

Los Angeles County Probation Department
Terri McDonald, Chief Probation Officer
Sheila Mitchell, Chief Deputy, Juvenile Services
9150 East Imperial Highway
Downey, CA 90242

May 14, 2019

RE: Youth Development Vision

Dear Chief McDonald and Chief Mitchell,

We are writing as the LA Youth Uprising Coalition, and other community-based organizations that work with youth and families impacted by arrest, court, detention and incarceration, to support the efforts by the Probation Reform and Implementation Team (PRIT) to both establish a robust Probation Oversight Commission and a comprehensive reform implementation plan. We urge that the Los Angeles County Probation Department and PRIT support a reform plan that:

- Downsizes probation's reach, budget and staffing to align with movements across the county, the state and the nation to divert youth from involvement with the justice system,
- Prioritizes and expands effective alternatives to arrest, court, detention, incarceration and field supervision, including school and community-based youth development programs; and
- Ultimately transfers all responsibility over probation-involved youth away from the Probation Department to a youth development system.

Over the past 15 years, Los Angeles County along with the rest of California, has experienced dramatic drops in arrests, prosecution and incarceration, as well as the lowest crime rates since the 1950s. These historic lows have also led to significant reductions in the number of youth on probation supervision and in custody. Currently, approximately 5000 youth are supervised by probation, and some 800 youth are incarcerated in half-empty halls and camps in Los Angeles County. And yet, Los Angeles still has the largest probation department in the world, with a staff size of over 6000 employees and a budget that has grown more than \$500 million over 12 years to over \$1 billion. In 2017-2018, the budget for juvenile operations was over \$530 million – with only \$78 million (15 percent) spent on services provided through community-based organizations and other county agencies. With the sharp population declines and larger budget, the cost of incarcerating youth in LA has risen to approximately \$400,000 per youth annually.

Meanwhile, both research and testimonials by youth who have experienced probation supervision and custody provide evidence that generally:

- Young people often feel and experience that system interventions are not responsive to the concerns the young person has, but rather, reflect what adults think the young person should be concerned about.¹
- Putting young people in the probation system specifically can lead to deeper probation entanglement, rather than providing an alternative to it.²

¹ Malcolm Hill, "What's the problem? Who can help? The perspectives of children and young people on their well-being and on helping professionals," *Journal of Social Work Practice* 13:2 (1999).

² National Public Radio, "Meant to Keep Youths Out of Detention, Probation Often Leads Them There"; Latessa, "Evaluation of the Effective Practices in Community Supervision Model (EPICS) in Ohio" (2013).

- Entering the juvenile justice system generally, even briefly, increases the likelihood of dropping out of school as well as of future involvement in the adult justice system.³ For instance, youth who were under custody—even for a few days—were 39% less likely to finish high school and 67% more likely to be in prison by the age of 25 than were their peers without system contact.⁴
- Diversion outside of the justice system effectively deters future offending, school misconduct, school truancy and suspensions.⁵

Ultimately, the vast majority of youth who are struggling in school, family or community age out of risky or harmful behavior as part of their natural development.⁶ Young people who are charged with the most serious offenses comprise a very small portion of youth in the justice system, and research demonstrates that their behavior is driven by the same trauma, struggles and developmental processes that influence other youth accused of less serious offenses.⁷ A 2018 report released by the Center for Juvenile Justice Reform and the Council of State Governments Justice Center found that “[m]any, if not most, youth who come into contact with juvenile justice systems do not pose a risk to public safety” and that less than six percent of all delinquency cases were referred for violent offenses. In disproportionately focusing on youth who commit status and non-person offenses, juvenile justice systems undermine their ability to improve public safety and outcomes for youth.⁸

Not only has the juvenile justice system failed too often and too long to promote youth well-being, instances of abuse in the Los Angeles Probation Department have repeatedly come to the attention of authorities, recently including the criminal use of pepper spray and sexual abuse of children and youth in camps. Worse yet, despite smaller populations in the justice system, already alarming racial and gender disparities at every stage of criminal justice processing have worsened.⁹

Given the range and complexity of youth needs and the documented inadequacies of their care within the juvenile justice system, concerted efforts by youth, families, organizers, advocates, government leaders, researchers and academics have emphasized, wherever possible, expanding and investing in alternatives to arrest, court, detention and incarceration that are rooted in the principles of youth development as an “alternative approach to public safety that addresses the root causes of crime and violence, prevents youth criminalization, recognizes youth leadership and potential, and turns youth dreams into reality.”¹⁰ Youth development is not a new field – its origins date back to the 1800s in urban cities striving to meet the needs of local immigrant youth struggling to survive. In the 1990s, youth-serving organizations and youth leaders from Boston, Philadelphia and New York City *defined* youth development and identified five competencies (health and physical, personal and social competence, cognitive and creative, vocational and civic) as essential to adult success.¹¹ A youth development approach must be place-based, so that all neighborhoods have

³Gattit et al., “Iatrogenic effect of juvenile justice”, *Journal of Child Psychology and Psychiatry* (2009).

⁴ Aizer and Doyle, “Juvenile Incarceration, Human Capital and Future Crime: Evidence from Randomly-Assigned Judges” (2013).

⁵ Jordan Bechtold Beardslee, “Under the Radar or Under Arrest: How Does Contact with the Juvenile Justice System Affect Delinquency and Academic Outcomes?”, *University California of Irvine* (2014).

⁶ National Research Council, *Report Brief: Reforming Juvenile Justice: A Developmental Approach* (2012).

⁷ *Id.*

⁸ Weber et al., “Transforming Juvenile Justice Systems to Improve Public Safety and Youth Outcomes”, Washington, DC: Georgetown University Center for Juvenile Justice Reform (2018).

⁹ NRC 2013, Mays, Cochran, and Barnes 2007, Prelow et al. 2004, Simons et al. 2002, Berkel et al. 2010, DeGarmo and Martinez 2006, Neblett et al. 2006, Martin et al. 2011, Sickmund, Sladky, and Kang 2017.

¹⁰ Youth Justice Coalition, “Good Kid, Mad City: Building a Positive Future for LA’s Youth” (2019).

¹¹ Academy for Educational Development (1991).

access to safe and healthy spaces for youth and their families; asset-based, rather than deficit-based; and holistic and comprehensive.

We believe that Los Angeles County has an unprecedented opportunity to fully transform its approach to youth and community justice and public safety, centering the wisdom and experience of youth and families, grounded in research and evidence about the failures and high costs of the juvenile injustice system as well as the effectiveness of alternatives, and capitalizing on the low populations of youth remaining in the probation system. We recommend that the following priorities and principles be reflected in a reform plan:

- Closure of at least half of the halls and camps in the immediate future;
- Limiting of confinement as a last resort and to the least restrictive conditions possible;
- Further dramatic reduction in the number of youth under probation care and supervision;
- Employment of the least restrictive measures of community supervision;
- Reallocation of money from probation supervision and incarceration towards county and community-based youth diversion and development infrastructure and supports;
- Incorporation of best practices of trauma-informed care and youth development for those youth remaining under probation's care and custody;
- A plan to ultimately transfer probation responsibility of youth away from the Probation Department and into a new Youth Development Department;
- Maximum involvement of system-involved youth, families, community-based organizations and county agencies in systems design, implementation and oversight.

Los Angeles County has the wealth and resources, as well as the leadership and imagination, to downsize its probation system and entirely shift to a youth development model. Los Angeles County has already begun to reinvest hundreds of millions of dollars into systems and programs better equipped to support young people, including their academic and critical thinking skills, socio-emotional development and identity formation, and their positive connection to their communities.¹² We should continue building on this progress and shift entirely away from a focus on compliance and control by law enforcement, to a youth development system that imagines all youth are college and career ready, healthy and strong.

Sincerely,

American Civil Liberties Union Foundation of Southern California
Anti-Recidivism Coalition
Brotherhood Crusade
Children's Defense Fund-California
Social Justice Learning Institute
Strategy Center
Urban Peace Institute
Youth Justice Coalition

cc) Reaver Bingham (Reaver.Bingham@probation.lacounty.gov); Probation Reform and Implementation Team (SSarabia@prt.lacounty.gov); Board of Supervisors Districts 1-5 Justice Deputies (EArcidiacono@bos.lacounty.gov; DGarcetti@bos.lacounty.gov; NAspaturian@bos.lacounty.gov; RKhanna@bos.lacounty.gov; AYoung@bos.lacounty.gov; MNewell@bos.lacounty.gov; CAhSan@bos.lacounty.gov)

¹² CMJJP