

Youth Development Academy (YDA) - Secure Youth Treatment Facility (SYTF)

417.1 PURPOSE AND SCOPE

As a result of the closure of the Division of Juvenile Justice within the Department of Corrections and Rehabilitation, the State of California established new legal standards. This policy is meant to codify departmental standards as set forth in the Welfare and Institutions Code in relation to the commitment of youths to secure youth treatment facilities (SYTF).

417.2 DEFINITIONS

Baseline Term: Represents the time in custody necessary to meet the developmental and treatment needs of the youth and to prepare the youth for discharge to a period of probation supervision in the community. The baseline term is based on the most serious recent offense for which the youth has been adjudicated.

Individualized Rehabilitation Plan (IRP): A plan due to the Court within 30 judicial days after the youth is committed to the SYTF. The plan outlines the youth's needs, programming, as well as input from the team including the youth, family, and natural supports. The IRP plan consists of the Multi-Disciplinary Team (MDT) Support Plan and the Client Action Plan (CAP).

Initial Case Review (ICR): The ICR focuses on the treatment needs of youth while at the Department of Juvenile Justice (DJJ).

Maximum Term: Represents the longest term of confinement in a facility a youth may serve. It shall not exceed the middle term of imprisonment that can be imposed upon an adult convicted of the same offense or offenses.

Youth Development Academy: San Diego County Probation's Secure Youth Treatment Facility Program.

417.3 POLICY

It is the policy of the San Diego County Probation Department to adhere to Senate Bill 92 (2021), Secure Youth Treatment Facilities (SYTF), which set forth a new dispositional option for qualified youth that has eligibility, procedural, and review requirements as described in the policy and adjoining procedure. When recommending a SYTF and supervising SYTF youth, probation department employees will comply with the standards set forth in this policy, related procedures, the Welfare and Institutions Code, and other applicable laws, rules, and regulations.

417.4 ELIGIBILITY

Youth committed to the SYTF must be age 14 or older and the most recent adjudicated offense must be listed in Welfare and Institutions Code § 707(b) (Welfare and Institutions Code § 875(a) (1)-(2)). The court will make a finding on the record that the less restrictive, alternative disposition is

San Diego County Probation Department

Administrative Services Policy Manual

Youth Development Academy (YDA) - Secure Youth Treatment Facility (SYTF)

unsuitable (Welfare and Institutions Code § 875(a)(3)). The court will also make its determination based on all the following criteria:

- (a) The severity of the offense or offenses for which the youth has been most recently adjudicated, including the youth's role in the offense, the youth's behavior, and harm done to victims.
- (b) The youth's previous delinquent history, including the adequacy and success of previous attempts by the juvenile court to rehabilitate the youth.
- (c) Whether the programming, treatment, and education offered and provided in a SYTF is appropriate to meet the treatment and security needs of the youth.
- (d) Whether the goals of rehabilitation and community safety can be met by assigning the youth to an alternative, less restrictive disposition that is available to the court.
- (e) The youth's age, developmental maturity, mental and emotional health, sexual orientation, gender identity and expression, and any disabilities or special needs affecting the safety or suitability of committing the youth to a term of confinement in a SYTF (Welfare and Institutions Code § 875 (a)(3)(A)-(E)).

417.5 BASELINE TERM OF COMMITMENT; MAXIMUM CONFINEMENT TIME

When committing a youth to a SYTF, the court will set a baseline term of confinement that is predicated on the most recent serious offense for which the youth has been adjudicated and that must "represent the time in custody necessary to meet the developmental and treatment needs of the youth and to prepare the youth for discharge to a period of probation supervision in the community" (Welfare and Institutions Code § 875(b)). The maximum time that a youth may be confined should not exceed the middle term of imprisonment that could be imposed on an adult for the same offense (Welfare and Institutions Code § 875(c)(2)).

417.6 INDIVIDUAL REHABILITATION PLAN (IRP)

State law requires youth committed to a SYTF receive an Individual Rehabilitation Plan (IRP). Because the IRP has strict submission timelines, the officer making the SYTF recommendation, the casework officer, and the reentry officer, will coordinate their duties to assure the timelines are met and the youth benefits from a collaborative plan developed by persons who will be working with that youth.

An IRP must do all of the following:

- (a) Identify the youth's needs in relation to treatment, education, and development, including any special needs the youth may have in relation to health (mental or emotional health), disabilities, gender-related, or other special needs.
- (b) Describe the programming, treatment, and education to be provided to the youth in relation to the identified needs during the commitment period.
- (c) Reflect, and be consistent with the principles of trauma-informed, evidence-based, and culturally responsive care (Welfare and Institutions Code § 875(d)(2)(A)-(C)).

San Diego County Probation Department

Administrative Services Policy Manual

Youth Development Academy (YDA) - Secure Youth Treatment Facility (SYTF)

The youth and youth's family's feedback and suggestions shall be included in the rehabilitation plan report to the court (Welfare and Institutions Code § 875(d)(2)(D)).

The court must review and approve the youth's IRP within 30 judicial days of making a commitment to a SYTF (Welfare and Institutions Code § 875(d)(1)).

417.7 PROGRESS REVIEW HEARINGS

During the term of commitment, youths will have a review hearing no less frequently than once every six months. The court will evaluate the youth's progress in relation to the IRP and determine whether the baseline term of confinement is to be modified. The court will consider the recommendations of the probation officer. At the conclusion of the review hearing, the court may order a reduction of the youth's baseline term by up to six months, or that the youth be assigned to a less restrictive program (Welfare and Institutions Code § 875(e)(1)).

417.8 REQUEST FOR A LESS RESTRICTIVE PLACEMENT

The probation department or youth may make a motion to transfer the youth from a SYTF to a less restrictive program (e.g., a camp, a community residential, or non-residential service program). The purpose is to facilitate the safe and successful reintegration of the youth into the community. The motion must be considered at the next scheduled review hearing or at a separately scheduled hearing. If the motion originates with the youth, the PO shall provide a recommendation on the motion (Welfare and Institutions Code § 875(f)(1)). The court's approval of the request for a less restrictive placement will be made upon the court's determination that the youth has made substantial progress toward the goals of the IRP and that placement is consistent with the goals of youth rehabilitation and community safety (Welfare and Institutions Code § 875(f)(1)). In making its determination, the court will also consider both of the following factors:

- (a) The youth's overall progress in relation to the rehabilitation plan during the period of confinement in a SYTF.
- (b) The programming and community transition services to be provided, or coordinated by the less restrictive program, including, but not limited to, any education, vocational, counseling, housing, or other services made available through the program (Welfare and Institutions Code § 875 (f)(1) (A)-(B)).

When authorizing a youth to move from a SYTF to a less restrictive program, the court may require the youth to observe any conditions of performance or compliance with the program that are reasonable and appropriate in the individual case and are within capacity of the youth to perform (Welfare and Institutions Code § 875(f)(2)).

417.9 LESS RESTRICTIVE PLACEMENT FAILURES

If the court determines the youth materially failed to comply with the court conditions of placement in the program, the court may modify the terms and conditions of placement in the program or order the youth to be returned to the SYTF (Welfare and Institutions Code § 875(f)(2)).

San Diego County Probation Department

Administrative Services Policy Manual

Youth Development Academy (YDA) - Secure Youth Treatment Facility (SYTF)

417.10 PROBATION DISCHARGE HEARING

At the conclusion of the baseline term, the court will review the youth's progress toward meeting the goals of the IRP, and the recommendations of counsel, the probation department and any other agencies or individuals having information the court deems necessary. The court will make one of two findings:

- (a) The youth will be discharged to a period of probation supervision in the community under conditions approved by the court.
- (b) The youth constitutes a substantial risk of imminent harm to others in the community if released from custody (Welfare and Institutions Code § 875(e)(3)).

417.11 PROBATION SUPERVISION IN THE COMMUNITY

If the youth is discharged to probation supervision, the court will determine reasonable conditions of probation that are suitable to meet the developmental needs and circumstances of the youth to facilitate the youth's successful reentry into the community (Welfare and Institutions Code § 875(e)(4)). The youth will be scheduled for periodic review hearings during the supervision period. The court may direct additional orders deemed necessary to modify the program of supervision to facilitate the provisions of services or to otherwise support the youth's successful reentry into the community (Welfare and Institutions Code § 875(e)(4)).

If the court finds the youth failed to materially comply with reasonable orders of probation as imposed by the court, the court may order the youth be returned to a juvenile facility, a program, or other placement for a period not to exceed either the remainder of the baseline term, including any court ordered modifications, or six months, whichever is longer, not to exceed the maximum confinement limits as stated in Welfare and Institutions Code § 875(c) (Welfare and Institutions Code § 875 (e)(4)).

417.12 CONTINUED DETENTION

The court may detain the youth in a SYTF for up to one additional year of confinement if the court finds that the youth constitutes a substantial risk of imminent harm to others in the community should the youth be released from custody. Continued detention is subject to review and probation discharge hearing provisions outlined in Welfare and Institutions Code § 875 as well as the maximum confinement provisions of Welfare and Institutions Code § 875(c) (Welfare and Institutions Code § 875(e)(3)).

REFERENCES

Senate Bill 92 (2021)

Welfare and Institutions Code § 875

California Code of Regulations, title 9, sections 30807–30813 Assembly Bill 200 (2022)