

Received through public comment on CCJBH's 22<sup>nd</sup> Annual Legislative Report

Hello,

I glanced through the CCJBH report which is a magnificent work on the topics covered. However, it seemed to be more of a summary of 2023, with a void feeling for 2024 issues as it transitions to a yet-blurred vision for 2025. I refer to the following recitation in the report:

California Penal Code Section 6044(a) Established by California Penal Code Section 6044(a), the Council on Criminal Justice and Behavioral Health (CCJBH) is a 12-member council chaired by the Secretary of the California Department of Corrections and Rehabilitation (CDCR) and is comprised of the Department of State Hospitals (DSH), the Department of Health Care Services (DHCS), and appointed expert representatives from the criminal justice and behavioral health fields such as probation, court officers, and mental health care professionals. **CCJBH serves as a resource to assist and advise the administration and legislature on best practices to reduce the incarceration of youth and adults with mental illness and substance use disorders (SUDs) with a focus on prevention, diversion, and reentry strategies.** CCJBH is charged with investigating, identifying, and promoting cost-effective strategies that:

- Prevent adults and juveniles with mental health needs from becoming offenders
- Improve services for adults and juveniles with mental health needs who have a history of offending, and
- Identify incentives to encourage state and local criminal justice, juvenile justice, and mental health programs to adopt such approaches.

The Council shall consider strategies that: 1) Improve service coordination among state and local mental health, criminal justice, and juvenile justice programs. 2) Improve the ability of adult and juvenile offenders with mental health needs to transition successfully between corrections-based, juvenile-based, and community-based treatment programs. Vision A true shift in the paradigm between criminal justice and behavioral health will embody an effective jail diversion system that fosters an ongoing and successful exchange of information among courts, criminal justice agencies, behavioral health professionals, government and non-government organizations to achieve a substantial positive change in the way individuals with mental illness are treated in our communities. Mission The leaders in criminal justice and behavioral health participating in this effort strive to end the criminalization of individuals with mental illness by supporting proven strategies that promote early intervention, access to effective treatments, a planned re-entry and the preservation of public safety. (Emphasis added above)

I sit on the California Judges Association (CJA) Juvenile Subcommittee which solicits and helps to advance proposed legislation which affects juveniles. I was involved in creating the proposed legislation described below, and the CJA board voted to sponsor the legislation in the current legislative cycle. On February 1, 2024, State Senator Angelique Ashby of Sacramento introduced SB1005 - Juveniles, which seeks to amend Welfare and Institutions Code section 654 as follows:

WIC654:

...

(d) Further, a probation officer with consent of the minor and the minor's parent or guardian may provide the following services in lieu of filing a petition:

...

**(4) Refer an offense to a youth, peer, or teen court established and maintained by the probation officer or by a community-based organization, or private or public agency, to implement restorative justice practices designed to enable peer youth jurors to hear cases and make dispositions for offenses committed by youths. Such referral offenses may include, but are not limited to, infractions or misdemeanors specified in subdivisions (a) to (v), inclusive, of Section 48900 of the Education Code,**

**or for any other violation the probation officer may determine appropriate for referral. This provision shall be implemented consistent with subdivision (w) of Section 48900 of the Education Code.**

(Amendment in bold type)

This bill is identified already as "non-appropriation, non-State-Mandated Local Program, non-urgency, and non-tax levy." Committee hearings will commence shortly. In these hyper-vigilant fiscal times, the bill stands a good chance of passing when supported by those advocates who, like CCJBH, are looking out for the best interests of youth. The proposed amendment will guide probation to evidence-based resources "outside of the school-to-prison pipeline" which can reduce the involvement of juveniles with law enforcement, formal legal processes and costs of detention, among other significant adverse lifelong consequences. The recidivism rate in the youth court population is around seven (7) percent, in contrast to CDCR recidivism which is closer to seventy (70) percent. At about \$136,000 per inmate per year in the most recent publication of CDCR costs, the longer term *economic benefit* to taxpayers is tremendous. The benefit to youth who totally avoid the juvenile justice system is **priceless**.

I hope that you might be able to find a way to shine a light on this proposed legislation in the report and promote it and its long term benefits as a *current* priority to be implemented through the legislative processes along the way to the CCJBH 2025 vision.

I am available to talk more about it if you wish.

Thank you, take care and be well,