





## San Francisco Juvenile Probation Department

### Juvenile Hall Policy and Procedures Manual

#### Chapter 1 - Administration, Organization, and Management

Policy Number:	1.05
Policy Name:	Alternative Means of Compliance
Authority:	Title 15, 1304
Replaces:	
Effective Date:	January 1, 2019
Revision Date:	November 8, 2018
Related Policies and Procedures:	
Related Forms:	
Director of Juvenile Hall:	Bobby Uppal 
Chief Probation Officer:	Katherine Weinstein Miller 

**I. POLICY**

- A. An alternative means of compliance is the long-term method used by a local juvenile facility/system, approved by the Board, to encourage responsible innovation and creativity in the operation of California's local juvenile facilities. The Board may, upon application of a city, county, or city and county, consider alternative means of compliance with these regulations either after the pilot project process has been successfully evaluated or upon direct application to the Board. The city, county, or city and county shall present the completed application to the Board no later than 30 days prior to the expiration of its pilot project, if needed.
- B. Applications for alternate means of compliance shall meet the spirit and intent of improving facility management, shall be equal to, or exceed the intent of, existing standard(s), and shall include reporting and evaluation components. An application for alternate means of compliance shall include, at a minimum, the following information:
- i. any lawsuits brought against the applicant local facility, pertinent to the proposal.
  - ii. a summary of the "totality of conditions" in the facility or facilities, including but not limited to:
    - a. program activities, exercise, and recreation;
    - b. adequacy of supervision;
    - c. types of youth affected; and,
    - d. classification procedures.
  - iii. a statement of the problem the alternate means of compliance is intended to solve, how the alternative

shall contribute to a solution of the problem and why it is considered an effective solution;

- iv. the projected costs of the alternative and projected cost savings to the city, county, or city and county, if any;
  - v. a plan for developing and implementing the alternative including a timeline where appropriate; and,
  - vi. a statement of how the overall goal of providing safety to staff and youth was or would be achieved during the pilot project evaluation phase.
  - vii. documentation of community outreach, engagement, or public notice regarding application.
- C. The Board may consider applications for alternate means of compliance based on the relevance and appropriateness of the proposed alternative, the applicant's history of compliance/noncompliance with regulations, the completeness of the information provided in the application, the experiences of the jurisdiction during the pilot project, if applicable and staff recommendations.
- D. Within 10 working days of receipt of the application, Board staff shall notify the applicant, in writing, that the application is complete and accepted for filing, or that the application is being returned as deficient and identifying what specific additional information is needed. This does not preclude the Board members from requesting additional information necessary to make a determination that the alternate means of compliance proposed meets or exceeds the intent of these regulations at the time of the hearing. When complete, the application shall be placed on the agenda for the Board's consideration at a regularly scheduled meeting. The written notification from the Board to the applicant shall also include the date, time, and location of the meeting at which the application shall be considered.

## 1.05 Alternative Means of Compliance

- E. When an application for an alternative means of compliance is approved by the Board, Board staff shall notify the applicant, in writing within 10 working days of the meeting of any conditions included in the approval and the time period for which the alternate means of compliance shall be permitted. Regular progress reports and evaluative data on the success of the alternate means of compliance shall be submitted by the applicant. If disapproved, the applicant shall be notified in writing within 10 working days of the meeting, the reasons for said disapproval. This application approval process may take up to 90 days from the date of receipt of a complete application.
  
- F. The Board may revise the minimum standards during the next biennial review based on data and information obtained during the alternate means of compliance process. If, however, the alternate means of compliance does not have universal application, a city, county, or city and county may continue to operate under this status as long as they meet the terms of this regulation.