



July 28, 2014

Board of State and Community Corrections  
600 Bercut Ave.  
Sacramento, CA 95811

RE: SB 81 Local Youthful Offender Rehabilitative Facility Construction Financing Program Round Two

Dear SB 81 Round 2 Executive Steering Committee Members,

Following the public release of the SB 81 Round Two final draft RFP, we write to express our feedback as advocates, researchers, and community members. The funding for juvenile justice-related facilities is an important opportunity to fulfill the rehabilitative intent of SB 81. Moreover, the content of the RFP constitutes a crucial tool to ensure that new or redesigned facilities incorporate research on best practices and are community-driven, meeting the needs of counties and youths.

In many respects, the SB 81 Round 2 RFP is a substantial step forward from the SB 81 Round 1 RFP and uses clear and positive language to explain how research-informed proposals can incorporate best practices. The following feedback results from careful consideration to best develop a document that facilitates a competitive process and is reflective of progressive state developments in an era of youth crime decline.

### Expand Opportunities for Public Comment

The opportunity for public comment on this RFP is an essential component of creating a fair and open application process. However, we are concerned by the limited time available for public comment. Ten calendar days, including two weekends, is insufficient for a comprehensive public comment process. The feedback interval should instead include at least ten business days to allow for broader public participation in this process.

### Elevate Juvenile Best Practices

The SB 81 Round 2 RFP appendix, titled ‘Summary of Juvenile Justice Best Practices’, is a comprehensive resource that applicant counties should explicitly incorporate into their proposals. These are well established, enduring, and nationally recognized standards for construction, development, and operations of juvenile justice facilities. We also believe that the executive steering committee (ESC) should reference this document as they score county applications.

Positive language should be incorporated throughout the RFP when referring to justice-involved youth. This reflects best practices and the rehabilitative rather than punitive role of California’s juvenile justice system. Such positive language is important to humanize young people and reflect their unique developmental needs.

### Support Exceptional Projects

Given their position of leadership, the ESC must focus on funding exceptional non-secure local juvenile justice projects, which are aligned with nationally recognized best practices. The RFP should make clear that “very good” and “good” proposals will be prioritized and that the ESC has the discretion to not fund “fair” projects if there is surplus funding. Proposals rated at 78 or above will fall into the good or very good scoring categories. This threshold should be set higher to encourage competitive proposals that truly reflect the legislative aims of SB 81. To encourage progressive applications that reflect this era of diminished juvenile crime, a set-aside would ideally be included for non-secure facility options.

The BSCC must provide ongoing oversight to ensure that proposed facilities best serve justice-involved youth and our communities. Counties should provide a substantive account of how funding will contribute towards rehabilitative goals. It is incumbent on the ESC to fund only those projects, which strengthen positive youth outcomes. Once these projects are complete, the BSCC should monitor that these facilities actually provide the rehabilitative programming and outcomes on which the grant awards were based.

### Key Recommendations

1. The BSCC should expand opportunity for public comment on this RFP to include at least ten business days to allow for broader participation.
2. The RFP should explicitly reference the “Summary of Juvenile Best Practices” throughout the document, given it highlights important, enduring and nationally recognized standards. The ESC should consistently use this document to score county applications.
3. The BSCC should prioritize funding exceptional non-secure local juvenile justice facilities and not support weak proposals simply because there is a surplus of funding.

We hope that this carefully considered, constructive feedback will help the ESC to oversee the development of a 21<sup>st</sup> century juvenile justice system. Allowing for public comment and providing a fair and open process places the BSCC and ESC in a well-supported position in their unique leadership to determine the future of California's juvenile facilities. This is in line with research, best practices and strategies for ongoing success and rehabilitation of California's youth.

Sincerely,

Lenore Anderson, Executive Director, Californians for Safety and Justice

Pat Arthur and David Muhammad, Co-Directors, California Alliance for Youth and Community Justice

- Advancement Project
- All of Us or None
- Alliance for Boys and Men of Color
- Anti-Recidivism Coalition
- California Conference for Equality and Justice
- Center for Juvenile Law and Policy
- Center on Juvenile and Criminal Justice
- Center for Young Women's Development
- Children's Defense Fund -- California
- Communities United for Restorative Youth Justice
- Contra Costa County Public Defender
- East Bay Community Law Center
- Ella Baker Center
- Fathers & Families of San Joaquin
- Haywood Burns Institute
- Homeboy Industries
- Homies Unidos
- Human Rights Watch
- Immigrant Legal Resource Center
- InsideOUT Writers
- Justice for Families
- National Center for Lesbian Rights
- National Center for Youth Law
- National Council on Crime and Delinquency
- New Roads for New Visions
- Oakland Private Industry Council, Inc.
- Office of Restorative Justice, Archdiocese of LA
- PICO California
- Policy Link
- Prison Law Office
- Public Counsel Law Center
- Santa Cruz Barrios Unidos
- The Mentoring Center
- Violence Prevention Coalition of Greater LA
- Youth Justice Coalition

- Youth Law Center

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