

**COUNTY OF SANTA CLARA  
JUVENILE JUSTICE COMMISSION  
DRAFT Meeting Minutes-April 2, 2019  
Santa Clara County DA Crime Lab Conference Room, 1<sup>st</sup> Floor  
250 W. Hedding Street  
San Jose, CA 95110**

**Commissioners Present:** Stephen Betts  
Penelope Blake  
Raymond Blockie  
Victoria BurtonBurke, Secretary  
Ron Hansen, Vice Chair  
Manasa Kumarappan  
Nora Manchester  
Carmen Montano  
Darius Parakh  
Jean Pennypacker, Chair  
Carol Rhoads  
Vincent Tarpey  
Lissa Thiele  
Brian Walton

**Commissioners Absent:** Dante Duffel-Steen

**Also Present:** Honorable Franklin Bondonno, Superior Court  
Honorable Katherine Lucero, Superior Court  
Honorable Pat Tondreau, Superior Court  
Jenny Lam, County Counsel's Office  
Yvonne Jimenez, Board Aide for Susan Ellenberg, BOS – District 4  
David Epps, Alternate Defender Office  
Vanessa Cornejo, Behavioral Health Service Department  
Veronica Robles, Behavioral Health Clinic, Juvenile Hall  
Rachel Talamontez, Behavioral Health Service Department  
Nathan Lingat-Thomas, Department of Children and Family Services  
Dan Little, Department of Children and Family Services  
Shelley Aggarwal, MD, Clinic  
Dee Dimitri, Community Solutions  
Carolyn Powell, Office of the District Attorney  
Sylvia Perez MacDonald, Independent Defender Office  
Dana Bunnett, Kids in Common  
Andrew Cain, LACY  
David Galan, Ombuds, OMOS  
Nick Birchard, Probation Department  
Vone Kegarice, Probation Department  
Kris Leisten, Probation Department  
David Mitnick, Probation Department  
Dolores Morales, Probation Department  
Sean Rooney, Probation Department, Juvenile Hall  
Carl Tademaru, Probation Department  
Robert Young, Probation Department  
Nisreen Younis, Office of the Public Defender  
Jim Davis, Member of the Public  
Chia-Chen Lee, Valley Medical Center

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**Call to Order and Introductions:** Chair Pennypacker called the meeting to order at 12:17 p.m. All who were in attendance stated their names and organizations.

**Tribute and Thanks to Judge Tondreau:** Chair Pennypacker recognized Judge Tondreau’s work and dedication to Juvenile Justice throughout his career. JJC presented Judge Tondreau with a Certificate of Appreciation which states, “The Santa Clara County Juvenile Justice Commission recognized Judge Patrick Tondreau for his dedication services in the field of Juvenile Justice throughout his judicial career. He has been a positive change agent who has been largely responsible for many of the improvements in the Juvenile Court. He has accomplished this by bringing people together to solve problems often by developing new programs such as the Dually Involved Youth Court. Because of his leadership, there have been policy changes in how children aged 12 and under and in the way commercial sexually exploited children are dealt with in court. Further, his support has enabled the work of the Commission and made the Juvenile Court more user friendly for families and children.”

Judge Tondreau praised and thanked the Juvenile Justice Commission for their involvement and efficiency in the great work being done.

The tribute ended with a video honoring Judge Tondreau which was followed by a standing ovation. Judge Tondreau stated the video would be played at his retirement luncheon May 31, 2019, from 11:30 a.m. to 1:30 p.m. in the Judicial Conference Room at the Family Justice Center Courthouse. Invitations will be sent soon.

**Agenda Approval:**

Moved by Commissioner Hansen and seconded by Commissioner Betts, the agenda was approved unanimously.

**Public Comments/Oral Petitions:** Dana Bunnett from Kids in Common announced she brought the 2019 Santa Clara County Children’s Data Book for attendees to take, read and share. Chair Pennypacker added the information in the book is very useful due to the statistics throughout the book.

Chair Pennypacker pointed out another item called the Juvenile Justice and Related Youth Program Bills which was provided by Judge Tondreau which provides Bills pending before legislators.

**Approval of Minutes:**

Moved by Commissioner Hanson and seconded by Commissioner Walton to approve the March 5, 2019 minutes was approved unanimously.

**Presentation by Our Youth Honoring Dr. Martin Luther King, Jr.** – a video created by youth at the Ranch presented by Nick Birchard from the Probation Department. Mr. Birchard acknowledged the County Office of Education for creating educational programs to allow the youth to understand the meaning of holidays. The video featured spoken word poetry written and presented by the youth set to an acoustic piano while displaying powerful images of Dr. Martin

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Luther King Jr.'s peaceful fight for equality. The words were stories the youth shared of themselves and what Dr. King and the movement he lead meant to them. The video ended with Dr. King delivering a portion of his famous "I Have a Dream" speech at the Lincoln Memorial for the 1963 March on Washington for Jobs and Freedom.

Mr. Birchard stated the audio and visual arts career technology will be expanded when they move into the new dorm. When the youth have an opportunity, they are able to produce very meaningful, impactful, and beautiful work.

**REPORTS**

**Chair's Report:** Chair Pennypacker reported on the following:

- The [Juvenile Hall Inspection Report](#) is finished and on the agenda for executive session. It will be loaded onto the JJC website once approved.
- The Education Report will likely be finished April 2019, with approval in May 2019.
- A meeting is being scheduled with the Ranch staff inspection team to start the inspection of James Ranch. The target date to be at the Ranch is April 15, 2019.
- The Bureau of State Community Corrections provides a list annually showing a list of all law enforcement agencies (LEA's) in the county who detained children the previous year. JJC recently received the list and will do an inspection of all LEA's who have detained children. Those inspections will possibly be done soon.
- JJC members met with Francesca LeRue and Dan Little to talk about the future of the RAIC location, CCR, and the Family First Prevention Services Act.
- JJC members recently met with Judge Shawna Schwarz, Supervising Judge of the Dependency Court and two other dependency judges.
- JJC members met with Supervisor Susan Ellenberg to speak with her due to her interest in children and their issues.
- JJC appeared before the Children, Families, and Seniors Committee of the Board to present concerns about the lack of resolution of the lease of the RAIC.
- JJC has been asked to support and does support two pieces of legislation: Senate Bill 716, which would require probation departments to work with the Division of Juvenile Facilities to offer post-secondary education and career technical training to youth in Juvenile Hall and the Ranch; and Assembly Bill 1321, which would require custodians of juvenile facilities to report information the use of chemical agents to Bureau of State and Community Corrections(BSCC).
- JJC will have officer elections in May 2019. Announcements for the next chair, vice-chair and secretary will possibly be in June 2019.

**Presiding Judge's Report:**

Judge Lucero reported on the following:

- Stakeholders ask to remove the Court Systems Meeting for 2019 because what use to be the Mini-Court System is now called the Executive Advisory Team who meet monthly from 10:30 a.m. until noon who may be having systems issues. Judge Lucero stated the

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large amount of meetings scheduled may be causing meeting fatigue. Meetings with partners will continue as normal with exception of the Court Systems Meeting.

- There is a monthly executive team meeting with the two deputy chiefs, Chia-Chen Lee from VMC, David Putney from COE, and Sue Nelson, Veronica Robles and Zelia Faria-Costa from BH. This group has identified two goals for 2019: improve communication upon entry and discharge to custody by developing standing orders or MOU's to ensure information is shared; and to assist The Vera Project to getting to zero incarceration of girls. Santa Clara County will be using Family Finding and heightened case management.
- The next training is on April 26, 2019. It is an Adolescent Brain Development training.
- In May 2019, there will be an Equity in the Courts training. Judge Lucero, Chris Arriola and others will develop the training.
- Calendaring is leveling out. Judge Lucero thanks the partners for their patience.
- The DFCS Child Prevention Summit in the morning (of April 2, 2019) went well. Judge Lucero invites attendees to find out more about the theory of change from zero to twenty-three (23) because the County Executive's Office is excited about leading the change and incorporating the Foster Youth Services Prevention Taskforce recommendations.

Victoria BurtonBurke asked if the ideas listed in the Court User Survey from a few years ago have improved, especially not going into the afternoon. Judge Bondonno stated he was able to cover two calendars in the morning but gave up his lunch hour to attend the meeting on time. He continued to say on a majority of days, the Court is accomplishing what was requested. Judge Lucero stated Judge Bondonno is still championing the training for CBO's. While there are still issues and Probation is worried youth are staying in-custody much longer prior to adjudication than they are used to but the focus is on issues with greater visibility and weight. If there are known issues, Judge Lucero encourages members to speak to the judges. Robocalls should be reinstated.

**Dependency Court:** No report.

### **Juvenile Justice Court:**

Judge Bondonno reported on the following:

- The Court is still struggling to get psychological evaluations completed. Judge Bondonno yielded his time to Veronica Robles from BHSD.

Veronica Robles from Behavioral Health Service Department stated they are looking at what the needs are from when the court ordered evaluation. One phase is having the conversation at the upcoming Executive Advisory Committee Meeting Judge Lucero spoke about to discuss advising on the current standing order and exploring sharing information from BH to Probation and the Court. Conversations with the attorney groups will need to take place as well.

Ms. Robles stated BH is trying to have a better understanding of what is being requested in court. They recognize there is a need to better understand safety risks.

BHSD is also looking at the overview of the purpose of the 602 Evaluations to determine if a 602 Evaluation is necessary. There are a lot of moving parts. One week prior to April 2, 2019, ten (10) evaluations were still pending assignment. Ms. Robles clarified the ten (10) evaluations waiting

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for assignment means they have not been assigned out for a psychological evaluation. There is an order from the court which goes to BH who reaches out to the contracted volunteer evaluators. High volumes of orders and/or low numbers of evaluators can cause a backlog.

Nisreen Younis revisited the question of not having a full psychological evaluation. Ms. Younis believes 602 Evaluation requests are being overused. Ms. Robles stated BH is working on a pilot program to look at every youth entering custody and have a sharing of information by detention with possibly a clinical impression of what a clinician is finding upon admittance. Due to the complexity, sensitivity and legalities of the issue, a deeper discussion will take place. BH is also reevaluating the current process.

Commissioner Rhoads asked if other jurisdictions have addressed the issue. Judge Lucero stated Santa Clara County's resources make the issue unique. Because a lot is being done right, there have been many unseen issues presented. The collaborative culture also creates a unique situation.

Nisreen Younis reiterated the possible overuse of the 602 Evaluation requests preadjudication which is causing the backlog. A different assessment should be done to determine risk. Commissioner BurtonBurke mentioned PC 4011.6.

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

**Probation Department – Juvenile Program:**

Dolores Morales from Institutions reported on the following:

- The training for the use PBIS, preparation for the greater use of cameras, the addition of educational program for the large number of graduates and a couple of upcoming inspections are all in process.
- Dolores Morales thanked Juvenile Hall for assisting and hosting with the March 2019 Resource Fair which had two hundred (200) participants and forty-five (45) partners and providers attend.
- The Probation Department has scheduled a special meeting on Tuesday, April 16, 2019 from 10:00 a.m. - 11:00 a.m., for the Juvenile Justice Systems Collaborative to consider a grant that would help the aid of high-risk youth. Ms. Morales will reach out to the commissioners for letters of support and commitment.
- Probation will be submitting their Juvenile Edward Byrne Memorial Justice Assistance grant application which is due May 1, 2019.

Carl Tademura from Services reported on the following:

- Both the community based probation unit and services attended the Strong Girls, Strong Women Conference recently.
- Services runs groups using the National Compadres Network (NCN) curriculum.
- Probation does request psychological evaluations if there are concerns about the behavior being exhibited and it is for dispositional planning. It is ordered at the beginning because it is the right of defense counsel to seal the document until disposition, but time is saved

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once adjudication occurs and a probation officer can start the dispositional recommendations immediately. 602 Psychological Evaluations require evaluators specializing in specific areas of practice making it difficult to assign evaluations.

Vone Kegarice reported on the following:

- Iowa's Clarinda Academy, a for-profit home for troubled youth, was recently featured on a documentary exposing youth to dangerous environments and abuse. Santa Clara County had one youth at the location in February or March of 2018, who was removed due to concerns of how staff disciplined youth.

**Department of Family and Children's Service/Children's Receiving Center (DFCS):**

Dan Little reported on the following:

- The RAIC licensing piece is still progressing.
- Nathan Lingat-Thomas is the new Social Services Program Manager I.

Mr. Lingat-Thomas introduced himself and offered giving tours to JJC commissioners.

Chair Pennypacker asked if the licensing would be going forward before the Board approval the week of April 8, 2019. Mr. Little answered in the affirmative.

**Behavioral Health – Mental Health Services:**

Veronica Robles reported on the following:

- There are two vacancies.

**Behavioral Health – Alcohol and Drug Services:** No report.

Chair Pennypacker asked who to contact for BH – Alcohol and Drug Services. Ms. Robles stated Sue Nelson is the Division Director and oversees Substance Abuse Treatment Services (SUTS).

**Law Enforcement Agencies:** No report.

**District Attorney's Office – Juvenile Justice:** No report.

**Public Defender's Office:**

Nisreen Younis reported on the following:

- Daniel Wall will be joining the Juvenile team May 2, 2019.

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

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**Independent Defender’s Office:**

Sylvia Perez MacDonald reported on the following:

- IDO is recruiting. They are looking for Juvenile defenders with adult experience.

**Legal Advocates for Children and Youth (LACY):**

Andrew Cain reported on the following:

- Nathan Lingat-Thomas was the Clinical Social Work Supervisor for eight years at LACY. LACY is actively recruiting to fill the Clinical Social Work Supervisor position.

**Medical Services:**

Chia-Chen Lee reported on the following:

- Santa Clara County has safety measures in place to reduce the risk of spreading communicable diseases with the youth. Diseases are screened upon entry and are sent to one of the two isolation rooms if there is doubt of negative results. The youth is kept in isolation temporarily until cleared by a doctor.
- 187 youth have been vaccinated with the meningitis B vaccine after parental consent.
- 256 youth have received the flu vaccination.

**Office of Mediation and Ombuds Services:** No report.

**YWCA Support Services:** No report.

**Announcements/Correspondence:** None.

**Old Business:** None.

**New Business:** None.

**Adjourn to Executive Session:** Chair Pennypacker adjourned the meeting to the Executive Session at 1:18 p.m.

**Next Meeting:** May 7, 2019, DA Crime Lab Conference Room, 250 W. Hedding Street, San Jose, California.

Respectfully submitted,

Janice Jones