



SB 823 REALIGNMENT PLAN (Addendum **A**)

ALAMEDA COUNTY PROBATION DEPARTMENT



PLAN SUBMITTED JANUARY 2022
ADDENDUM **A - SUBMITTED APRIL 2022**

*Revised April 25, 2023, only to note this document as being titled Addendum “**A**.” This document was originally submitted to OYCR in April 2022 as requested, based on feedback from the submission of the original Alameda County SB 823 Realignment Plan submitted January 2022. None of the contents of this Addendum has been altered from the initial submission.*

Classification & Housing Youth in Secure Track

As of March 15, there were six (6) youth housed in the SB 823 Unit, noting that one (1) youth was returned from DJJ and the remaining five (5) were ordered into the program by the juvenile court. The six (6) youths are comprised of five (5) males and one (1) trans-male (returned from DJJ and is scheduled to be released in April 2022). The current population of youth range from ages 17-19. We anticipate that in 2023, approximately eight (8) males will be returned to Alameda County from DJJ to complete the remainder of their programming.

Given the wide eligibility age range (14-25) that the law permits for secure track placement, the Alameda County Probation Department's (ACPD) housing and classification plans will be dynamic and based on the trends of the population. Given this, housing and classification decisions will be based on guiding principles and a general framework that ensures we mitigate against abuse and stress, while supporting the youth's mental health, interpersonal concord, educational success, and overall rehabilitation.

Principles for Classification & Housing Youth in Secure Track

1. House youth according to their stated gender identity
2. Consider youth preferences in housing unit placement
3. Take a holistic approach to classification -- draw on all types of information about youth, including mental health, behavioral issues and personality, vulnerability to sexual abuse, size and strength, and information obtained from families
4. Maintain flexibility around housing unit placement as youth needs and situation may change and require re-classification
5. When possible, limit the numbers of youth in each housing unit
6. Avoid grouping youth by race, ethnicity, sexuality, or gang affiliation
7. Maintain transparency and keep families informed about housing classification decisions

Currently all six (6) youth are housed in one (1) unit. As youth are returned from DJJ, and if the population by way of orders of the court, ACPD will consider the implementation of an additional unit(s) for housing and intake. As part of the classification process, ACPD will consider the following information, with the goal of keeping all youth safe and promoting youth's physical and emotional well-being:

- Age;
- Gender, gender identify and/or expression;
- History of violent and/or aggressive behavior;
- Level of emotional and cognitive development;
- Physical size and stature;
- Status as limited English proficient and the availability of bilingual staff and other interpretation services;
- Presence of intellectual or developmental disabilities;

- Physical disabilities;
- Presence of mental health needs or history of trauma;
- The youth's perception of his or her vulnerability;
- Suicide risk;
- Prior sexual victimization or abusiveness;
- Any gender nonconforming appearance or manner or identification as lesbian, gay, bisexual, transgender, or intersex; and
- Any other specific information about individual youth that may indicate heightened needs for supervision, additional safety precautions, or separation from certain other youth (mere affiliation with a gang without more specific information does not qualify).

Furthermore, with regard to housing and classification, ACPD is committed to adhering to the following practices:

1. ACPD staff gather information used for classification through conversations with youth during the intake process and medical and mental health screenings; and by reviewing court records, case files, facility behavioral records, and other relevant documentation from the youth's files. ACPD staff will avoid questioning youth about sensitive information, such as prior sexual victimization or abusiveness, when the information can be ascertained through other means. If the facility must obtain sensitive information (such as prior sexual victimization or abusiveness) by questioning youth, qualified mental health professionals will ascertain the information.
2. ACPD staff will ask all youth about their sexual orientation, gender identity, and gender expression. ACPD staff will ask youth how they want information about their sexual orientation, gender identity, and gender expression recorded and with whom that information can be discussed. ACPD staff will not make assumptions about a youth's sexual orientation, gender identity, or gender expression.
3. ACPD staff will make all classification and housing decisions on a case-by-case basis. ACPD staff will not automatically house youth with disabilities and youth with mental illness in special handling units or other specialized settings.
4. ACPD staff will not base housing or programming decisions on race or ethnicity.
5. ACPD staff will not automatically house gay, lesbian, bisexual, questioning, or intersex youth on the basis of their sexual orientation. ACPD staff will make any housing or programming decisions for such youth on an individual basis in consultation with the youth and document the reasons for such decisions.
6. ACPD staff will not automatically house transgender youth according to their birth sex. In deciding whether to assign a transgender or intersex youth to a facility or unit for males or females and in making housing and other programming decisions, staff consider, on a case-by-case basis, whether the placement will ensure the youth's health and safety, whether the placement will present management or security problems, the youth's perception of where he or she will be most secure, and any recommendations from the youth's health care provider.

ACPD staff will document the reasons for such decisions and the facility administrator or designee reviews each decision.

7. ACPD staff will not require vulnerable youth at the facility to wear wristbands, different clothing, or other identifying markings.
8. ACPD staff will not consider lesbian, gay, bisexual, transgender, or intersex identification or status or a youth's gender non-conformity as an indicator of whether a youth is or is likely to be sexually abusive or abused.
9. ACPD will maintain written policies, procedures, and actual practices to ensure that youth with disabilities receive appropriate accommodations in accordance with the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitative Act of 1973, and any applicable state laws.
10. ACPD will not exclude youth with temporary or permanent mobility impairments from the general population for that reason except by order from a physician.
11. When necessary, ACPD staff will develop individualized plans to provide for the safety of particular youth. ACPD staff will not use room confinement as a means of ensuring a youth's safety.
12. ACPD will maintain a process through which youth may request different housing, programming, education, and work assignments.

Dispositions for 707(b) and/or 290.008 Offenses 2019 – 2021

The tables below provide offense data disaggregated by gender, race/ethnicity, and age for youth with 707(b) and/or 290.008 offenses for 2019, 2020, and 2021. The totals listed at the bottom of each table represent the number of distinct youth. However, youth can have more than one sustained 707(b) or 290.008 offense.

2019	Gender		
	Female	Male	Total
Assault with a Deadly Weapon - Not Firearm		2	2
Assault with a Deadly Weapon/Force: Possible GBI	1	9	10
All Kinds of Robbery Other than Those		2	2
Assault with a Semiautomatic Firearm		3	3
Assault with a Firearm		5	5
Attempted First Degree Robbery		1	1
Carjacking		3	3
Lewd/Lascivious Act with a Child under 14 by Use of Force, etc.		1	1
Lewd/Lascivious Act with a Child under 14		4	4
Robbery – First Degree: ATM, etc.		1	1
Robbery		10	10
Robbery – First Degree		1	1
Robbery – Second Degree	7	44	51
Shooting at an Inhabited Dwelling or Occupied Vehicle, etc.		1	1
Total	7	81	88

Note. The totals listed in the bottom row represent the number of distinct youth. Youth can have more than one sustained 707(b) and/or 290.008 offense.

2019	Race/Ethnicity					Total
	Asian/ PI	Black	Hispanic	Native American	White	
Assault with a Deadly Weapon - Not Firearm			1		1	2
Assault with a Deadly Weapon/Force: Possible GBI	1	8			1	10
All Kinds of Robbery Other than Those		1	1			2
Assault with a Semiautomatic Firearm		2	1			3
Assault with a Firearm		5				5
Attempted First Degree Robbery		1				1
Carjacking		2	1			3

Lewd/Lascivious Act with a Child under 14 by Use of Force, etc.		1				1
Lewd/Lascivious Act with a Child under 14	1	3				4
Robbery – First Degree: ATM, etc.		1				1
Robbery		7	3			10
Robbery – First Degree		1				1
Robbery – Second Degree		35	14	1	1	51
Shooting at an Inhabited Dwelling or Occupied Vehicle, etc.		1				1
Total	2	61	21	1	3	88

Note. The totals listed in the bottom row represent the number of distinct youth. Youth can have more than one sustained 707(b) and/or 290.008 offense.

2019 Offense	Age Group				
	12-14	15-16	17-18	19+	Total
Assault with a Deadly Weapon - Not Firearm		2			2
Assault with a Deadly Weapon/Force: Possible GBI	2	3	3	2	10
All Kinds of Robbery Other than Those	1			1	2
Assault with a Semiautomatic Firearm	1		1	1	3
Assault with a Firearm		2	2	1	5
Attempted First Degree Robbery		1			1
Carjacking		2	1		3
Lewd/Lascivious Act with a Child under 14 by Use of Force, etc.				1	1
Lewd/Lascivious Act with a Child under 14			4		4
Robbery – First Degree: ATM, etc.	1				1
Robbery		7	3		10
Robbery – First Degree		1			1
Robbery – Second Degree	14	16	23		51
Shooting at an Inhabited Dwelling or Occupied Vehicle, etc.		1			1
Total	17	32	35	6	88

Note. The totals listed in the bottom row represent the number of distinct youth. Youth can have more than one sustained 707(b) and/or 290.008 offense.

2020 Offense	Gender		
	Female	Male	Total
Assault with a Deadly Weapon - Not Firearm		1	1
Assault with a Deadly Weapon - Transportation Personnel, etc.		1	1
Assault with a Deadly Weapon/Force: Possible GBI	3	4	7
All Kinds of Robbery Other than Those		1	1

Assault with a Firearm		2	2
Attempted First Degree Robbery		1	1
Carjacking		3	3
Lewd/Lascivious Act with a Child under 14		1	1
Rape by Means of Force, etc.		1	1
Robbery	2	3	5
Robbery – Second Degree	6	35	41
Shooting at an Inhabited Dwelling or Occupied Vehicle, etc.		2	2
Total	9	55	64

Note. The totals listed in the bottom row represent the number of distinct youth. Youth can have more than one sustained 707(b) and/or 290.008 offense.

2020	Race/Ethnicity					
Offense	Asian/ PI	Black	Hispanic	Other	White	Total
Assault with a Deadly Weapon - Not Firearm		1				1
Assault with a Deadly Weapon - Transportation Personnel, etc.	1					1
Assault with a Deadly Weapon/Force: Possible GBI		4	2		1	7
All Kinds of Robbery Other than Those		1				1
Assault with a Firearm		1	1			2
Attempted First Degree Robbery		1				1
Carjacking		3				3
Lewd/Lascivious Act with a Child under 14		1				1
Rape by Means of Force, etc.		1				1
Robbery		4	1			5
Robbery – Second Degree	3	30	5	1	2	41
Shooting at an Inhabited Dwelling or Occupied Vehicle, etc.		1	1			2
Total	4	46	10	1	3	64

Note. The totals listed in the bottom row represent the number of distinct youth. Youth can have more than one sustained 707(b) and/or 290.008 offense.

2020	Age Group				
Offense	12-14	15-16	17-18	19+	Total
Assault with a Deadly Weapon - Not Firearm		1			1
Assault with a Deadly Weapon - Transportation Personnel, etc.				1	1
Assault with a Deadly Weapon/Force: Possible GBI	1	2	4		7
All Kinds of Robbery Other than Those	1				1
Assault with a Firearm		1		1	2
Attempted First Degree Robbery			1		1

Carjacking		2		1	3
Lewd/Lascivious Act with a Child under 14			1		1
Rape by Means of Force, etc.				1	1
Robbery		2	3		5
Robbery – Second Degree	4	17	19	1	41
Shooting at an Inhabited Dwelling or Occupied Vehicle, etc.			2		2
Total	5	24	30	5	64

Note. The totals listed in the bottom row represent the number of distinct youth. Youth can have more than one sustained 707(b) and/or 290.008 offense.

2021 Offense	Gender		
	Female	Male	Total
Assault with a Deadly Weapon - Not Firearm		2	2
Assault with a Deadly Weapon/Force: Possible GBI		3	3
Assault with a Semiautomatic Firearm		2	2
Assault with a Firearm		5	5
Attempted First Degree Robbery		1	1
Carjacking	1	3	4
Lewd/Lascivious Act with a Child under 14		3	3
Rape in Concert of a Minor 14 or Older		1	1
Robbery		3	3
Robbery – First Degree	1		1
Robbery – Second Degree	5	27	32
Shooting at an Inhabited Dwelling or Occupied Vehicle, etc.		1	1
Total	6	48	54

Note. The totals listed in the bottom row represent the number of distinct youth. Youth can have more than one sustained 707(b) and/or 290.008 offense.

2021 Offense	Race/Ethnicity						Total
	Asian/ PI	Black	Hispanic	Other	Unknown	White	
Assault with a Deadly Weapon - Not Firearm			1			1	2
Assault with a Deadly Weapon/Force: Possible GBI		2	1				3
Assault with a Semiautomatic Firearm			2				2
Assault with a Firearm	1	1	3				5
Attempted First Degree Robbery		1					1
Carjacking		1	2	1			4
Lewd/Lascivious Act with a Child under 14		1	1		1		3

Rape in Concert of a Minor 14 or Older		1					1
Robbery		3					3
Robbery – First Degree		1					1
Robbery – Second Degree		28	4				32
Shooting at an Inhabited Dwelling or Occupied Vehicle, etc.						1	1
Total	1	37	12	1	1	2	54

Note. The totals listed in the bottom row represent the number of distinct youth. Youth can have more than one sustained 707(b) and/or 290.008 offense.

2021	Age Group				
Offense	12-14	15-16	17-18	19+	Total
Assault with a Deadly Weapon - Not Firearm		2			2
Assault with a Deadly Weapon/Force: Possible GBI		3			3
Assault with a Semiautomatic Firearm	1		1		2
Assault with a Firearm	1	1	3		5
Attempted First Degree Robbery			1		1
Carjacking	1	2	1		4
Lewd/Lascivious Act with a Child under 14		3			3
Rape in Concert of a Minor 14 or Older				1	1
Robbery		1	2		3
Robbery – First Degree		1			1
Robbery – Second Degree	7	17	7	1	32
Shooting at an Inhabited Dwelling or Occupied Vehicle, etc.			1		1
Total	10	27	15	2	54

Note. The totals listed in the bottom row represent the number of distinct youth. Youth can have more than one sustained 707(b) and/or 290.008 offense.

The following tables provide data regarding the placements for all youth with sustained 707(b) and/or 290.008 offenses disaggregated by gender, race/ethnicity, and age for 2019, 2020, and 2021. Youth can have more than one 707(b) offense sustained.

2019	Gender		
Placement	Female	Male	Total
Camp Sweeney - Active		19	19
Non-Ward 725(a) - Active	2	5	7
Placement (Own/Relatives Home) - Active		25	25
Wardship (Other) - Active	1	3	4
Wardship (Own Home) - Active	5	33	38

Total	7	81	88
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Note. The totals listed in the bottom row represent the number of distinct youth. Youth can have more than one sustained 707(b) and/or 290.008 offense and associated dispositions.

2019	Race/Ethnicity					
Placement	Asian/ PI	Black	Hispanic	Native American	White	Total
Camp Sweeney - Active	1	13	5			19
Non-Ward 725(a) - Active		6	1			7
Placement (Own/Relatives Home) - Active		17	4	1	3	25
Wardship (Other) - Active		4				4
Wardship (Own Home) - Active	1	26	11			38
Total	2	61	21	1	3	88

Note. The totals listed in the bottom row represent the number of distinct youth. Youth can have more than one sustained 707(b) and/or 290.008 offense and associated dispositions.

2019	Age Group					
Placement	12-14	15-16	17-18	19+	Total	
Camp Sweeney - Active		10	9		19	
Non-Ward 725(a) - Active	1	2	4		7	
Placement (Own/Relatives Home) - Active	5	9	11		25	
Wardship (Other) - Active	1	1	1	1	4	
Wardship (Own Home) - Active	10	12	11	5	38	
Total	17	32	35	6	88	

Note. The totals listed in the bottom row represent the number of distinct youth. Youth can have more than one sustained 707(b) and/or 290.008 offense and associated dispositions.

2020	Gender		
Placement	Female	Male	Total
Camp Sweeney - Active		17	17
Non-Ward 725(a) - Active	2	4	6
Placement (Own/Relatives Home) - Active	2	6	8
Placement (Private Facility) - Active	1	4	5
Wardship (Other) - Active	2	1	3
Wardship (Own Home) - Active	4	21	25
Wardship (Relatives Home) - Active		2	2
Total	9	55	64

Note. The totals listed in the bottom row represent the number of distinct youth. Youth can have more than one sustained 707(b) and/or 290.008 offense and associated dispositions.

2020	Race/Ethnicity					
Placement	Asian/PI	Black	Hispanic	Native American	White	Total
Camp Sweeney - Active		13	4			17
Non-Ward 725(a) - Active	1	4	1			6
Placement (Own/Relatives Home) - Active	1	5	2			8
Placement (Private Facility) - Active		4	1			5
Wardship (Other) - Active	1	2				3
Wardship (Own Home) - Active	1	19	2	1	2	25
Wardship (Relatives Home) - Active		1			1	2
Total	4	46	10	1	3	64

Note. The totals listed in the bottom row represent the number of distinct youth. Youth can have more than one sustained 707(b) and/or 290.008 offense and associated dispositions.

2020	Age Group				
Placement	12-14	15-16	17-18	19+	Total
Camp Sweeney - Active		7	10		17
Non-Ward 725(a) - Active	1	1	4		6
Placement (Own/Relatives Home) - Active		5	3		8
Placement (Private Facility) - Active		3	2		5
Wardship (Other) - Active	1	1		1	3
Wardship (Own Home) - Active	4	8	9	4	25
Wardship (Relatives Home) - Active			2		2
Total	5	24	30	5	64

Note. The totals listed in the bottom row represent the number of distinct youth. Youth can have more than one sustained 707(b) and/or 290.008 offense and associated dispositions.

2021	Gender		
Placement	Female	Male	Total
Camp Sweeney - Active		12	12
DEJ WIC 790 - Active		1	1
Non-Ward 725(a) - Active	2	1	3
Placement (Own/Relatives Home) - Active	2	11	13
Placement (Private Facility) - Active		6	6
Wardship (Own Home) - Active	3	22	25
Total	6	48	54

Note. The totals listed in the bottom row represent the number of distinct youth. Youth can have more than one sustained 707(b) and/or 290.008 offense and associated dispositions.

2021	Race/Ethnicity						
Placement	Asian/ PI	Black	Hispanic	Other	Unknown	White	Total
Camp Sweeney - Active	1	8	2			1	12
DEJ WIC 790 - Active					1		1
Non-Ward 725(a) - Active		2		1			3
Placement (Own/Relatives Home) - Active		10	2			1	13
Placement (Private Facility) - Active		5	1				6
Wardship (Own Home) - Active		17	8				25
Total	1	37	12	1	1	2	54

Note. The totals listed in the bottom row represent the number of distinct youth. Youth can have more than one sustained 707(b) and/or 290.008 offense and associated dispositions.

2021	Age Group					
Placement	12-14	15-16	17-18	19+	Total	
Camp Sweeney - Active		8	4		12	
DEJ WIC 790 - Active		1			1	
Non-Ward 725(a) - Active	2	1			3	
Placement (Own/Relatives Home) - Active	4	6	3		13	
Placement (Private Facility) - Active	2	1	3		6	
Wardship (Own Home) - Active	4	13	6	2	25	
Total	10	27	15	2	54	

Note. The totals listed in the bottom row represent the number of distinct youth. Youth can have more than one sustained 707(b) and/or 290.008 offense and associated dispositions.