTY OF
SAN FRANCISCO

I'm looking for...



Juvenile Probation Department

- Home
- About
- Administration
- Probation Process
- JJCC/DJJ
- Documents
- Commission
- Contact

DJJ Realignment Planning

[READ MORE >](#)

Stay Up To Date
on San Francisco's
DJJ Realignment Planning

ABOUT US

Juvenile Probation Department



Welcome to the home page of the San Francisco Juvenile Probation Department. Please feel free to browse our web pages to learn more about the work of the department in its

efforts to serve the needs of youths and families while seeking to advance public safety within our neighborhoods. The juvenile justice system represents one of the most important areas of civic engagement in our society. The future of our youth and the stability of our community depend on the effectiveness of our work.

IN THE NEWS

FEATURED

Announcements
& Shout-outs



COVID-19
Information & Resources

TWITTER UPDATES

Tweets by @LondonBreed

London Breed
@LondonBreed

Replying to @LondonBreed

San Francisco—through our policies and our action—should work to uplift and empower all those who have been the victims of abuse, and believe them when they speak up. Thank you to @sfwpc for continuing to stand with women and victims.

43m

London Breed
@LondonBreed

It takes a lot of courage for anyone to speak up as the victim of sexual assault. In my life, I've had too many friends who weren't comfortable coming

Planning Template for DJJ Realignment Subcommittee Topic Areas

Topic Area: Girls & Gender Expansive Young People

Target Population: Young people in San Francisco who have petitions sustained for 707(b) offenses.ⁱ

This group of young people are most frequently ordered by the court to three distinct dispositions:

- 1) **formal probation in the community:** under the supervision of the court and Juvenile Probation; living at home with parent or guardian if under 18; must abide by certain conditions imposed by the court
- 2) **out of home placement:** ordered by the court to reside in a foster care placement (could be with a resource family or in a group home/STRTP); must abide by certain conditions imposed by the court; ordered not to leave placement to live anywhere else
- 3) **secure youth treatment facility:** a locked residential facility where the young person is not free to leave

Plan Development: To aide in the creation of SF's DJJ Realignment Planⁱⁱ, **please fill out the table on the next page** that asks what currently exists, what doesn't, and may be needed for this particular topic area across the continuum of possible dispositions for the target population.

When filling out the table, please keep the following in mind:

- The DJJ realignment subcommittee adopted the following as its guiding values. How are these values reflected in this topic area?
 - Healing-Centered Models
 - Family- Centered Models
 - Community Involvement
 - Culturally Responsive Models
- Have the voices of young people and directly impacted people been included in these ideas?
- At each stage of the continuum, what is needed to prevent deeper system involvement?
- What does integration of services, programs, or resources look like for this topic area across continuum and/or as a young person is stepped down from a more restrictive setting?
- What does this topic area look like for young people under 18 vs. over 18?

Topics	Formal Probation in the Community	Out of Home Placement	Secure Youth Treatment Facility
<p>What resources and services currently exist in San Francisco and are working well for the target population?</p>	<p>Young Women's Freedom Center (Self-determination case manager, Sister's Circles, Paid Internships, Paid Participation)</p> <p>YMCA Buchanan (CARE) (MH counseling)</p> <p>UCSF Voices H.E.A.L.S. (MH counseling; Mother/Daughter + substance abuse issue)</p> <p>Huckleberry H.A.R.T. (CSEC; case management)</p>	<p>Young Women's Freedom Center (build relationship / rapport for transition to lower level of care)</p> <p>Huckleberry H.A.R.T. (CSEC; case manager)</p>	<p>Young Women's Freedom Center (build relationship / rapport for transition to lower level of care)</p> <p>Huckleberry H.A.R.T. (CSEC; case manager)</p>
<p>What are the service & resource gaps?</p> <p>What program elements are missing?</p>	<ul style="list-style-type: none"> • Lacking services that focus on: <ul style="list-style-type: none"> -Mental health services -Trauma treatment -CSEC services / intervention -Location of services (safety issues) -Life skills: financial literacy, independent living -Self-esteem building -Enrichment, incorporating arts & culture -Family counseling - addressing intergenerational trauma -Mentorship 	<ul style="list-style-type: none"> • Lacking services that focus on: <ul style="list-style-type: none"> -Mental health services -Trauma treatment -CSEC services / intervention -Location of services (safety issues) -Life skills: financial literacy, independent living -Self-esteem building -Enrichment, incorporating arts & culture -Family counseling - addressing intergenerational trauma -Mentorship 	<ul style="list-style-type: none"> • Don't pathologize girls, i.e. flag for CSEC, and then keep them connected to the system / which makes them <i>even more</i> disconnected to their community, family, life milestones when they return home • Every solution across the spectrum must have gender specific lens and must call that out every step of the way

	<ul style="list-style-type: none"> • Access to long-term sustainable support for families recovering from lifelong trauma so young people don't have to try to figure it out on their own • Support for the whole family: basic resources, can't engage in other court ordered services if basic needs aren't met • Getting documentation quickly – rapid ID, access to SS card, birth certificate to enroll in school, get a job – coordinating with other govt agencies to get these • Access to income – so many girls cases related to \$, universal basic income/meaningful income that isn't related to someone else • Limit probation requirements – minimal, individualized, customized (including as a part of step down) • Minimized use of ankle monitor (so many requirements, plus probation 	<ul style="list-style-type: none"> • Girls run from group homes most often – traditional out of home placement/groups homes <i>don't work</i> • JPD doesn't need to drive the healing plan • Need a new model (see below) for girls who formerly were sent out of state • Every solution across the spectrum must have gender specific lens and must call that out every step of the way 	<ul style="list-style-type: none"> • Transgender <ul style="list-style-type: none"> -incorrect gender facilities and kept in isolation -lack of access to gender affirming programming -harassed by staff & other individuals
--	--	--	--

	<p>requirements, keeps girls from getting job/income)</p> <ul style="list-style-type: none">• Young moms – inability to access funding and housing is a recipe for emotional & physical abuse and pushed young person deeper into system• Transitional Housing: Independent, relational, supportive housing provided by providers who are building specifically for this population• Education: probation often requires enrollment in regular SFUSD 8-3pm school – need flexibility individualized plans on needs, desires, positive assets and reinforcements• Every solution across the spectrum must have gender specific lens and must call that out every step of the way		
--	---	--	--

<p>How can we fill these gaps?</p> <p>What ideas or models should be implemented?</p> <p>Are there experts or models, including those outside of SF, that can help us?</p>	<ul style="list-style-type: none"> • Allocation of resources to meet services needed (as described above) for girls between the ages of 12-23/25 • Reaching out to arts nonprofits/ partner to build out enrichment curriculum (ballet, dance, opera) • Partnering with Girls in Tech • Location/safety issue: Reviewing existing services to see if they can meet youth in community (schools, etc.) • Gender-responsive, community-based credible messenger who is day one ride or die for that young person – connected on day one of that young person entering the system and no matter what comes next this relationship is not severed and cannot be severed by placement, DPO, SYTF – becomes advocate and case manager – and must be implemented by an organization with experience, best practices, and who is a trusted partner in the community 	<ul style="list-style-type: none"> • Implement SF SOL Collaborative Protocol • Gender-responsive, community-based credible messenger who is day one ride or die for that young person – connected on day one of that young person entering the system and no matter what comes next this relationship is not severed and cannot be severed by placement, DPO, SYTF – becomes advocate and case manager – and must be implemented by an organization with experience, best practices, and who is a trusted partner in the community • Intensive community family finding from earlier mentioned gender responsive community based credible messenger <i>and</i> building resources to reduce barriers for that family (funding, housing, etc.) Build additional funding streams • Program to recruit and train gender-responsive, 	<ul style="list-style-type: none"> • How could we make SYTF as close to this model (in other column) as possible • Gender-responsive, community-based credible messenger who is day one ride or die for that young person – connected on day one of that young person entering the system and no matter what comes next this relationship is not severed and cannot be severed by placement, DPO, SYTF – becomes advocate and case manager – and must be implemented by an organization with experience, best practices, and who is a trusted partner in the community • Transgender -diversion programs -housing
--	---	---	---

		<p>community based, credible messengers to do this work as the <i>housers</i></p> <ul style="list-style-type: none"> • Train families ahead of time to be prepared to support these young people and their individual needs • **This model as way of keeping girls from getting to that SYTF** • Need to think about this as a regional strategy so that should a young person need to be out of county, they will still have access to all of these resources and people 	
--	--	--	--

ⁱ **WIC 707(b)** This subdivision is applicable to any case in which a minor is alleged to be a person described in Section 602 by reason of the violation of one of the following offenses:

- (1) Murder.
- (2) Arson, as provided in subdivision (a) or (b) of Section 451 of the Penal Code
- (3) Robbery.
- (4) Rape with force, violence, or threat of great bodily harm.
- (5) Sodomy by force, violence, duress, menace, or threat of great bodily harm.
- (6) A lewd or lascivious act as provided in subdivision (b) of Section 288 of the Penal Code.
- (7) Oral copulation by force, violence, duress, menace, or threat of great bodily harm.
- (8) An offense specified in subdivision (a) of Section 289 of the Penal Code.
- (9) Kidnapping for ransom.
- (10) Kidnapping for purposes of robbery.
- (11) Kidnapping with bodily harm.
- (12) Attempted murder.

-
- (13) Assault with a firearm or destructive device.
 - (14) Assault by any means of force likely to produce great bodily injury.
 - (15) Discharge of a firearm into an inhabited or occupied building.
 - (16) An offense described in Section 1203.09 of the Penal Code.
 - (17) An offense described in Section 12022.5 or 12022.53 of the Penal Code.
 - (18) A felony offense in which the minor personally used a weapon described in any provision listed in Section 16590 of the Penal Code.
 - (19) A felony offense described in Section 136.1 or 137 of the Penal Code.
 - (20) Manufacturing, compounding, or selling one-half ounce or more of a salt or solution of a controlled substance specified in subdivision (e) of Section 11055 of the Health and Safety Code.
 - (21) A violent felony, as defined in subdivision (c) of Section 667.5 of the Penal Code, which also would constitute a felony violation of subdivision (b) of Section 186.22 of the Penal Code.
 - (22) Escape, by the use of force or violence, from a county juvenile hall, home, ranch, camp, or forestry camp in violation of subdivision (b) of Section 871 if great bodily injury is intentionally inflicted upon an employee of the juvenile facility during the commission of the escape.
 - (23) Torture as described in Sections 206 and 206.1 of the Penal Code.
 - (24) Aggravated mayhem, as described in Section 205 of the Penal Code.
 - (25) Carjacking, as described in Section 215 of the Penal Code, while armed with a dangerous or deadly weapon.
 - (26) Kidnapping for purposes of sexual assault, as punishable in subdivision (b) of Section 209 of the Penal Code.
 - (27) Kidnapping as punishable in Section 209.5 of the Penal Code.
 - (28) The offense described in subdivision (c) of Section 26100 of the Penal Code.
 - (29) The offense described in Section 18745 of the Penal Code.
 - (30) Voluntary manslaughter, as described in subdivision (a) of Section 192 of the Penal Code.

ii **1995.** (a) To be eligible for funding described in Section 1991, a county shall create a subcommittee of the multiagency juvenile justice coordinating council, as described in Section 749.22, to develop a plan describing the facilities, programs, placements, services, supervision and reentry strategies that are needed to provide appropriate rehabilitation and supervision services for the population described in subdivision (b) of Section 1990.

(b) The subcommittee shall be composed of the chief probation officer, as chair, and one representative each from the district attorney's office, the public defender's office, the department of social services, the department of mental health, the county office of education or a school district, and a representative from the court. The subcommittee shall also include no fewer than three community members who shall be defined as individuals who have experience providing community-based youth services, youth justice advocates with expertise and knowledge of the juvenile justice system, or have been directly involved in the juvenile justice system.

(c) The plan described in subdivision (a) shall include all of the following elements:

(1) A description of the realignment target population in the county that is to be supported or served by allocations from the block grant program, including the numbers of youth served, disaggregated by factors including their ages, offense and offense histories, gender, race or ethnicity, and other characteristics, and by the programs, placements, or facilities to which they are referred.

(2) A description of the facilities, programs, placements, services and service providers, supervision, and other responses that will be provided to the target population.

(3) A description of how grant funds will be applied to address each of the following areas of need or development for realigned youth:

(A) Mental health, sex offender treatment, or related behavioral or trauma-based needs.

-
- (B) Support programs or services that promote the healthy adolescent development.
 - (C) Family engagement in programs.
 - (D) Reentry, including planning and linkages to support employment, housing, and continuing education.
 - (E) Evidence-based, promising, trauma-informed, and culturally responsive.
 - (F) Whether and how the plan will include services or programs for realigned youth that are provided by nongovernmental or community-based providers.
 - (4) A detailed facility plan indicating which facilities will be used to house or confine realigned youth at varying levels of offense severity and treatment need, and improvements to accommodate long-term commitments. This element of the plan shall also include information on how the facilities will ensure the safety and protection of youth having different ages, genders, special needs, and other relevant characteristics.
 - (5) A description of how the plan will incentivize or facilitate the retention of realigned youth within the jurisdiction and rehabilitative foundation of the juvenile justice system in lieu of transfers of realigned youth into the adult criminal justice system.
 - (6) A description of any regional agreements or arrangements to be supported by the block grant allocation pursuant to this chapter.
 - (7) A description of how data will be collected on the youth served and outcomes for youth served by the block grant program, including a description the outcome measures that will be utilized to measure or determine the results of programs and interventions supported by block grant funds.
 - (e) In order to receive 2022-2023 funding pursuant to Section 1991, a plan shall be filed with the Office of Youth and Community Restoration by January 1, 2022. In order to continue receiving funding, the subcommittee shall convene to consider the plan every third year, but at a minimum submit the most recent plan regardless of changes. The plan shall be submitted to the Office of Youth and Community Restoration by May 1 of each year.
 - (f) The Office of Youth and Community Restoration shall review the plan to ensure that the plan contains the all elements described in this section and may return the plan to the county for revision as necessary prior to final acceptance of the plan.
 - (g) The Office of Youth and Community Restoration shall prepare and make available to the public on its internet website a summary and a copy of the annual county plans submitted pursuant to this section.

**RESOLUTION MAKING FINDINGS TO ALLOW TELECONFERENCED
MEETINGS UNDER CALIFORNIA GOVERNMENT CODE SECTION
54953(e)**

WHEREAS, California Government Code Section 54953(e) empowers local policy bodies to convene by teleconferencing technology during a proclaimed state of emergency under the State Emergency Services Act so long as certain conditions are met; and

WHEREAS, In March, 2020, the Governor of the State of California proclaimed a state of emergency in California in connection with the Coronavirus Disease 2019 (“COVID-19”) pandemic, and that state of emergency remains in effect; and

WHEREAS, In February 25, 2020, the Mayor of the City and County of San Francisco (the “City”) declared a local emergency, and on March 6, 2020 the City’s Health Officer declared a local health emergency, and both those declarations also remain in effect; and

WHEREAS, On March 11 and March 23, 2020, the Mayor issued emergency orders suspending select provisions of local law, including sections of the City Charter, that restrict teleconferencing by members of policy bodies; those orders remain in effect, so City law currently allows policy bodies to meet remotely if they comply with restrictions in State law regarding teleconference meetings; and

WHEREAS, On September 16, 2021, the Governor signed AB 361, a bill that amends the Brown Act to allow local policy bodies to continue to meet by teleconferencing during a state of emergency without complying with restrictions in State law that would otherwise apply, provided that the policy bodies make certain findings at least once every 30 days; and

WHEREAS, While federal, State, and local health officials emphasize the critical importance of vaccination and consistent mask-wearing to prevent the spread of COVID-19, the City’s Health Officer has issued at least one order (Health Officer Order No. C19-07y, available online at www.sfdph.org/healthorders) and one directive (Health Officer Directive No. 2020-33i, available online at www.sfdph.org/directives) that continue to recommend measures to promote physical distancing and other social distancing measures, such as masking, in certain contexts; and

WHEREAS, The California Department of Industrial Relations Division of Occupational Safety and Health (“Cal/OSHA”) has promulgated Section 3205 of Title 8 of the California Code of Regulations, which requires most employers in California, including in the City, to train and instruct employees about measures that can decrease the spread of COVID-19, including physical distancing and other social distancing measures; and

WHEREAS, Without limiting any requirements under applicable federal, state, or local pandemic-related rules, orders, or directives, the City’s Department of Public Health, in coordination with the City’s Health Officer, has advised that for group gatherings indoors, such as meetings of boards and commissions, people can increase safety and greatly reduce risks to the health and safety of attendees from COVID-19 by maximizing ventilation, wearing well-fitting masks (as required by Health Officer Order No. C19-07), using physical distancing where the vaccination status of attendees is not known, and considering holding the meeting remotely if feasible, especially for long meetings, with any attendees with unknown vaccination status and where ventilation may not be optimal; and

WHEREAS, On July 31, 2020, the Mayor issued an emergency order that, with limited exceptions, prohibited policy bodies other than the Board of Supervisors and its committees from meeting in person under any circumstances, so as to ensure the safety of policy body members, City staff, and the public; and

WHEREAS, San Francisco’s Juvenile Justice Coordinating Council’s (JJCC) DJJ Realignment Subcommittee has met remotely during the COVID-19 pandemic and can continue to do so in a manner that allows public participation and transparency while minimizing health risks to members, staff, and the public that would be present with in-person meetings while this emergency continues; now, therefore, be it

RESOLVED, That the JJCC’s DJJ Realignment Subcommittee finds as follows:

1. As described above, the State of California and the City remain in a state of emergency due to the COVID-19 pandemic. At this meeting, the JJCC’s DJJ Realignment Subcommittee has considered the circumstances of the state of emergency.
2. As described above, State and City officials continue to recommend measures to promote physical distancing and other social distancing

measures, in some settings.

3. As described above, because of the COVID-19 pandemic, conducting meetings of this body in person would present imminent risks to the safety of attendees, and the state of emergency continues to directly impact the ability of members to meet safely in person; and, be it

FURTHER RESOLVED, That for at least the next 30 days meetings of the JJCC's DJJ Realignment Subcommittee will continue to occur exclusively by teleconferencing technology (and not by any in-person meetings or any other meetings with public access to the places where any policy body member is present for the meeting). Such meetings of the JJCC's DJJ Realignment Subcommittee that occur by teleconferencing technology will provide an opportunity for members of the public to address this body and will otherwise occur in a manner that protects the statutory and constitutional rights of parties and the members of the public attending the meeting via teleconferencing; and, be it

FURTHER RESOLVED, That the staff of the JJCC's DJJ Realignment Subcommittee is directed to place a resolution substantially similar to this resolution on the agenda of a future meeting of the JJCC's DJJ Realignment Subcommittee within the next 30 days. If the JJCC's DJJ Realignment Subcommittee does not meet within the next 30 days, the staff is directed to place a such resolution on the agenda of the next meeting of the JJCC's DJJ Realignment Subcommittee.