CITY OF OAKLAND

AGENDA REPORT

2007 FF7 -1 7710: 05

To:

Office of the City Administrator

Attn:

Deborah Edgerly Police Department

From: Date:

February 13, 2007

Re:

A Report and Proposed Resolution Authorizing the City Administrator, on Behalf of the City of Oakland, to Accept and Appropriate Grant Funds in an Amount Not to Exceed One Million Five Hundred Thousand Dollars (\$1,500,000) from the State of California, Corrections Standards Authority, Title II Formula Grants Program, for the Three-Year Program Term of April 1, 2007 to March 30, 2010, and Authorizing a Funding Agreement in an Amount Not to Exceed One Million Two Hundred Thousand Dollars (\$1,200,000) with the Donald P. McCullum Youth Court for Implementation of the Paragon Project,

and Appropriate Said Funds to the Police Department

SUMMARY

A resolution has been prepared authorizing the City Administrator, on behalf of the City of Oakland, to accept and appropriate grant funds in an amount not to exceed \$1,500,000 from the State of California, Corrections Standards Authority, Title II Formula Grants Program. The resolution also authorizes a Funding Agreement in an amount not to exceed \$1,200,000 with the Donald P. McCullum Youth Court (MYC) for implementation of the project. The proposed program period is April 1, 2007 to March 30, 2010.

FISCAL IMPACT

Approval of the proposed resolution will authorize the application, acceptance and appropriation of a State of California, Corrections Standards Authority grant for the Police Department's Paragon Project for program years 1-3, beginning April 1, 2007, in the estimated amount of \$1,500,000. Funding will be appropriated to the State of California, Corrections Standards Authority Grant Fund (2152); Youth and Family Services Division Org. (102350); Youth and Family Services Division Program (PS03), in a Project Account to be determined. There is no matching funds requirement. Proposed expense allocations are as follows:

Use of Funds	Cost
Donald P. McCullum Youth Court (Contract for Service)	1,200,000
(Amount Not to Exceed \$400,000/yr x 3 years) Disproportionate Minority Contact	
(Evaluation and Technical Assistance)	75,000

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Accountancy and Other Administrative Services (Overtime for Professional Staff)	
(\$34,898/yr x 3 years)	104,694
Program Supplies (\$3,551/yr x 3 years)	10,652
Equipment (\$16,000/yr x 3 years)	48,000
CSA Mandated Training/Travel (\$1,600/yr x 3 years)	4,800
Contract Assessment Fee (\$1,275,000 x 3%)	38,250
Central Services Overhead (\$104,694 x 17.77%)	18,604
TOTAL GRANT FUNDS	\$1,500,000

BACKGROUND

For more than twelve years, the Oakland Police Department (OPD) and the Donald P. McCullum Youth Court (MYC) have successfully partnered to serve the City's large number of youth offenders charged with less serious offenses¹ by providing youths and their families with strength-based early intervention and prevention services. The McCullum Youth Court's mission is to offer youth offenders a second chance, change young lives, and impact communities by providing empowering opportunities for youth through restorative peer justice.

Through enactment of the Paragon Project, the OPD, in collaboration with MYC, will focus on several crucial youth violence and delinquency prevention goals: 1) expansion of *early intervention* and diversion services, rendering them even more strategic and effective by providing enhanced and expanded *gender responsive and gender specific* (GRGS)² services; 2) building organizational capacity for the Department and MYC to develop and implement gender responsive services; 3) the establishment of a network of providers informed about and

¹ Offenses include misdemeanors and felony "wobbler" charges such as assault, battery, petty theft, vandalism, weapons, and illegal substances use/possession.

² "Gender responsive" here refers to strategies and services that take gender-based needs and resilience into account; "gender specific" refers to strategies and services that address a need or issue that is considered to be associated one of the genders and/or to refer to services or programming that are provided to either females or males and delivered to one or the other separately. However, GRGS is not a code name for "girls services," nor does it refer simply to separate programming for male and female youth, or same-gender matching of staff and clients.

committed to providing services to youth offenders in developmentally appropriate, culturally competent, gender responsive ways; 4) education and increased understanding and collaboration among the City of Oakland's public safety personnel, MYC stakeholders, and the broader community as a whole, with regard to youth issues, including juvenile delinquency and Disproportionate Minority Contact.

KEY ISSUES AND IMPACTS

The City of Oakland, with a population close to half a million (including the undocumented population), is the largest city in Alameda County, accounting for nearly one-third of Alameda County's total population. As detailed in the table below, African Americans comprise about one-third of Oakland's population. Latinos, the third most populous group, represent about one-fifth of the population.

County and City Demographics Comparison

	Oakland		Alameda	County
	Population	%	Population	%
African American	150,139	35%	211,124	15%
Asian/Pacific Islander	62,259	16%	301,131	21%
Latino	87,467	22%	273,910	19%
Native Amer	1,471	0%	5,306	0%
White	93,953	24%	591,095	41%
Other	12,966	3%	56,499	4%
Multiracial	1,226	0%	4,676	0%
Total	409,484	100%	1,443,741	100%

Source: US Census 2000

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Oakland ranks far above any other city in Alameda County for adult and juvenile violent and property crimes.³ Status offenses in Oakland – most notably truancy – pose a significant challenge to both schools and neighborhoods.⁴ While African Americans and Latinos represent a sizable portion of Oakland's population, the large number of arrests and detentions that involve these juveniles are due not simply to their substantial numbers in the city. A National Council on Crime and Delinquency (NCCD) report to Alameda County on Disproportionate Minority Contact (DMC) (2006) notes that African American youths are nearly 6 times more likely, and Latino youth are 2 times more likely than White youth, to be referred to Probation. In its recommendations to Alameda County, the 2006 report identifies Oakland as a particularly vexed jurisdiction, given the "significant over-representation of Oakland youth" among the more than 5,000 (unduplicated, nearly 9,000 total) youth referred to Probation each year.

Early Intervention as Diversion

As of December 2006, a total of 148 homicides were committed in Oakland⁵, with more than one third of the homicides resulting in the death of a youth; oftentimes with another youth responsible for the crime. Nearly one-third of all felonies and more than two-thirds of all misdemeanors in the U.S. are committed by a juvenile.⁶ National data reveals the cycle of juvenile crime, with the victims tending to be someone the offender knows.⁷ While homicides in Oakland (and throughout the nation) continue to make headlines, juvenile misdemeanors in California outnumber felonies by more than two to one, and status offenses do so by more than four to one.⁸ Whereas juvenile crime and arrest rates have dropped during the past decade, the number of juveniles at risk for committing a crime has steadily increased, based on scientifically determined risk factors.⁹

These facts and the demonstrated ineffectiveness of incarceration and probation for a majority of youth, indicate the continued need for early intervention and diversion services. Many adolescents at MYC have had multiple prior contacts with law enforcement that have not resulted in arrest. For most of the youths, it is not the first time they have broken the law, it is simply the first time they have been caught and arrested. Statistical analysis shows that more than fifty percent (50%) of youth who enter juvenile hall in Alameda County will enter at least one time again. The estimated recidivism rate of youth on Probation in the County is 80%;

³ FBI Statistics 1994-2001; Crime in California, 2003, CADOJ, 2003

⁴ Bureau of Crime Statistics, 2003

⁵ City of Oakland, Oakland Police Department, Homicide Statistical Report. December 2006.

⁶ OJJDP Bureau of Statistics, 2005.

⁷ OJJDP Bureau of Statistics, 2005.

⁸ CADOJ, Juvenile Justice in California 2004, Criminal Justice Statistics Center.

⁹ CADOJ, Juvenile Justice in California 2004, Criminal Justice Statistics Center.

¹⁰ See Center for Juvenile and Criminal Justice website resources at www.cjcj.org.

Reported by Alameda County Probation personnel on September 13, 2006 at County Supervisor Gail Steele's meeting on the Huskey Report.

with nearly 100% of California Youth Authority (CYA) youth eventually recidivating. By comparison, less than 18% of MYC youth recidivate. The OPD attributes much of MYC's success to its developmentally appropriate intervention services, with peer sanctions and ongoing peer accountability.

PROGRAM DESCRIPTION

The Paragon Project Restorative Peer Justice Utilizing Gender Responsive and Gender Specific Services

The Paragon Project will expand upon core elements of MYC's services, namely restorative justice, peer accountability, peer support, and leadership development; all of which aim to empower youth to make a difference in their own lives and the lives of others.

A solid body of science has studied and documented core differences between male and female youth offenders in terms of their behaviors, self perceptions, motivations, and needs. A substantial body of research profiles girls' gender specific needs and strengths --including female youth offenders. As gender specific studies of girls emerged, an assumption was made that the status quo served the needs of boys. A relatively recent body of research has begun to examine the specific needs of boys and how those needs remain unaddressed and underserved. The particular needs of male youth offenders are largely ignored. The research on boys' development has followed in the footsteps of research on girls that preceded it, and research on male youth offenders and their specific needs and resiliency may require a similar process of building a body of research that mirrors the research on girls. At the same time, such differences as race, home language, socio-economic status, etc. also need to be considered.

¹² Finley, K.A. (2005). Gender differences among truant youth. National Center for School Engagement report. Denver, CO: Colorado Foundation for Families and Children; Laundra, K.H. et al. (2002). "A social development model of serious delinquency: Examining gender differences." The journal of primary prevention, Volume 22, Number 4, pp 389-407 (19); Kim, J.Y.S & Fendrich, M. (2002). "Gender differences in juvenile arrestees' drug use, self reported dependence, and perceived need for treatment." Psychiatric services. January, 53:70-75.

¹³ Acoca, L. (1998). "Outside/inside: The violation of American girls at home, on the streets and in the juvenile justice system." *Crime and delinquency*, 44:561-589; Chesney-Lind, M. & Shelden R.G. (1992). *Girls, delinquency, and juvenile justice*. Pacific Grove, CA: Brooks-Cole; Hoyt, S. & Scherer, D.G. (1998). "Female juvenile delinquency: Misunderstood by the juvenile justice system, neglected by social science." *Law and human behavior*, 22:81-107. Loper, A. B. (2000). Female juvenile delinquency: Risk factors and promising interventions. Available at http://www.ilppp.virginia.edu/Juvenile_Forensic_Fact_Sheets/FemJuv.html;

¹⁴ Kindlon, D. & Thompson, M. (1999). Raising Cain: Protecting the emotional life of boys. New York, NY: Random House; Gurian, M. & Stevens, K. (2005). The minds of boys: Saving our sons from falling behind in school and life. San Francisco, CA: Jossey Bass; Cox, A.J. (2005). Boys of few words: Raising our sons to communicate and connect. New York, NY: The Guilford Press.

The Paragon Project aims to document experiences, perspectives, and outcomes for male youth offenders with an eye to better understanding what may be gender specific needs and resiliency, and what gender responsive services for them need to take into account.

The Paragon Project will address a critical intersection of issues: insufficient early intervention, diversion, and prevention services; a lack of strategic gender responsive and gender specific services; and significant, long-standing DMC issues. As noted in the OPD's three-year Delinquency Prevention Plan, Oakland's limited resources to address juvenile delinquency result in only the most serious and habitual youth offenders being held accountable for their crimes. Many other youth engage in risky, anti-social, and illegal behaviors with no intervention until they are far down a path of habitual, negative behaviors with regular association with anti-social peer groups. ¹⁵

Project Goals

The broad goals of the Paragon Project are in alignment with the Department's Delinquency Prevention Plan and MYC's overall program goals. Specific goals of the Paragon Project are presented below.

Paragon Project Goals			
Goal 1:	Youth remain outside the juvenile justice system.		
Goal 2:	Youth experience positive involvement with the law.		
Goal 3:	Youth envision and pursue positive goals towards a future as a productive, pro-social member of a community; specifically youth complete high school and pursue college or post secondary education.		
Goal 4:	Youth are connected to a caring, supportive community.		

¹⁵ Research helps explain this phenomenon. See McGarrell, E.F. (August, 2001) Restorative justice conferences as an early response to young offenders. OJJDP juvenile justice bulletin.

Goal 5: MYC collaborates with other providers who service youth offenders and youth at risk for involvement in the juvenile justice system to identify both evidence-based and cutting edge GRGS

Target Population

During its first year of program operation, the Paragon Project will serve a minimum of 1,360 youth and 250 related caregivers, including 300 youth offenders, and an additional 1,200 youth and young adults (ages 18 – 24, targeted due to their significant influence on younger peers). The target population consists of youth ages 10 – 17, including first time youth offenders ages 10 – 16 from the population MYC generally serves, i.e., under-resourced communities and underserved populations, especially from communities with disproportionate incarceration rates, i.e., African American and Latino communities, and communities with persistent under representation in higher education and the legal profession.

Participant Referrals

Referrals to the Paragon Project will be made by the OPD, with other secondary referrals stemming from the Alameda County Probation Department, and the Oakland Unified School District for offenses that are a misdemeanor or "felony wobbler", based on MYC's established criteria. MYC operates under the auspices of the Alameda County District Attorney's Office. As in the past, the bulk of referrals will emanate from the OPD and its various units, including the Special Victims Unit, the Youth and Family Services Division, as well as the Patrol Division. The referral sources will provide a total of 350 referrals of first time youth offenders.

There is an attrition of clients between the time of referral and Pre-Hearing, to the actual Court Hearing. Hence, the number of referrals will be 350, while at least 300 of those referrals will actually have a Court Hearing and successfully complete the program. For the Law & Justice Program, MYC's outreach and recruitment strategies will vary depending on the target group presentations by staff and youth; flyers and pamphlets; student announcements at school; peer networking; special activities and events; tabling at youth and community events; media coverage; and word of mouth all are effective.

Overview of Program Services

The Paragon Project will expand several core strategies that have emerged from the Interface Project, and augment *restorative justice* and *gender specific* service elements. Collaborative work with partners is a central element of the project. An overview of services to be provided are as follows:

Program Services and Strategies

Youth Offender Program

Gender Specific Case Management: Peer centered, strength based case management that is gender specific will provide each youth with a gender specific adult case manager who partners with trained Youth in Leadership.

Parent/Guardian Workshops: Adolescent Development and Parenting a Challenging Adolescent; Gender Specific Needs of Adolescents

Heroes and Young Heroes program & Divas and Young Divas program: Offering middle school youth an age-appropriate, gender specific parallel, Young Heroes and Young Divas, to the current six-week gender specific sequence of workshops, Heroes and Divas, offered to high school age youth.

Healthy Risks (high school/middle school) & Healthy Boundaries & Positive Self Expression (high school/middle school): Other mandatory services (depending on the youth's age and offense) that Paragon will expand based on developmentally appropriate gender-specific curricula.

Restorative Circles: Restorative Circles currently are offered to youth assessed at intake or at any point during sentence completion to be at higher risk for program failure.

Transformative Mediation: This restorative justice service is offered through Catholic Charities. The mediation brings together youth offenders and victims for reconciliation, provided both are willing.

Mental Health Services: Given the large number of youth offenders at MYC who present a need for psychological assessment and counseling, the Paragon Project will include mental health services as a key component.

"Focus on Justice" Research Project (2 groups of 10): Youth centered gender specific research will partner MYC with Oakland-based Youth in Focus, a community based organization that trains youth and engages them in both quantitative and qualitative research design, data gathering, and data analysis.

Novice or Apprentice Program: Transition to the Law& Justice Program will be refined for youth offenders to add strategies that explore and affirm masculinity and femininity.

Law and Justice Youth Summit: A program-sponsored Youth Summit on Law & Justice for 150 – 200 MYC and other youth will also provide a venue for a presentation of the research project and it findings.

Youth in Leadership Program

Lead Attorney, Bailiff & Clerk Program (school year): The program will include a total of 26 youth in leadership positions with a stipend. All youth in leadership positions will participate in training on both gender issues and on DMC.

Peer Advisor Program (Summer Leadership)

"Focus on Justice" Research Project (2 groups of 5) (See above)

Law and Justice Youth Summit: The Summit will be planned, coordinated, and facilitated primarily by youth. Ten (10) Youth in Leadership participants will assist staff with the youth research project and Summit.

Law & Justice Program

Youth Attorney, Youth Bailiff, and Youth Clerk Programs

Peer Mentor Program

Youth Board and Juror Service

Law and Justice Youth Summit
Due Process and Restorative Justice Program (middle schools)

Disproportionate Minority Contact

Core Program Requirements

As referenced previously throughout this report, Disproportionate Minority Contact (DMC) refers to the overrepresentation of minority youth who come into contact with the juvenile justice system relative to their numbers in the general population. To participate in the federal Formula Grants Program, which provides funds in support of state and local juvenile justice efforts, states must strive to reduce DMC. Since assuming responsibility for the Formula Grants Program in January 2004, the CSA has undertaken a number of efforts to ensure that California addresses DMC; among them being implementation of the Title II Formula Grants Program and the Enhanced DMC Technical Assistance Grant Project.

In July 2005, the County of Alameda was awarded a technical assistance grant by the State of California to investigate (and subsequently validate) DMC in the County, with emphasis placed on 10 to 17 year olds and their involvement in the juvenile justice system. The report, produced by the National Council on Crime and Delinquency as part of the grant, notes that youth of color in Oakland are more than 3 times as likely as a white youth to be placed on probation. African American youth are 11 times more likely, and Latino youth are three times more likely than White youth to be booked into Juvenile Hall. As recipients of a recent Title V Community Prevention grant through California's Corrections Standards Authority, the OPD and MYC have focused on the issue of DMC – gaining knowledge of the issues and identifying programmatic strategies and evaluation needs. As detailed in the County's August 2006 report, agencies like OPD, as well as MYC, must increase efforts to prevent the progression of behaviors that eventually result in delinquency, beginning with truancy.

¹⁶ Secure detention at the County's Camp Sweeney is at least twice as likely for all youth of color in comparison to White youth, with African American youth 11 times more likely than White youth to be sent to Camp Sweeney. African American youth are five times more likely, and Latino youth almost three times more likely, than White youth of having an outcome involving DJJ (the California Dept. of Corrections and Rehabilitation, Division of Juvenile Justice, formerly known as the California Youth Authority).

The Alameda County Probation Department's DMC Initiative's final recommendations have particular relevance to the Paragon Project, including a) target youth *before* they enter the juvenile justice system to prevent the particularly problematic early delinquency; b) increase the number of youth referred to diversion programs; c) devote more resources to community-based services; d) provide gender-specific and culturally appropriate diversion services for females, youth and first-time offenders; and e) prioritize appropriate services for African-American youth given their "severe over-representation" at the County and City level; (nearly half of all youth on probation in the County are African American from a limited number of zip codes in Oakland). The Paragon Project will provide an opportunity for MYC, in collaboration with the OPD and other community based stakeholders, to weave developmentally appropriate, culturally competent approaches throughout the program, utilizing *a gender specific perspective* to inform the program in an integral way, and render it even more strategic.

For the Paragon Project, young men of color are a particular priority in light of the over-representation of young males of color in juvenile statistics both locally and nationally. More than one third of MYC youth offenders this year are early adolescents (ages 10-14) and they manifest developmental needs and abilities that differ significantly from those of older youths. Hence, targeting the particular needs, vulnerabilities, and resiliency of middle school males – MYC's fastest growing population—is a priority for the Paragon Project. Male and female clients tend to present somewhat different patterns in terms of motivation, values, and attitudes related to delinquent behavior; in their receptivity to the program, and in their behaviors expressive of an emerging self. As the sizable body of research alluded to earlier attests, males and females in adolescence follow different developmental trajectories that are determined by a combination of biological, psycho-social, and cultural factors. Risk assessments and intakes done at MYC's initial Pre-Hearings find what scientific research suggests – that the girls generally bring with them more troubled personal histories that often include sexual abuse or other trauma, sexual activity from a younger age, and more self-destructive behaviors.

DMC Evaluation and Technical Assistance

The Police Department, in collaboration with the MYC, shall enlist the serves of an external consultant to provide evaluation/technical assistance relative to DMC on behalf of the Paragon Project.

SUSTAINABLE OPPORTUNITIES

Economic

Violence prevention activities enhance the Police Department's efforts to reduce crime and provide a climate in which economic development can flourish.

Environmental

No environmental opportunities are anticipated.

Social Equity

Enactment of the Paragon Project will enhance violence prevention and facilitate future economic growth in Oakland.

DISABILITY AND SENIOR CITIZEN ACCESS

All facilities used in relationship to the Paragon Project operate in compliance with the Americans with Disabilities Act (ADA) and Older Americans Act.

RECOMMENDATION

The Oakland Police Department recommends that the City Council adopt the resolution and authorize the City Administrator to accept grant funds in an amount not to exceed \$1,500,000 from the State of California, Corrections Standards Authority, Title II Formula Grants Program, and authorize a Funding Agreement in an amount not to exceed \$1,200,000 with the Donald P. McCullum Youth Court for three-year program implementation of the Paragon Project.

ACTION REQUESTED BY THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

Wayne & Tucker Chief of Police

Prepared by: Candice Jessie Budget and Grants Administrator Bureau of Administration

APPROVED AND FORWARDED TO THE PUBLIC SAFETY COMMITTEE:

Office of the City Administrator

Approved as to Form and Legality

OAKLAND CITY COUNCIL

Rocio V- (Julio City Attorney

RESOLUTION AND US US	No	C.M.S.
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RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO ACCEPT AND APPROPRIATE GRANT FUNDS IN AN AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) FROM THE STATE OF CALIFORNIA, CORRECTIONS STANDARDS AUTHORITY, TITLE II FORMULA GRANTS PROGRAM, FOR THE THREE-YEAR PROGRAM TERM OF APRIL 1, 2007 TO MARCH 30, 2010, AND AUTHORIZING A FUNDING AGREEMENT IN AN AMOUNT NOT TO EXCEED ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000) WITH THE DONALD P. MCCULLUM YOUTH COURT FOR IMPLEMENTATION OF THE PARAGON PROJECT, AND APPROPRIATE SAID FUNDS TO THE POLICE DEPARTMENT

WHEREAS, it is anticipated that the Police Department will receive grant funds totaling up to \$1,500,000 from the State of California, Corrections Standards Authority, Title II Formula Grants Program, for implementation of the Paragon Project; and

WHEREAS, the proposed program period for the Paragon Project is April 1, 2007 to March 30, 2010; and

WHEREAS, the Department desires to enter into a Funding Agreement with the Donald P. McCullum Youth Court for an amount not to exceed one million two hundred thousand dollars (\$1,200,000) for implementation of the Paragon Project, to be funded by the grant; and

WHEREAS, the City Council finds that the services provided pursuant to the agreement with the Donald P. McCullum Youth Court authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City Council finds that the agreement with the Donald P. McCullum Youth Court 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 \$1,500,000 from the Corrections Standards Authority to be allocated to the State of California, Corrections Standard Authority Grant Fund (2152), Youth and Family Services Division Org. (102350), Youth and Family Services Division Program (PS03), in a Project Account to be determined, for implementation of the Paragon Project; and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to enter into a Funding Agreement with the Donald P. McCullum Youth Court in an amount not to exceed \$1,200,000 for three year program implementation of the Paragon Project, to be funded by the grant, and be it

FURTHER RESOLVED: That grant funds received for the Paragon Project 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 agreement; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said agreement with the Donald P. McCullum Youth Court 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, KERNIGHAN, NADE	EL, QUAN, REID, and PRESIDENT DE LA FUENTE
NOES-	
ABSENT-	
ABSTENTION-	ATTEST:
	LaTonda Simmons City Clerk and Clerk of the Council of the City of Oakland, California