



**CALIFORNIA STATE ASSOCIATION OF
COUNTIES**

**CALIFORNIA DISTRICT
ATTORNEYS ASSOCIATION**

**CHIEF PROBATION OFFICERS OF
CALIFORNIA**

December 7, 2011

The Honorable Edmund G. Brown, Jr.
Governor, State of California
State Capitol
Sacramento, CA 95814

RE: Division of Juvenile Justice "Trigger" Cut

Dear Governor Brown:

On behalf of the California State Association of Counties (CSAC), the California District Attorneys Association (CDAА), and the Chief Probation Officers of California (CPOC), we write to express our gravest concerns regarding the trigger cut provision in SB 92 (Ch. 36, Stats. of 2011) that would require, beginning January 1, 2012, that counties pay \$125,000 annually for every youthful offender committed to a Division of Juvenile Justice (DJJ) facility, irrespective of commitment date. While we understand the severity of the fiscal problems facing the state and the extremely limited options before you, we feel it is incumbent upon our associations to point out the untenable choices counties would face if this trigger cut were to be implemented.

Previously legislated transfers of youthful offender population to counties mean that placements in a DJJ facility are now limited to only the most serious and violent youth. This population, in most cases, is decidedly unfit for local placement options, as these youth possess complex criminal profiles often accompanied by significant mental health, behavioral, and treatment needs. Many counties simply are not equipped to adequately or appropriately address the needs of this population. It has been and remains our collective view that the state has an important and necessary role in the juvenile justice continuum, a role that has been narrowed in recent years to housing and rehabilitation of the most serious youthful offenders. The application of the trigger cut will mean that this option effectively will be out of reach for many counties.

We see several potential consequences to the system that might follow. First, by making a DJJ commitment prohibitively expensive, the state could likely see an increase in adult court proceedings for youthful offenders, reflecting the fact that a local option either may not exist to manage this population or may be viewed as inappropriate given the severity of the crime. Secondly, if counties are forced to absorb this population in some fashion at the local level, we are concerned that the mixing of the most serious and violent juvenile offenders with the youth now in our custody and care will greatly compromise rehabilitative efforts with the current local population. Finally, if a county does opt to pay the increased fees to accompany juvenile placements in state facilities, those funds will merely be taken

from resources now dedicated to existing intervention and rehabilitative efforts – which can only translate into reduced effectiveness and diminished outcomes for the 98% of the juvenile offender population counties now manage. We do not view any of these likely scenarios as a good outcome for the youth, our communities, or the system.

The other regrettable impact of the DJJ trigger cut extends into counties' present efforts to implement the adult criminal justice realignment. At a time when local criminal justice systems are just now embarking on a seismic policy shift in the management of offenders at the local level, the threat of approximately \$75 million drain on county justice system resources – an amount that will double in 2012-13 – is very difficult for our members to reconcile with the newly shifted responsibilities. County stakeholders have been working diligently for months to prepare for and accept new offender populations locally. A swift diminution of resources within the system will obviously have a fiscal impact, but the reverberations would extend well beyond the loss of funds. We are concerned that it will upset the strong sense of state-local partnership that has been the cornerstone of realignment and an obvious commitment of your Administration. We urge you to consider other options or explore alternatives to imposing the DJJ trigger cut at this most delicate time.

We greatly appreciate the commitment and energy you have contributed to the discussions and policy decisions in the area of corrections. Thank you for considering the collective county perspective.

Respectfully,



Mike McGowan
CSAC President
Yolo County Supervisor



Gregory D. Totten
CDAA President
Ventura County District Attorney



Linda Penner
CPOC President
Fresno County Chief Probation
Officer

cc: Ana Matosantos, Director of Finance
Diane Cummins, Special Advisor on Realignment, Department of Finance
Matthew Cate, Secretary, Department of Corrections and Rehabilitation
Aaron Maguire, Deputy Legislative Secretary, Office of the Governor