

**Boys & Men of Color Select Assembly Hearing**  
**January 20, 2012**  
**Testimony by David Muhammad,**  
**Alameda County Chief Probation Officer**

To Chairman Swanson and other distinguished members of the Select Committee, my name is David Muhammad and I am the Chief Probation Officer for the Alameda County Probation Department.

It is my honor to testify before this committee on this most important issue.

In Alameda County, there are 2,000 youth on probation and 15,000 adults on probation. When AB 109 and the other Realignment legislation are fully implemented we expect an additional 1,800 adults under the supervision of the Probation Department.

Even though African Americans make up only 12 percent of the county's population, more than 50 percent of both youth and adults on probation are African American. Latinos make up 22 percent of the youth and adults on probation.

Though born and raised in Oakland, I recently returned to become the Chief Probation Officer having previously been in New York City and Washington, DC to help reform the juvenile and criminal justice systems there. I am happy to have come home, with a mandate and the support from the Board of Supervisors to make significant improvements in our system here.

The overall reform efforts we are making in Alameda County Probation is one of **Positive Youth Development** - where we want to build on the strengths and assets of the people we serve - going away from the old correctional, punitive model of solely focusing on the deficits and problems of those on probation. We have begun to train all 200 of our Probation Officers in an intense new training called, "Positive Client Development."

Another way we are systematizing the Positive Youth Development effort, is to implement Individual Achievement Plans (IAPs). Soon, all Probation Officers will have to develop Individual Achievement Plans (IAPs) with the youth or adults on their case load. The IAP has seven domains of development: Family Services, Education, Employment, Drug treatment, Mental Health Services, A Healthy Relationship with a Positive Adult, Anti-social peers & thinking, and for adults we add Housing.

With all the assessments, evaluations, and reports we have on the client, and in communication with the client, the Probation Officer selects the three domains that will be the focus of the time the person is on probation. The PO and the client develop a goal in each of the three domains and then the PO connects the client with services that will help to achieve the goal. For example, if one the selected domains is employment, the goal is to complete an employment training program, and the service is a connection to one of the City of Oakland's Measure Y Employment services providers.

We will also be placing POs in the community, closer to where the youth live. We will be placing Probation Officers in schools, community centers, and Community Based Organizations.

The Department is also taking a Trauma Informed Intervention approach. We understand that the young people who show up at our juvenile hall, having been arrested for delinquent behavior didn't just begin this behavior out of nowhere. The vast majority of these young people have experienced some pain and trauma in their lives that has produced their own delinquent behavior. If all we do is punish their behavior and not address the underlining trauma they have experienced, we will never be successful.

In our juvenile facilities we are also making changes as well as building on existing strengths. One of those strengths is the Transition Center we have in our juvenile hall. The Transition Center is a collaboration between Probation, the county Health Care Services Agency, the City of Oakland, and the Oakland Unified School District – to ensure that youth leaving Juvenile Hall have necessary medical appointments, a case manager from a community based organization, and that they are enrolled in school. We hope this Transition Center will become a model for the state and the country.

In our juvenile Camp, we will be implementing the renowned Missouri Model - the program based on positive peer culture that has made Missouri the state with the lowest recidivism rates in the nation.

In a few weeks, we will also be launching our "Reading & Homework Hour" where we are recruiting hundreds of volunteers from the community to come into the juvenile hall and help the youth with their homework or read with them. We will have an hour everyday where community members can come up and spend time with the young people in an effort to increase academic achievement as well as build meaningful relationships.

These are a few of the reforms we are undertaking in Alameda County. All of which can be replicated throughout the state.

I close my testimony with three specific recommendations for the State Legislature.

1) **Incentivized Achievement:** SB 678 was passed and implemented in California with great success. This legislation provides financial incentives to probation departments to reduce the number of people in the county sent to state prison. SB 678 was taken from Arizona's Safe Communities Act of 2008. But CA only used half of that act. The other half of that legislation was to give good time credit for probation. In AZ, for every 30 days that you serve on probation without any violations or re-arrests, you get 20 days off of probation. This innovative legislation does a great job of both incentivizing people on probation to do good as well as reducing the probation rolls to create a more efficient and effective government in a time of limited resources. CA should implement this part of the AZ law and even improve upon it by incentivizing actual achievement – like getting time off probation for earning your diploma, or for going to college, or for completing a rehabilitation program.

**2) Change the Realignment Allocation Formula:** The groundbreaking criminal justice realignment legislation that has reduced the state prison population and has correctly given counties more responsibility for its own residents, has a flawed funding formula. Counties with a history of sending greater numbers of lower level offenders to state prison were rewarded while counties like Alameda, which has historically kept most of the non-violent offenders local, were penalized financially. The frustrating irony is that the very spirit of this legislation is for counties to keep the lower level offenders, yet the state allocated the realignment funds in a skewed way. The state must correct this wrong by changing the funding formula to a more fair allocation.

Lastly,

3) The Governor has proposed closing intake to the state's juvenile justice system, DJJ, in January 2013, which would eventually close the system entirely. DJJ, formally known as CYA, has a long, documented history of abuse, dysfunction, and failure. Closure of DJJ makes sense - but, it must also be closed responsibly and not inadvertently cause greater harm. In Alameda County, we have the space, capacity, and desire to take our youth back and keep any future youth from going to the state system. But in order to do this we need to receive the appropriate resources from the state. The state spends \$200,000 per year, per youth in DJJ, so it could give Alameda County a fair allocation while still saving money. We would also need other statutory authority in order to ensure we don't see an increase of youth charged as adults in Alameda County as a result of DJJ closure. And I also recognize that other counties are not in the same situation as Alameda and may not have the ability to keep their youth who go to DJJ. A reasonable solution must be developed for these jurisdictions as well.

I would like to thank Chairman Swanson and the Select Committee for this opportunity. I also want to thank the CA Endowment and Urban Strategies Institute.

I would gladly take any questions you may have.