



April 4, 2023

The Honorable Corey Jackson
Member of the Assembly
1021 O Street, Suite 6120
Sacramento CA 95814

**RE: AB 702 (Jackson) – Local government financing: juvenile justice
As amended 3/23/2023 – OPPOSE
Awaiting hearing – Assembly Public Safety Committee**

Dear Assembly Member Jackson:

On behalf of the California State Association of Counties (CSAC), the Urban Counties of California (UCC), and the Rural County Representatives of California (RCRC), we write to jointly express our respectful opposition to AB 702. This measure would redirect Juvenile Justice Crime Prevention Act (JJCPA) funds, revise the composition of local Juvenile Justice Coordinating Councils (JJCC), and recast various elements of required multiagency juvenile justice plans. While our organizations support the continued evaluation of the most effective ways to address the therapeutic needs of youth in our community, we are steadfast in our opposition to diverting meaningful and long-standing investments in local systems, particularly during the ongoing implementation of interrelated juvenile justice reforms, most notably realignment (SB 823, 2020 and SB 92, 2021) and the imminent closure of the Division of Juvenile Justice on June 30, 2023.

As we have noted in our advocacy during legislative deliberation on similar measures¹, it is our understanding that AB 702 is in response to findings of a 2019 state audit report that examined five counties' use and reporting of JJCPA funds. As was outlined briefly in the audit report, the JJCPA was enacted statutorily in 2000 and funded for just over a decade through the state General Fund. JJCPA – along with a variety of other local assistance services and programs – was moved under the 2011 Public Safety Realignment fiscal structure to ensure it would remain a stable, foundational funding source to support local innovation and a continuum of community service options for

¹ AB 1007 (Jones-Sawyer, 2020) and SB 493 (Bradford, 2021).

youth. Provisions in Proposition 30 (2012) dedicate a specified level of Vehicle License Fee (VLF) funding to JJCPA along with other local programs and constitutionally protects those investments. This latter feature requires careful thinking and understanding about the constitutional implications of potentially repurposing, or redirecting, the vast majority of JJCPA funds.

AB 702 proposes to require redirection of nearly every dollar of JJCPA funds, which today are – in many instances – dedicated to staffing and personnel costs that make up the backbone of our juvenile probation departments. These expenditures have been and continue to be wholly eligible and lawful under JJCPA. While counties are not opposed to evaluating ways in which to improve JJCPA reporting and the structure of local coordinating councils (as was done through Chapter 880, Statutes of 2016), we must oppose this measure that would redirect a stable, constitutionally protected funding structure at a time when counties are working diligently toward full implementation of SB 823, which shifted responsibility for the care and custody of all system-involved youth to county responsibility.

Further, we would draw your attention to a 2002 report² by the Assembly Select Committee on Juvenile Justice, chaired by then-Assembly Member Tony Cárdenas and author of AB 1913 (2000), the measure that established the JJCPA. That report outlines counties' use of AB 1913 funding some two years after program implementation and describes investment of resources broadly across county-run (probation and other county agencies) programs as well as through local partnerships with community-based organizations and other entities. The cover letter by Chair Cárdenas is overwhelmingly supportive of counties' approaches, and there is no mention of a need to divert funds to community-based organizations nor any statement seeking a different purpose than the initiatives and priorities described in the county reports. Indeed, the chair indicates that he hopes the report will "serve as a guide to those involved in juvenile justice programming and advocacy."

Finally, one specific point of particular concern is the provision that would condition receipt of JJCPA funding upon the "establishment of a juvenile justice coordinating council." This provision does not take into account the real and challenging circumstances, primarily in rural jurisdictions, where a county is unable to seat a JJCC – not for lack of trying, but merely for lack of available or willing volunteers. This amendment would impede the flow of realigned funds for circumstances that are often

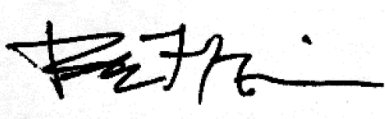
² https://digitalcommons.law.ggu.edu/cgi/viewcontent.cgi?article=1392&context=caldocs_assembly

outside of county control, and again, appears to ignore the constitutional protections that surround this funding stream.

UCC, RCRC, and CSAC are united in our view that community-based organizations provide vital, indispensable programs and services to justice-involved youth and young adults and are key partners in delivering responsive and culturally relevant programming. However, the process for allocating funds to partner organizations should remain a local decision with robust community engagement given that local governments are accountable for the outcomes associated with the support and supervision of justice-involved youth. Furthermore, we would value a collaborative discussion on separate, new investments in these programs as to complement the existing work of county probation departments that share the goals of diverting individuals from the criminal justice system where possible and facilitating positive community reentry.

For these reasons, CSAC, UCC, and RCRC must therefore respectfully, but firmly oppose this measure. Please feel free to contact Ryan Morimune at CSAC (rmorimune@counties.org), Elizabeth Espinosa at UCC (ehe@hbeadvocacy.com), or Sarah Dukett at RCRC (sdukett@rcrcnet.org) for any questions on our associations' perspectives. Thank you.

Sincerely,



Ryan Morimune
Legislative Representative
CSAC



Elizabeth Espinosa
Legislative Representative
UCC



Sarah Dukett
Policy Advocate
RCRC

Cc: Members and Counsel, Assembly Public Safety Committee