

FEBRUARY 14, 2024

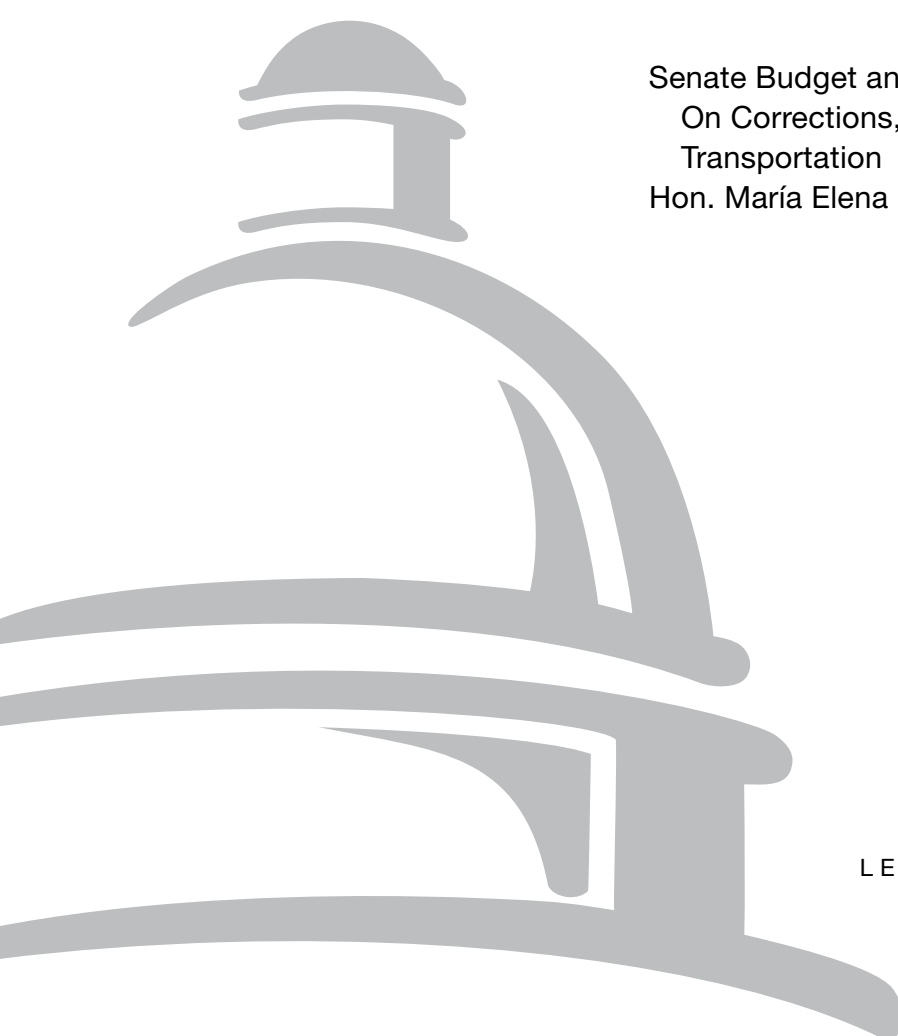
# Overview of Juvenile Justice System and County Funding Provided Through the State

---

PRESENTED TO:

Senate Budget and Fiscal Review Subcommittee No. 3  
On Health and Human Services  
Hon. Caroline Menjivar, Chair

Senate Budget and Fiscal Review Subcommittee No. 5  
On Corrections, Public Safety, Judiciary, Labor and  
Transportation  
Hon. María Elena Durazo, Chair



LEGISLATIVE ANALYST'S OFFICE

# Overview of California’s Juvenile Justice System

---

## County Probation Determines How to Handle Arrested Youths

- Following arrest, youths are generally turned over to county probation departments and may be held for a short period of time in a county juvenile facility. Probation then determines whether to refer youths to juvenile courts in cases where they are accused of committing a crime that occurred before they turned age 18.

## Juvenile Courts Determine Where to Place Youths in the Criminal Justice System

- If a juvenile court determines a youth committed a crime, it then determines where to place the youth based on statute; input from the defense, probation, and prosecutors; and factors such as the youth’s offense and criminal history.

## Most Youths Are Placed Under County Supervision

- The juvenile courts place most youths with their families where they are supervised by probation, but some are placed in county juvenile facilities, such as juvenile halls, camps, and ranches. Prior to legislation realigning responsibility for them to counties starting in 2021, a relatively small number of youths who committed severe crimes could alternatively be placed in state facilities run by the Division of Juvenile Justice (DJJ).
- Youths are released from county juvenile facilities when the juvenile court determines that they are ready for release or after they reach the maximum age allowed (which historically has been age 21). Youths can be housed from a few hours (in cases of arrest) to a few years in such facilities.
- In 2023, 41 of the 58 counties maintained juvenile facilities. The statewide average daily population of these facilities was 2,753 youths, with the individual county average daily populations ranging in size from less than 1 youth to 517 youths. (Counties without their own facilities partner with neighboring counties for juvenile justice services.)



# Overview of California's Juvenile Justice System

---

*(Continued)*

- Most youths entering county facilities are 15-17 years old and male. Combined, Latinos/Hispanics and African Americans account for roughly three-quarters of the total population admitted to county-operated facilities.

## **Small Number of Youths Referred to Adult Court**

- Juvenile courts may choose to transfer certain youths' cases to adult court if a transfer request is filed with the court, typically in cases where youths have committed very severe crimes. In 2022, 12 youths statewide were referred to adult court.



# Responsibility for DJJ Youths Realigned to Counties

---

## Latest DJJ Realignment Is Part of Long-Term Shift of Youths to County Responsibility

- In 1996, nearly half of the 20,409 youths in juvenile facilities were housed in state juvenile facilities.
- Since that time, the state took various steps to realign juvenile justice responsibilities to counties, which in turn significantly reduced DJJ's share of this population. These realignments included (1) increasing the cost charged to counties for placing youths in state juvenile facilities (1997), (2) limiting the types of youths that could be sent to facilities (2007), and (3) requiring counties to supervise youths in the community who were discharged from DJJ (2011).
- Over this period, the number of youths in both county and state juvenile facilities declined as a result of a significant reduction in juvenile arrests.

## Intake to DJJ Generally Ended in 2021

- Under legislation adopted in 2020, responsibility for DJJ youths was fully realigned from the state to the counties, with intake of youths to DJJ generally stopped on July 1, 2021.

## Maximum Age Counties Can Hold Youths Increased

- The realignment legislation also changed the maximum age that counties can hold youths in their facilities to align it with the maximum age that applied to DJJ youths. In most cases where a youth would have been eligible for DJJ, the county age limit was increased from age 21 to age 23. In certain cases, however, county facilities can serve youths up to age 25, similar to DJJ.



# Responsibility for DJJ Youths Realigned to Counties

---

*(Continued)*

## **DJJ Facilities Closed in 2023**

- Under realignment, all DJJ facilities closed on June 30, 2023. The youths still housed in DJJ facilities at that time were transferred to counties with individualized transition plans. These transition plans were intended to assist counties in identifying each youth's needs, participation in programs, education, and security concerns.

## **County Juvenile Population Is Down Despite Realignment**

- At the time the realignment legislation was enacted, a total of 926 youths were projected to be shifted to the county level by 2024-25 (a 26 percent increase over the 2019 pre-realignment level).
- In 2023, the county juvenile average daily population was about 880 youths *lower* than the 2019 pre-realignment level. At this time, it remains unclear whether the lower county juvenile population in 2023 is temporary (such as because it reflects effects of the COVID-19 pandemic) or is indicative of a continued downward trend in juvenile arrests.



# Counties Receive Significant Amounts of Juvenile Justice System Funding Through the State

## Major Sources of County Juvenile Justice Funding Provided Through the State

(In Millions)

| Program                                      | 2023-24<br>Estimated<br>Funding | 2024-25<br>Proposed<br>Funding |
|--|---------------------------------|--------------------------------|
| <b>Funding to Support Realigned Workload</b> | <b>\$453</b>                    | <b>\$490</b>                   |
| Youthful Offender Block Grant                | 244                             | 251                            |
| Juvenile Justice Realignment Block Grant     | 195                             | 225                            |
| Juvenile Reentry Grant                       | 14                              | 15                             |
| <b>Funding for Other Workload</b>            | <b>\$537</b>                    | <b>\$553</b>                   |
| Juvenile Probation Activities                | 283                             | 291                            |
| Juvenile Justice Crime Prevention Act        | 199                             | 205                            |
| Juvenile Probation Camp Funding              | 55                              | 56                             |
| <b>Totals</b>                                | <b>\$990</b>                    | <b>\$1,043</b>                 |

## Funding to Support Realigned Responsibilities

- To assist counties with their increased workload from past juvenile justice realignments, the state provides annual funding to counties. This funding is provided through the Youthful Offender Block Grant—which supports responsibilities realigned in 2007—and the Juvenile Reentry Grant—which support responsibilities realigned in 2010. These funds generally grow from year to year, as shown in the table above.
- The Juvenile Justice Realignment Block Grant provides annual funding to support counties with the increased responsibilities associated with 2021 realignment and closure of DJJ. It also established a temporary funding allocation formula and required the Governor and the Legislature to work with stakeholders to establish a permanent allocation formula by January 10, 2024. The Governor proposes statutory changes to maintain the current formula until January 10, 2025 to provide more time for the administration to engage with the Legislature and stakeholders in developing an ongoing formula.



# Counties Receive Significant Amounts of Juvenile Justice System Funding Through the State

---

*(Continued)*

- In addition to the annual funding above, since 2007, the state has provided counties with about \$410 million (\$300 in lease-revenue bond funding and \$110 million in General Fund) on a one-time basis to construct or renovate juvenile facilities to accommodate the realigned youth population.

## Funding for Other Workload

- The state has also provided additional annual funding to counties for other juvenile justice-related workload that totals over \$500 million annually, as shown in the figure above. This includes (1) the Juvenile Probation Activities grant, which provides funding for youths under the supervision of a juvenile court or a probation department, or at risk of being wards of the court, and their families; (2) the Juvenile Justice Crime Prevention Act, which provides funding for services that target at-risk youths, youths involved in the criminal justice system, and their families; and (3) the Juvenile Probation Camp Funding grant, which provides funding for counties that operate juvenile camps and ranches.

