

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2004 JUL -1 PM 2:07

To: Office of the City Administrator
Attn: Deborah Edgerly
From: Police Department
Date: July 13, 2004

Re: A Report and Proposed Resolution Authorizing the City Administrator on Behalf of the City of Oakland to Accept and Appropriate a Grant in an Amount Not to Exceed One Hundred Fifty-Three Thousand Two Hundred and Three Dollars (\$153,203) from the State of California, Board of Corrections (BOC), Juvenile Accountability Block Grant (JABG) Program, and Authorizing a Funding Agreement in an Amount Not to Exceed One Hundred Forty-Two Thousand Dollars (\$142,000) with the Donald P. McCullum Youth Court for Implementation of the Oakland Youth Court Project

SUMMARY

A resolution has been prepared authorizing the City Administrator, on behalf of the City of Oakland, to accept and appropriate a grant in an amount not to exceed \$153,203 from the State of California, Board of Corrections (BOC), Juvenile Accountability Block Grant (JABG) Program, and authorizing a Funding Agreement with the Donald P. McCullum Youth Court (MYC) in an amount not to exceed \$142,000 for the implementation of the Oakland Youth Court Project.

FISCAL IMPACT

It is anticipated that grant funds totaling up to \$153,203 will be received in State of California grant funds. Matching funds in the amount of \$17,022 will be provided by MYC from other funds awarded to MYC for the implementation of the Oakland Youth Court project, for a total program budget of \$170,225. The Oakland Police Department (OPD) will account for the expenditure of matching funds in accordance with methods approved by BOC/JABG.

The grant primarily provides revenue for a funding agreement with MYC in the amount of \$142,000. The balance of the grant funds, \$11,203, will cover a portion of the Police Department's administrative support costs. Grant funds for this program will be allocated in the State of California Grant Fund: 2152, Org.: 103510, in a Project Account to be determined:

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| Description and Use of Funds | Amount |
|---|------------------|
| Donald P. McCullum Youth Court (Funding Agreement) | \$142,000 |
| Contract Assessment Fee (3%) | 4,260 |
| Office Supplies and Duplicating Costs | 1,530 |
| Computer Equipment for OPD Staff | 5,413 |
| Subtotal | 153,203 |
| Matching MYC Funds | 17,022 |
| TOTAL | \$170,225 |

BACKGROUND

JABG is designed to promote greater accountability among those juveniles involved in the juvenile justice system by providing financial and programmatic support to improve juvenile justice system infrastructure and operations at the State and local levels. The Oakland Youth Court project receives funding under the program purpose area of developing and administering accountability-based sanctions for juvenile offenders.

OPD works with MYC to hold juvenile offenders accountable for their criminal actions using a peer driven adjudication process whereby youth attorneys prosecute and defend youth clients, and youth juries sentence offenders. The binding sentences are rehabilitative and restorative. After completing their sentence, youth then have the opportunity to volunteer as jurors and attorneys, with potential eligibility for additional training, paid internships, and participation as positive role models for other youth. By diverting these youth, providing support services, and re-integrating them as program volunteers, MYC helps youth to redefine themselves in the legal system and their community.

This is the fourth year that the Police Department has sponsored the MYC Youth Court program. In FY 2001-02, MYC expanded its operations to include a youth mentoring component targeting 12-14 year olds. This component provides 20 youth with mentors, enrichment, and educational activities on weekends, after school and during the summer recess. The mentoring component strengthens MYC's emphasis on relationship building as one cornerstone of its positive youth development model.

KEY ISSUES AND IMPACTS

BOC/JABG funding levels are determined by a formula that combines local law enforcement expenditures and the number of juvenile violent crime arrests. The proposed Oakland allocation for FY 2004-05 is \$153,203.

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Due to very limited juvenile court budgets and scarce resources, only the most serious and habitual juvenile offenders are held accountable through the traditional channels of the Probation Department and Juvenile Court. Young people charged with “less serious” offenses are often counseled and released, with no formal charges filed, no custody time served, and no referrals to intervention or rehabilitative services. Many of these young offenders walk away with the notion that they “got away with it.” Historically, in the absence of accountability and intervention, many of these youth re-offend, with each successive crime becoming more serious.

In partnership with MYC, OPD holds first-time juvenile offenders accountable for their criminal actions. The contract with MYC provides a cost-effective means of bringing accountability-based sanctions and comprehensive services to youth at risk of further involvement in the juvenile justice system. Over the last eight years, approximately 84% of youth completing MYC’s intervention, prevention and empowerment programs have not re-offended, effectively stopping the potential cycle of crime at its inception.

Services to be provided by MYC include:

- 110 Oakland youth referred by the Oakland Police Department will have hearings at MYC.
- 100% of participating offenders and their families will receive appropriate referrals to counseling, prevention, and treatment services.
- All offenders will participate in a mandatory conflict resolution workshop, with 100% of the youth entering the program participating in gender-specific programming.
- 90% of all youth will complete their sentences, resulting in an estimated total of 3,000 hours of meaningful community service completed annually.
- 80% of offender parents/primary caregivers will complete a mandatory three-part program (Parent Education Workshop), where parents are involved in the complete sentencing process, including evaluation and referral services when appropriate).
- 200 high-risk Oakland youths will participate in the Court as volunteer attorneys and jurors.
- 50 Alameda County youth (approx. 40 from Oakland) will attend MYC’s annual Summer Law Camp.

MYC’s partnership with OPD satisfies all JABG requirements through their multi-dimensional, highly effective program. The partnership represents a “win-win” solution to a serious community challenge by providing positive alternatives for youth, while strengthening families and holding youth accountable for their criminal actions.

SUSTAINABLE OPPORTUNITIES

Economic

MYC is located in Oakland, providing services to clients from Oakland, Berkeley and Alameda. Ten Oakland youth will be provided paid internships. Regular staff positions adhere to the provisions of Oakland's Living Wage Ordinance.

Environmental

MYC sentences some youth to community service projects as part of the adjudication process. The primary focus of the community service projects is the promotion of community and environmental awareness. Many projects offer environmental opportunities, such as clean-up projects at Sausal Creek, growing vegetables at the Community Garden at Lakeside Park for donation to local food banks, and participating in workday clean-up projects in various Oakland neighborhoods. Participating youth learn to respect their surroundings while making measurable improvements in the quality of their own environments.

Social Equity

Using an extensive network of community organizations, MYC provides enhanced services for Oakland youth aged 9-17 in the following areas: Physical and emotional safety, relationship building, youth participation, community involvement, and skill building. MYC also operates 5 law clubs on Oakland high school campuses (McClymonds, Castlemont, Fremont, Oakland Tech, and Skyline), further extending the benefits of the program to high-risk students who have not entered the juvenile justice system as first-time offenders.

DISABILITY AND SENIOR CITIZEN ACCESS

MYC provides outreach and services to a diverse youth population. MYC administrative offices, the pre-hearing room at OPD, and courtrooms at the Alameda County administration building are all wheelchair accessible. No senior access issues are noted.


RECOMMENDATION

The Oakland Police Department recommends that the City Council authorize the City Administrator to accept and appropriate the grant in an amount not to exceed \$153,203 from the

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State of California, Board of Corrections and authorize a Funding Agreement in an amount not to exceed \$142,000 with the Donald P. McCullum Youth Court for implementation of the Oakland Youth Court Project.

Respectfully submitted,



Richard L. Word
Chief of Police

Prepared by: Candice Jessie
Administrative and Technical Services Division
Bureau of Services

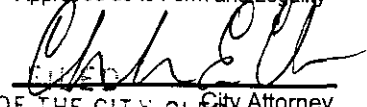
APPROVED AND FORWARDED TO THE
PUBLIC SAFETY COMMITTEE:



Cheryl A. Thompson
Office of the City Administrator

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OAKLAND CITY COUNCIL



OFFICE OF THE CITY CLERK
City Attorney
OAKLAND

RESOLUTION No. _____

C.M.S.

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RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR ON BEHALF OF THE CITY OF OAKLAND TO ACCEPT AND APPROPRIATE A GRANT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY-THREE THOUSAND TWO HUNDRED AND THREE DOLLARS (\$153,203) FROM THE STATE OF CALIFORNIA, BOARD OF CORRECTIONS (BOC), JUVENILE ACCOUNTABILITY BLOCK GRANT (JABG) PROGRAM, AND AUTHORIZING A FUNDING AGREEMENT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FORTY-TWO THOUSAND DOLLARS (\$142,000) WITH THE DONALD P. MCCULLUM YOUTH COURT FOR IMPLEMENTATION OF THE OAKLAND YOUTH COURT PROJECT

WHEREAS, it is anticipated that grant funds totaling up to \$153,203 will be received from the State of California, Board of Corrections for the Police Department's Juvenile Accountability Block Grant (JABG) program for the implementation of the Oakland Youth Court project, administered by the Donald P. McCullum Youth Court, Inc. (MYC); and

WHEREAS, the Department desires to enter into a Funding Agreement with MYC for an amount not to exceed one hundred forty-two thousand dollars (\$142,000) for the implementation of the Oakland Youth Court, to be funded by the grant; and

WHEREAS, MYC will provide the cash match required by the grantor, in the amount of seventeen thousand twenty-two dollars (\$17,022); and

WHEREAS, the City Council finds that the services provided pursuant to the agreement with MYC authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City Council finds the agreement with MYC shall not result in a loss of employment or salary by any person having permanent status in the competitive service; now, therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator or her designee to accept and appropriate a grant in an amount not to exceed \$153,203 from the BOC/JABG to be allocated to the State of California Grant Fund: 2152, Org.: 103510, in a Project Account to be determined, for implementation of the Oakland Youth Court project; and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to enter into a Funding Agreement with MYC in an amount not to exceed \$142,000 for the implementation of the Oakland Youth Court, funded by the grant, and be it

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FURTHER RESOLVED: That it is agreed that any liability arising out of the performance of the Grant Award Agreement to be issued by the State of California, Board of Corrections in relationship to the JABG program, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency; and be it

FURTHER RESOLVED: That grant funds received for the JABG program shall not be used to supplant expenditures controlled by the City of Oakland; and be it

FURTHER RESOLVED: That the City Council hereby appoints the City Administrator as agent of the City to conduct all negotiations, applications, agreements, and related actions which may be necessary for the completion of the aforementioned grant and funding agreements; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said agreement with MYC as to form and legality and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

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