

**COUNTY OF SANTA CLARA**  
**JUVENILE JUSTICE COMMISSION**  
**APPROVED Meeting Minutes - August 2, 2016**  
**DA Crime Lab, Conf Room, 250 W Hedding St, San Jose, CA**

**Commissioners Present:** Raúl Colunga, Chair  
Jean Pennypacker, Vice Chair  
Ronald Hansen, Secretary  
Penelope Blake, Past Chair  
Anusha Agarwal  
Victoria BurtonBurke  
Bonnie Charvez  
Courtney Macavinta  
Carol Rhoads  
Pamela Serrano  
Vincent Tarpey

**Commissioners Absent:** Commissioners Raymond Blockie, Gustavo Gonzalez, and Nora Manchester

**Also Present:** Honorable Franklin Bondonno, Superior Court  
Honorable Pat Tondreau, Superior Court  
Jenny Lam, Deputy County Counsel, County Counsel's Office  
Andrew Cain, LACY  
Carissa Keller, Superior Court  
Chris Arriola, Supervising Deputy District Attorney, District Attorney's Office  
David Epps, Alternate Defender Office (ADO)  
Elsa Jennings, Probation Manager, Probation Department  
J. J. Kapp, Assistant Public Defender, Public Defender's Office  
Janice Jones, Superior Court  
Jennifer Hubbs, SSPM, Department of Family and Children's Services/RAIC  
Jermaine Hardy, Deputy Chief Probation Officer, Probation Dept.  
Karen Brajenovich, Associate Ombuds, Juvenile Welfare Office of the Ombudsman  
Kathy Martinez, Deputy Chief, Probation  
Kevin Rudich, Alternate Defender Office  
Kutja De Groot, Ombuds, Juvenile Welfare Office of the Ombudsman  
Michael Clarke, Probation Manager, Probation Department  
Nisreen Baroudi, Juvenile Court Supervising Attorney, Public Defender's Office  
Robert Young, Probation Manager, Probation Department  
Sally Lawrence, Healthcare Program Manager, BHSD/Department of Alcohol and Drug Services  
Sakeenah El-Amin, Law Program Manager, FLY  
Sean Rooney, Probation Manager, Probation Department

**Guests Present:** Mario Lopez, Policy Aide for Supervisor Dave Cortese  
Michael Castañeda, Intern for Supervisor Cindy Chavez

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**Call to Order & Introductions:** Chair Colunga called the meeting to order at 12:15 p.m. All who were in attendance stated their name and organization.

**Public Comments/Oral Petitions:** None.

**Agenda Approval:** Moved by Commissioner Tarpey and seconded by Commissioner Pennypacker, the agenda for August 2, 2016, was approved unanimously.

**Approval of Minutes:** Moved by Commissioner Hansen and seconded by Commissioner Tarpey, the minutes of July 5, 2016, was approved unanimously.

**REPORTS**

**Chair’s Report:** Chair Colunga reported on the following:

- Commissioner Hansen will Chair September meeting due to foreseen absence of Commissioner Colunga and Commissioner Pennypacker. Commissioner Macavinta volunteers to take notes during September meeting.
- RAIC Report and Group Home Report approved and posted.
- Court Users Report should be approved this afternoon.
- Ranch Report in process, and should be ready in September meeting.
- Robert DeJesus’ retirement party is approaching.

**Juvenile Justice Court:** Judge Tondreau reported on the following:

- Superior Court Professional Employees’ Association (SCPEA), members of the court, will be on strike beginning August 3, 2016. Superior Court will conduct business at a limited capacity focusing on essential services. Dependency department will have enough coverage.
- Dependency Department will be moved into the Family Justice Center August 19, 2016, and begin conducting business August 22, 2016. Courts have four conference rooms to conduct meetings. Everyone is invited to visit the new facility.
- Judge Tondreau appreciates the California Anchor Group Home Inspection Report, and would like to know if the dependents mentioned in the report are still in the group home.
  - Response from Andrew Cain: one is at the home.
- Is there follow-up on securing an expert on child abuse for the juvenile dependency system? Judges have signed a letter for County Executive.
  - Commissioner Rhoads: Met with Andrew Cain and Dr. Paul Russell from VMC on June 10<sup>th</sup>, and Dr. Russell articulated a plan. The current status is unknown, but will Commissioner Rhoads will follow-up.
  - Andrew Cain: Also met with Mario Lopez, and it is a big concern for President Cortese’s office as well.
- Judge Johnson is featured on the front page and in the lead article titled “Skirting Gender Discrimination; From then to Now” of The Bench, a magazine from California Judge’s Association.

Judge Bondonno reported on the following:

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- Judge Lucero is absent due to her giving a speech to a community group in the afternoon.
- Judge Johnson is traveling to Texas to be a panelist on for National Family Law and Juvenile and Justice Meeting covering the topic, “How to get Along with Probation.”
- Attempted to find how many responses to the 48 letters sent to individual PhDs and the 15 sent to different schools. Does not have a hard number. Pushing to get a response soon.
- Issue of the strike, the department will be split; all three departments with one Judges (because only one clerk) as follows:
  - Judge Bondonno Wednesday, 8/3/16;
  - Judge Lucero – Thursday, 8/4/16; and
  - Judge Johnson – Friday, 8/5/16

**Probation Department Juvenile Program:** Mr. Jermaine Hardy reported on the following:

- Followed up on the surveillance ordinance (for surveillance technology) adopted on June 21<sup>st</sup>. There are some funds set aside for programs, but unsure if those funds will be used for surveillance technology implementation. Will take some work to implement. There are three requirements:
  - Must conduct do a surveillance report addressing the impact on those in or under surveillance;
  - Must have written policy on the use of the technology (i.e. what information is being collected; why; how will the information be destroyed after the information is no longer needed?);
  - Must complete an annual report to the board every year.Probation must do report to Board about future policies and existing policies. In 180 days report out on the existing camera system at the Ranch and Juvenile Hall, about all existing technology. Annual report cycle is out in January/December.
- Will follow-up on Juvenile Hall camera system (i.e. body worn cameras for transportation, etc.) and the impact on current construction and ABS engineering security projects. Timeline is unknown.

Commissioner Colunga request for Mario to inquire with Supervisor President Cortese to provide clear direction of what needs to happen for money previously designated for capital projects go towards the installation and implementation of the surveillance technology.

Commissioner Macavinta questioned public access to the information gathered from the cameras. Mr. Hardy clarified the information is regarding juveniles, therefore he is not as concerned about public access to the information.

Addition from Probation member:

- Annual shift change approaching soon. This will impact the court due to new court staff. Request for patience.

Commissioner Blake noted that the Probation Dept statistics show the total number of youth in custody to now be less than 100. This is a big change from only a few years past.

Ms. Kathy Martinez from Probation reported on the following:

- The numbers continue to decline in terms of referrals.

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- Finishing annual report with the court from 2015, to be available in the next month or two.
- 25 youth in placement: 12 non-minor dependents and 13 in foster care placement.
- 1 or 2 children in juvenile hall awaiting placement

Commissioner Colunga would like to know if there will be a public presentation of the annual report. Ms. Martinez states it is possible.

**Department of Family & Children’s Services (DFCS)/Receiving Center:** Ms. Jennifer Hubbs reported on the following:

- The first Juvenile Dependency Beyond the Bench will be 9/9/16. Having to recreate flyer but they should go out today. It will be at the Masonic. Brown Paper Ticket link will be available.
- Night shift at RAIC will have after hours’ function for the rest of the agency with a fresh staff. It will be a 24-hour agency. They will have night shift workers. Advertised for team of workers willing to do a lot of functions. There will be 15 stations in the same area. Hope to have conversion complete over a weekend. Kids will not be affected with change in area.
- Doing big drive for donations for bags and socks. Looking for little children toys.
- Gift cards for foster parents is running well. Participants are appreciative. It is helping to get children into relative placement. RAIC has been able to balance every month.
- Participating with behavioral health and probation with Kathy arranging half day brain storming.
- County doing assessment of what 24/7 coverage means. Department still remains a priority.
- Population: 2
- Will be giving out stats sheets for July and August from RAIC only.
- A Director has been hired.

Commissioner Blake gives official thank you for the report.

**Behavioral Health - Mental Health Services:** No report.

**Behavioral Health - Alcohol and Drug Services:** Ms. Sally Lawrence reported on the following:

- Supervisor Chavez, in partnership with District Attorney Rosen and Behavioral Health, have created presentations addressing “Marijuana Use and Abuse: The Myths, Facts, and What Every Community Should Know” taking place at the Santa Clara Convention Center all day on September 8<sup>th</sup>, and half day September 9<sup>th</sup>. The event will have many speakers. Flyers are on the table.

**Law Enforcement Agencies:** No report.

**District Attorney’s Office, Juvenile Justice:** Mr. Chris Arriola reported on the following:

- There were 2 direct files: murder from some time ago, and attempted murder with gun. Working on report for direct files to be ready in September.

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- On prevention side, 8/2/16, is National Night Out in 40 locations throughout the county. Information is available on Police Department websites.
- Congratulations to Probation Department on 75 youth in hall. Referrals are roughly the same. 50% drop on in custody, but fortunate to have crime rate drop.
- Murder numbers are holding steady at 9 or 10. The numbers are down from 2009-2010 year.

**Public Defender's Office:**

Ms. Nisreen Baroudi reported on the following:

- Public Defender's Office was able to raise \$800 to purchase backpacks and school supplies for at least 40 families. The event held 8/2/16 from 5:30 – 7:30 P.M. The project was a collaboration with the Probation Office.
- Reforming DOR forms in light of the moratorium in light of on the fees. Current forms do not make since to parents. Office is trying to assist parents to see if there is an appeal process in regards to the fees. DOR is still attempting to collect previous owed fees.
- There is an attempt throughout the county to examine DV cases and the perceived severity of the crime.

J.J. Kapp reported on the following:

- Announced Pamela Serrano's retirement from the Public Defender's and recognized her service and contribution to both the JJC and the Public Defender's office.

**Independent Defender's Office:** No report.

**Alternate Defender Office:** Mr. Kevin Rudich reported on the following:

- ADO also contributed to school supply drive.
- Announced the retirement of one doctor and the resignation of a second at Juvenile Hall Medical Clinic.

**Legal Advocates for Children & Youth (LACY):** Mr. Andrew Cain reported on the following:

- Currently hiring for staff attorney
- Long standing partnership with Muslim American Society of Santa Clara County who provide 200 to 300 backpacks to give to clients. If an office shares a mutual client, the client can receive a backpack.

**Medical Services:** No report.

**Alternative Schools Department, COE:** No Report.

**Victim Witness Assistance Center:** No Report.

**YWCA Support Services:** No report.

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**Announcements/Correspondence:** Mario Lopez announces the annual Day on the Bay event will be October 9<sup>th</sup>, at the Alviso Marina County Park. Everything is free. There will be a general resource fair.

Dana Bunnett reported Kids in Common is having a ROONGA drive to buy schools or classrooms items to give to the children. Search [www.roonga.com](http://www.roonga.com)

**Old Business:** None.

**New Business:** Commissioner Colunga announced Miguel Marquez has been hired as COO of the County, replacing Gary Graves.

**Adjourn to Executive Session:** Chair Colunga adjourned the meeting to Executive Session at 1:06 p.m.

**Next Meeting:** September 6, 2016, at 12:15 p.m.

**Respectfully submitted,**

**Janice Jones  
Recording Secretary**