

**COUNTY OF SANTA CLARA
JUVELINE JUSTICE COMMISSION
DRAFT Meeting Minutes-January 7, 2014
Juvenile Probation
4th Floor Training Room
840 Guadalupe Parkway
San Jose, CA 95110**

Commissioners Present: Penelope Blake, Chair
Raul Colunga, Vice Chair
Stephen Betts, Secretary
Raymond Blockie
Dana Bunnett
Bonnie Charvez
Tracy Lauth
Calixto Manriquez
Nora Manchester
Jean Pennypacker
Anita Sunseri
Vincent Tarpey

Commissioners Absent: Pamela Serrano and Kimberly Dong

Also Present: Honorable Patrick Tondreau, Superior Court, Dept. 77
Honorable Jesus Valencia, Superior Court, Dept. 79
Honorable Michael Clark, Superior Court, Dept. 78
Chris Arriola, District Attorney's Office
Robert De Jesus, Probation Department
David Epps, Alternate Defender's Office
Jose Franco, Public Defender's Office
Karen Steiber, Independent Defense Office
Rita Loncarich, Probation Department
Mariel Caballero, Probation Department
Anne Elwart, Probation Department
Elsa Jennings, Probation Department
Laura Garnette, Probation Department
Jason Herr, San Jose Police Department
Alvaro Viramontes, Legal Advocacy Manager, YWCA
Sue Nelson, Department of Alcohol & Drug Services (DADS)
Ernesto Bejarano, Department of Alcohol & Drugs Services (DADS)
Jenny Lam, County Counsel
Cybele Lo Vuolo Bhusman, Board Secretary, ACLU-Mid Peninsula
Jaime Lopez, Department of Family & Children's Services (DFCS)/Receiving Center
Jennifer Hubbs, Department of Family & Children's Services (DFCS)/Receiving Center
Steve Monte, Mental Health Department
Vamsey Palagumm, FLY

Guests Present: Baljit Nagi, Pathway
Victoria Bustan-Burke, Private Citizen

Call to Order & Introductions: Chair Blake called the meeting to order at 12:18 p.m. All who were in attendance stated their names and organization.

Agenda Approval: The agenda was approved unanimously.

Public Comments/Oral Petitions: None.

Review & Approval of Minutes: The following changes were made to the December 3, 2013:

1. Page 4, under DFCS, last bullet point referenced the next RAIC meeting date as Tuesday, December 10. Correct date is Tuesday, January 7, 2014.
2. Page 6, under Public Defenders Office listed a meeting set for December 13, 2013. The meeting is for the Program and Preventions Meeting and should be added.

Moved by Commissioner Manchester & seconded by Commissioner Lauth, the minutes of December 3, 2013 were approved unanimously as amended.

REPORTS

Chair's Report: Chair Blake reported on the following:

- Work continues on the Juvenile Hall report.
- Law enforcement agency (LEA) inspections have begun with approximately ten (10) monthly inspections planned.
- Still working closely with DFCS on the new Receiving, Assessment & Intake Center (RAIC) process.

Juvenile Justice Court: Judge Tondreau reported on the following:

- The Leadership Group met on Monday, January 6, 2014 and talked about a March-April time frame with some new hires, which will allow elimination of the wait list. The group also talked about issues such as interpreters and The Virginia Restoration Program. The group will continue to meet quarterly.
- Receiving Center final meeting is at 2:00 pm today (January 7, 2014.) A preliminary draft was received with a recommendation to move forward and eventually eliminate the Receiving Center, to re-purpose staffing and to re-allocate funding to recreate more use of relatives, professional parents and some group homes.

Judge Valencia reported on the following:

- The holiday decorating contest, with Judge Valencia as a judge, was a great activity with lots of themes in each of the units. It was wonderful to see these kids in the holiday spirit. Probation is to be commended for organizing the event.

Dependency Court: Judge Clark reported on the following:

- There are no changes in Bench Officers for Juvenile Dependency Court for 2014 with Judge Shawna Schwarz remaining in Dept. 60, Judge Jackie Arroyo in Dept. 70, Judge Mike Clark in Dept. 67 and Judge Katherine Lucero, who's moving to Delinquency will keep her dependency hearings two (2) times per month in Dept. 107 in South County. First time in history that all 4 Juvenile Dependency Judges are former dependency law practitioners.
- Special projects include Dependency Wellness Court, which is drug court for parents and juvenile dependency proceedings, with Judge Arroyo & Judge Clark carrying a full calendar one day a week.
- Judge Schwarz continues to hear the Teen Court in Dept. 60 along with the non-dependent minor calendar for 18 or older. These youths can stay through age 21 and continue to receive services.
- A work group was developed to look at the domestic violence restraining order process in Juvenile Dependency cases to help parents start the process and to develop a better transition.

Chair Blake complimented DFCS for their remarkable job with the non-dependent minors adding that most of these kids stayed through the process.

Mental Health: Mr. Steve Monte reported on the following:

- Juvenile Competency Leadership Committee covered a lot of good territory with thanks to JJC for suggesting involvement.
- Juvenile Competency Restoration Program waiting list is six (6) and as of January 1, 2014, the longest wait of any youth at 163 days for the youth that has been on the list the longest. The youth on the list is not at the top of the list due to his out-of-custody status. The list is expected to decrease as a number of cases are in the tail end of the process. Expanding our capacity temporarily with the recognition that some of these youths are waiting on a judicial determination are not needing services as intensely.
- Recruitment for Restoration Counselor position will close on Thursday, January 9, 2014. The process may take three (3) weeks to two (2) months with Human Resources and are looking at ways to accelerate the training and on-board process.
- Mental Health clinic at Juvenile Hall will be up to full staff within a month adding a new hire in late January to early February.

Probation Department Juvenile Program: Ms. Rita Loncarich reported on the following:

- Distributed the population report and noted population is 143 with the Ranch population at 54.
- CVO appreciation Holiday mixer dinner hosted by MAC was a huge success, with Bill Lawler, who's played Santa for 47 years, attending the event.
- Annual Public Defender pizza party was also a success.
- Getting ready for the State inspection for Juvenile Hall and the Ranch in March with a pre-inspection meeting will be in February.
- Kick off this month with the Prison Rate Elimination Act (PREA) which is legislation that was passed in 2003. It's national training involving many entities.

Ms. Laura Garnette reported on the following:

- The holiday festivities which included a pizza party, poster contest & pod decorating contest along with a staff band that included participation from the kids was a huge success.

Mr. Robert DeJesus reported on the following:

- Thanks to all for an outstanding 2013 and for Juvenile Institutions Division that created an assessment and orientation unit with a collaborated effort from all divisions to re-establish a work program and task program.
- Thanks to Juvenile Hall managers for an outstanding work in 2013.
- Ms. Elsa Jennings is replacing Ms. Diana Teves as Acting Manager inside Juvenile Hall.
- An assessment and orientation unit will look at how youths are classified and housed within Juvenile Hall and the Ranch. This unit will identify what the factors, risks and needs are and to take a look at the body of units and how to re-classify or re-organize.
- Compliments to staff on organizing the holiday party which created a positive environment for the youth. Three (3) generations of Santa; Bill, Bills son and grandson were in attendance.

Commissioner Bunnett asked if the re-organization is an internal process and will there be any youth focus groups. Mr. DeJesus said it is an internal process as part of the evidence based strategies, with

seven (7) work groups formed as a way of inviting staff to participate in the decision making process from the line level counselor to the practical operations, supervisors and managers. Youth have already been heard as it relates to the Assessment and Orientation Unit and they expressed that they feel safe. Biggest challenge for this effort is logistics.

Commissioner Bunnett asked what the capacity of females is at the Ranch. Mr. DeJesus said it is twelve (12) with three (3) on a waiting list.

Ms. Garnette continue her report on the following:

- Re-organization is complete in the Juvenile Unit which was reduced from six (6) to five (5) geographical units.
- Rachel McDaniels and Desi Escobar have been assigned to the Dually Involved Youth Unit. Two teams will jointly manage these cases. ISU creating a stand-alone shared data base system.
- Eighty (80) kids in wraps with more kids being served at home.
- Thanks to Mental Health, Psychiatrist Julian Ford, who has the target model for Trauma Informed services for Juvenile Justice Youth, is working with JPD gratis. It is an evidence based intervention specifically for juvenile justice youth. Dr. Ford wants to have the evidence on our demographics and jurisdiction and to focus on institutional staff by having Trauma SWAT Team command on site for two (2) weeks to train staff.
- Issued a Request for Proposal (RFP) for \$250K for positional activities are in negotiation with collaborative agencies.

Commissioner Colunga requested an update on the construction of the Ranch. Mr. DeJesus indicated that he received an email with regards to the construction which will now begin in December 2014, adding that the construction needs to be complete by December 2016. This will be a design-bid-build project, meaning that a certain percentage of the design has been accomplished and once a contractor/builder is selected, they will be responsible for a smaller percentage of design and will have some flexibility in selecting materials to be used. This will be a phase approach, building a new unit before demolishing the current one.

Commissioner Bunnett indicated an interest in seeing the blue prints. Mr. DeJesus said the blue prints are at the Ranch and available for review.

Commissioner Colunga asked the status of filling the Chief Probation Officer position recently vacated by Sheila Mitchell. Mr. DeJesus said that he has not heard any information regarding the status.

Department of Alcohol & Drug Services (DADS): Ms. Sue Nelson reported on the following:

- Received a surprise audit from the State today, January 7, 2014.
- Hiring additional staff on the out-patient side to provide services at Christopher High School and Central High Continuation School in Morgan Hill.
- Working on marijuana initiative.
- Working on a Social Host ordinance with nine (9) other communities, which outlines parents hosting parties and their responsibility regardless if the parent is not home and not aware of the activity in their home.
- Working on strengthening family services for parents on substance abuse, parenting techniques with a 14 week parenting program.
- RAVE parties are becoming a larger problem in the county with underground parties that use Facebook as an advertising tool.

- Integration of services between Mental Health and DADS at Juvenile Hall is and moving forward with training with unified assessments. Staff will be co-located.
- Integrated treatment specialist will be at every site.

Commissioner Manriques asked if the counseling is something DADS has done in the past. Ms. Nelson responded that currently there are mental health clinics and substance use clinics in the county. Now there is a single site to receive both services from one counselor.

Department of Children & Family Service/Children’s Receiving Center: Mr. Jaime Lopez reported on the following:

- Mr. Lopez distributed and discussed the December 2013 Monthly Statistical Summary, adding December is consistent with prior months, with 46 intakes for a total of 75 intakes and temporary custodies. Two (2) sibling groups were separated, two (2) runaways (older males).
- No children stayed over 24 hours. Social workers go to great lengths to make sure these kids don’t stay over 24 hours and they are to be commended.
- Call center had 1,539 calls answering 1,365. 204 were voice mail. Law enforcement calls will be included on the next report.
- Staff submitted plans receiving approval by the BOS for 33 new positions, DCFS, new emergency response unit, new unit for call center which is part of the Harvey Rose recommendations.
- Stake Holders Community meeting is at 2:00 pm today (January 7, 2014.)

Jennifer Hubbs reported on the following:

- Playground toy collection is in the process and it is close to being operational.
- MDT is in the process so we can do better communication and collaboration.
- Dependency Beyond the Bench conference will be Friday, September 5, 2014 at the Masonic in San Francisco.

Commissioner Bunnett asked if there is a dually engaged social worker. Mr. Lopez responded that they will do internal recruitment first as there is a lot of interest.

Cybele Lo Vuolo Bhusman, Board Secretary with ACLU-Mid Peninsula commented that she was in contact with a foster mother and praised her for her work encouraging JJC to advocate for foster parents.

Laura Garnette asked for clarification on the Call Center calls to which Mr. Lopez said they will take a look at and report back.

Chair Blake commented that in 6 to 8 weeks there will be an inspection.

Commissioner Manriquez asked at what times are the call answered. Mr. Lopez said the calls are answered from 8:00 am to 10:00 pm. After hours staff arrive at 9:45 pm answering calls until 8:00 am.

Commissioner Betts asked if unanswered calls are being tracked. Mr. Lopez explained the phone system saying it automatically tracks the call however, if they don’t leave a message or a voice mail or they simply hang up there is no way to know what number they were calling from. Additional staff will help reduce those unanswered calls. Other counties that were surveyed handle calls differently, for example an after- hours outgoing message will direct the caller to call 9-1-1.

Law Enforcement Agencies: Officer Jason Herr, from San Jose Police Department reported the following:

- Truancy Abatement Burglary Suppression (TABS) stats were for a period from mid-August to mid-December 2013 with 1,789 contacts resulting in 65 misdemeanor citations (minor in possession of tobacco products, marijuana, fleeing from an officer), 20 felonies with the majority of them being 12020 and probation violations, some sales of marijuana and harder drugs. Break down of student contacts was; Asian 76, Blacks 116, Hispanic 1,439 White 103 and Other 55.
- Thanked Sgt Quan for the K-9 unit's involvement with the program.

Judge Valencia asked what geographic area these stats cover. Officer Herr responded that it is by division. TABS runs about 26 officers per week and are deployed where burglaries are most prevalent with Foothill being the most concentrated area.

Commissioner Bunnett asked if there was a decrease in burglaries. Officer Herr did not have that information but he would research it for the next meeting.

Commissioner Bunnett asked if these kids get brought in to meet with service providers and how many of these kids are brought to the TABS center. Officer Herr responded that the vast majority are brought back to school and probation violators are brought back to the TABS Center. Those amounts are not reflected in the report.

Commissioner Tarpey asked how long the stats been collected and was there a trend. Officer Herr said that stats have always been kept and did not know what the trends are.

Medical Services: No report.

District Attorney's Office, Juvenile Justice: DDA Chris Arriola reported on the following:

- San Jose PD is to be complimented for re-instituted the TABS program. 80 kids out of 1700 were charged for crime. It's a diversion program 95 percent of the time.
- A new attorney for Judge Lucero was hired which will bring back the unit to full staff.
- New laptops for court will arrive in a week, working with the County on internet connections.
- Direct Files in December 2013 were five (5) or six (6), several were from older warrants from homicides & sexual assault.
- Disproportionate Minority contact 95122 continues to make progress and encourage all to attend meetings. Next meeting is Tuesday, January 21, 2014 at 3:30 pm at Overfelt High School.
- Hopeful to get more community prosecutors next year to work on human trafficking prevention and investigations.
- Victim services were also planning to apply, YWCA contract did not include victims of sexual assault whose perpetrators were juveniles. Making sure it's included in budget for next year.
- Attended city council meeting in December 2013 regarding marijuana issue. District Attorney's position is they are not opposed a ban and not opposed to having medical marijuana facilities but, they have to be regulated. Committed to additional enforcement pertaining to doctors and the clubs.

Independent Defender's Office: No report.

Alternate Defender Office: Mr. David Epps reported on the following:

- Beth Kendall will be returning to her position and Juan Lopez will be going to South County.

Public Defender's Office: Mr. Jose Franco reported on the following:

- Staff changes include losing four (4) attorneys.
- Friday, January 10, 2014 at 1:30 pm, AOC will be giving a non-minor dependent stat training to defense attorneys on AB12.
- At the end of January the California Public Defender's Association will be hosting a state-wide training. Topics include: case law update, trauma informed advocacy for lawyers, commercially sexually exploited children advocacy, competency and collateral-consequences of juvenile adjudication.
- Program and Prevention meeting is Friday, January 10, 2014, continuing to work with three (3) groups surrounding marijuana issues, expansion of the CSAT program and community service alternatives.

Judge Valencia inquired about the loss of the four (4) attorneys and whether each department is impacted. Mr. Franco indicated they will be losing two (2) in Dept. 77, one (1) in Department 79 and one (1) in Dept.79a but, will be getting back three (3) attorneys.

Legal Advocates for Children & Youth (LACY): Jennifer Kellerher reported on the following:

- Staffing changes are occurring around an internal promotion with Crisanne Hazen now supervising Diverse Practicing.
- Jane of MAGNA is moving over to staff Project Gay and Ruby Marquez is covering the Juvenile Justice calendar on Tuesday mornings in Judge Tondreau's courtroom.

Alternative Schools Department, COE: No report.

Victim Witness Assistance Center: No report.

YWCA Rape Crisis Center: Alvaro Viramontes reported on the following:

- Mr. Viramontes has offered a presentation on the Rape Crisis Center at the YWCA at the February 4, 2014 JJC meeting.
- The 12th Annual Walk-A-Mile in Her Shoes event will be on Saturday, April 12, 2014 at 10:00 am. This event brings together community leaders, businessmen, students and residents to walk approximately one mile (in high heels) from Plaza de Cesar Chavez through the streets of downtown San Jose.
- **Chaplaincy:** No report.

Pathways Society, Inc.: No report.

Announcements/Correspondence: None

Old Business: None.

New Business: None

Adjourn to Executive Session: Chair Blake adjourned the meeting to Executive Session at 1:28 p.m.

Next Meeting: February 4, 2013 at 12:15 pm.

Respectfully submitted,

Barbara Crump

