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OFFICE OF THE CITY CLERK
OAKLAND

CITY OF OAKLAND

AGENDA REPORT

2011 JUN 30 11:23 AM
To: Office of the City Administrator
Attn: P. Lamont Ewell, Interim City Administrator
From: Police Department
Date: July 12, 2011

Re: A Report and Proposed Resolution Authorizing the City Administrator, on Behalf of the City of Oakland, to 1) Accept and Appropriate Funds From the State of California, Corrections Standards Authority, Juvenile Accountability Block Grant To the Oakland Police Department in an Amount Not to Exceed Sixty Thousand Dollars (\$60,000), 2) Waive the Competitive Request for Proposals/Qualifications (RFP/Q) Process, and 3) Enter Into a Professional Services Agreement with McCullum Youth Court for the Period July 1, 2011 Through June 30, 2012, Plus Two One-Year Extension Options, In an Amount Not to Exceed Sixty Thousand Dollars (\$60,000) Annually for Continued Program Implementation of the Oakland Youth Court for the Oakland Police Department

SUMMARY

A resolution has been prepared authorizing the City Administrator, on behalf of the City of Oakland, to 1) accept and appropriate funds from the State of California, Corrections Standards Authority, Juvenile Accountability Block Grant to the Oakland Police Department in an amount not to exceed \$60,000, 2) waive the competitive Request for Proposals/Qualifications (RFP/Q) process, and 3) enter into a Professional Services Agreement with McCullum Youth Court (MYC) for the period July 1, 2011 through June 30, 2012, plus two one-year extension options, in an amount not to exceed \$60,000 annually for continued program implementation of the Oakland Youth Court for the Oakland Police Department.

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 Oakland Youth Court Project, beginning July 1, 2011 in the amount of \$60,000. Funding will be appropriated 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. The funding agency requires a minimum 10% cash match component. Matching funds in the amount of \$5,384 will be drawn from Asset Forfeiture Fund (2910); Youth and Family Services Division Org. (102350); Youth and Family Services Division Program (PS03); Project (H76020); Account (54919).

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The commander of the Youth and Family Services Division of the Oakland Police Department is the project manager of this grant.

Proposed expense allocations are as follows:

Budget Line Items	Grant Funds	Cash Match	Total
Salaries and Benefits			\$ -
Services and Supplies	\$ 200.00		\$ 200.00
Professional Services			\$ -
CBO Contracts	\$ 51,859.00	\$ 5,384.00	\$ 57,243.00
Administrative Overhead	\$ 1,780.00		\$ 1,780.00
Fixed Assets/Equipment			\$ -
Other			\$ -
Total	\$ 53,839.00	\$ 5,384.00	\$ 59,223.00

BACKGROUND

For the 11th consecutive year, the Oakland Police Department has partnered with the McCullum Youth Court (a community based organization) in its mutual efforts to divert youth offenders from the juvenile justice system. Specifically, the Paragon Project was created several years ago to address the need for strategic early intervention for those youth at risk for involvement within the juvenile justice system. Oakland youth are the primary target of the program due to the City's high number of juvenile offenders and lack of diversion programs.

MYC also provides intensive short-term, strength-based services that aim to re-orient the youth and connect them with services such as counseling, tutoring, volunteering, sports, etc., which continue after they have completed their sentence, as support for their long term success. MYC utilizes a youth development approach to assess risks of recidivism based on developmental assets and employs principles of motivational interviewing to empower youth. The aim is for each youth to enhance their resiliency by gaining awareness, strategies, and skills as well as:

- A sense of self-efficacy and purpose;
- Relationships and support;
- A sense of connection to a broader community; and
- Commitment to a common good.

KEY ISSUES AND IMPACTS

Oakland has a population of approximately 409,000 and, it is estimated that about 25% of the population are youth. In 2010, the Oakland Police Department processed 2,219 juveniles, which is a 6% increase over the number of juveniles arrested in 2009. Of Oakland youth, young males of African American and Latino background (ages 10-17) have been and continue to be a priority

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for this program due to the high rates of incarceration. However, in recent years, there has been an increase in the number of female youth offenders in these ethnic groups and the program is serving more females. As a result, these communities have higher incidences of disproportionate minority contact from law enforcement, lower accountability for youth committing misdemeanor crimes, and higher recidivism rates. Therefore, in order to be the most effective, MYC provides culturally sensitive and gender specific intervention/prevention services to first time misdemeanor youth offenders.

Waiver of the RFP/O Process

The Oakland Police Department has worked with McCullum Youth Court to design and implement the Youth Court program for over ten years. As an ongoing partnership, the Oakland Police Department currently refers eligible first time offenders to the Youth Court program in an effort to fortify key elements of the Oakland Police Department's Delinquency Prevention Plan (DPP). In its DPP, the Department established a set of needs, goals, and strategies that are now embodied in the McCullum Youth Court program. The continued partnership between the Oakland Police Department and McCullum Youth Court will ensure youth diversion programming will continue without interruption and continue to evolve based on lessons learned. Further, the ongoing partnership will allow the Oakland Police Department and McCullum Youth Court to enhance efforts to evaluate the Youth Court program.

PROGRAM DESCRIPTION

The Oakland Police Department will refer eligible youth (e.g., first time, non-violent offender) to MYC, with whom they will contract to operate the Paragon Project. This 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. MYC, grounded in an evidence-based youth court model, represents a restorative justice approach to diversion that provides an effective alternative to standard juvenile court. Restorative justice (as an approach) focuses on healing and growth, emphasizing acknowledgement of personal responsibility by the offender and recognition of their crime as an act against another individual(s) and the community rather than against the abstract state. Restorative justice encompasses a growing social movement to institutionalize non-punitive, peace-building approaches to harm and violations, ideally engaging those who are harmed with the violators, along with representatives of the affected community in search of solutions that promote repair, reconciliation, and the rebuilding of relationships.

MYC operates under California Penal Code Section 1001.01 with the full authority of the law, and the peer-determined sentence is binding. The initial program (youth offender sentence) is approximately three to four months long and the mandates include: 8 hours of gender specific workshops, 8 to 12 hours of jury duty and, 12 to 50 hours of community service. Discretionary sentencing components include: restitution, writing an essay and/or a letter of apology, attending a healthy risks and/or healthy boundaries class, anger management workshops, substance abuse counseling, and/or additional family or individual counseling.

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It is anticipated that MYC will serve approximately 250 unduplicated Oakland youth in 2011-12. In order to achieve its project goals, MYC will need a Program Offender Program Coordinator and three Youth Offender Case Managers. The Program Offender Program Coordinator liaises with the internal and external parties (i.e., Police Department, parents, Law and Justice Program Coordinator, Offender Case Manager, etc.) The Youth Offender Case Manager creates, monitors, enforces, and evaluates youth court sentencing components.

SUSTAINABLE OPPORTUNITIES

Economic: MYC is based in Oakland and also provides services to clients from the surrounding area. The implementation of the Paragon Project will serve to benefit and reduce youth recidivism into the juvenile justice system at a cost-savings to taxpayers. The Project also makes youth offenders accountable by having them pay restitution as one of its discretionary sentencing components. Regular Project staff also adheres to the provisions of Oakland's Living Wage Ordinance.

Environmental: Some MYC youth sentences will include community service projects as part of the adjudication process. Their primary focus is the promotion of community and environmental awareness. Participating youth learn to respect their surroundings while making measurable improvements in the quality of their own environments.

Social Equity: Through an extensive network of community organizations, MYC provides enhanced services aimed at Oakland youth empowerment. In focused efforts directed to high-risk young people who have not entered the juvenile justice system as first time offenders, program goals are centered on building relationships, skills, physical and emotional safety, youth participation, and community involvement.

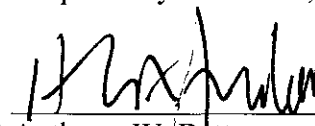
DISABILITY AND SENIOR ACCESS

MYC strives to provide its outreach and services to a diverse youth audience and is conscientious in utilizing facilities which are wheelchair accessible. There are no identified ADA or senior citizen access issues noted.

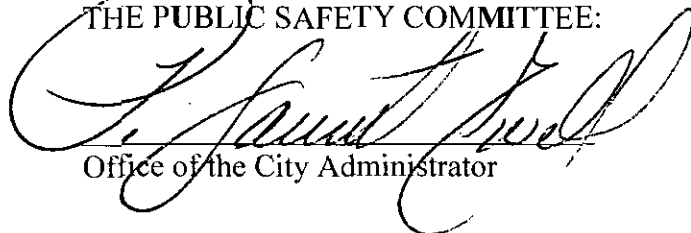
RECOMMENDATION/ACTION REQUESTED OF THE COUNCIL

Staff recommends that the City Council approve the proposed resolution authorizing the City Administrator, on behalf of the City of Oakland, to 1) accept and appropriate funds from the State of California, Corrections Standards Authority, Juvenile Accountability Block Grant to the Oakland Police Department in an amount not to exceed \$60,000, 2) waive the competitive Request for Proposals/Qualifications (RFP/Q) Process, and 3) enter into a Professional Services Agreement with McCullum Youth Court for the period of July 1, 2011 through June 30, 2012, plus two one-year extension options, in an amount not to exceed \$60,000 annually for continued program implementation of the Oakland Youth Court for the Oakland Police Department.

Respectfully submitted,


for Anthony W. Batts
Chief of Police

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:


Office of the City Administrator

Prepared by:
Lieutenant Michael Johnson
Youth and Family Services Division
Oakland Police Department

Reviewed by:
Ms. Kiona Suttle
Interim Executive Assistant to the Director
Oakland Police Department

OAKLAND CITY COUNCIL

A. Macaulay
City Attorney

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, ON BEHALF OF THE CITY OF OAKLAND, TO 1) ACCEPT AND APPROPRIATE FUNDS FROM THE STATE OF CALIFORNIA, CORRECTIONS STANDARDS AUTHORITY, JUVENILE ACCOUNTABILITY BLOCK GRANT TO THE OAKLAND POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED SIXTY THOUSAND DOLLARS (\$60,000), 2) WAIVE THE COMPETITIVE REQUEST FOR PROPOSALS /QUALIFICATIONS (RFP/Q) PROCESS, AND 3) ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH MCCULLUM YOUTH COURT FOR THE PERIOD JULY 1, 2011 THROUGH JUNE 30, 2012, PLUS TWO ONE-YEAR EXTENSION OPTIONS, IN AN AMOUNT NOT TO EXCEED SIXTY THOUSAND DOLLARS (\$60,000) ANNUALLY FOR CONTINUED PROGRAM IMPLEMENTATION OF THE OAKLAND YOUTH COURT FOR THE OAKLAND POLICE DEPARTMENT

WHEREAS, it is anticipated that the Oakland Police Department will receive Juvenile Accountability Block Grant (JABG) funds totaling up to \$60,000 for the Continued Program Implementation of the Oakland Youth Court; and

WHEREAS, this is the 11th consecutive year the Oakland Police Department has partnered with the McCullum Youth Court in its mutual efforts to divert youth offenders from the juvenile justice system; and

WHEREAS, the minimum 10% cash match component required by the grantor for said grant funds in an amount of \$5,384 shall be drawn from Asset Forfeiture Fund (2910); Youth and Family Services Division Org. (102350); Youth and Family Services Division Program (PS03); Project (H76020; Account (54919); and

WHEREAS, the continued partnership between the Oakland Police Department and McCullum Youth Court will ensure that youth diversion programming will continue without interruption and continue to evolve based on lessons learned; and

WHEREAS, Oakland Municipal code section 2.04.051B permits the Council to waive advertising and the request for proposal/qualifications (RFP/Q) requirements upon a finding that it is in the best interest of the City to do so, and staff recommends that the Council waive advertising and RFP/Q requirements for the Oakland Police Department's Youth Court Project so that h can continue partnering with McCullum Youth Court to divert youth offenders from the juvenile justice system and so that current diversion programs will not be interrupted ; and

WHEREAS, that as required by Oakland Municipal Code 2.04.020.E.3 entering into this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator or his designee to apply for, accept, and appropriate funds from the State of California, Corrections Standards Authority, Juvenile Accountability Block Grant to the Oakland Police Department in an amount not to exceed \$60,000, and be it

FURTHER RESOLVED: That said funds shall be deposited in Fund (2152); Youth and Family Services Division Org. (102350); Youth and Family Services Division Program (PS03), in a Project Account to be determined; and be it

FURTHER RESOLVED, that the City Council hereby authorizes the City Administrator or his designee to accept and appropriate additional funds without returning to Council, and be it

FURTHER RESOLVED, that for reasons stated above and in the report accompanying this item and pursuant to Oakland Municipal Code section 2.04.051B, the Council finds that it is in the best interest of the City to waive advertising and the RFP/Q requirements for the City's Youth Court Program, and, so waives; and be it

FURTHER RESOLVED, that the City Council hereby authorizes the City Administrator or his designee on behalf of the City of Oakland to enter into a Professional Services Agreement with McCullum Youth Court for the period of July 1, 2011 through June 30, 2012, plus two one-year extension options, in an amount not to exceed \$60,000 annually for continued uninterrupted program implementation of the Oakland Youth Court for the Oakland Police Department; 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 professional services agreements; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said agreement with 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, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, and PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the
Council of the City of Oakland, California