

COUNTY OF SANTA CLARA
JUVENILE JUSTICE COMMISSION
Approved Meeting Minutes-April 5, 2016
Crime Lab, 1st Floor, 250 W. Hedding St, San José, CA

Commissioners Present: Raúl Colunga, Chair
Ronald Hansen, Secretary
Penelope Blake
Raymond Blockie
Victoria BurtonBurke
Bonnie Charvez
Gustavo Gonzalez (arrived at 12:41 p.m.)
Nora Manchester
Carol Rhoads
Jean Pennypacker
Pamela Serrano
Vincent Tarpey

Commissioners Absent: Commissioners Kimberly Dong, Courtney Macavinta and Jeremiah Tanojo

Also Present: Honorable Franklin Bondonno, Superior Court
Honorable Katherine Lucero, Superior Court
Tamara Davis, Superior Court
Octavio Jimenez, Superior Court
Stephanie Wong, Superior Court
Janice Jones, Superior Court
Chia-Chen Lee, Manager, Valley Medical Center (VMC)
Angela Hilton, Manager, Healthlink
Chris Arriola, Supervising Deputy District Attorney, District Attorney's Office
Cindy Hendrickson, Assistant District Attorney, District Attorney's Office
Dana Bunnett, Director, Kids in Common
David Epps, Alternate Defender Office (ADO)
Kevin Rudich, Alternate Defender Office
J.J. Kapp, Assistant Public Defender, Public Defender's Office
Jennifer Hubbs, SSPM, Department of Family and Children's Services/RAIC
Dee Foster, RAIC
Jenny Lam, Deputy County Counsel, County Counsel's Office
Michael Clarke, Probation Manager, Probation Department
Sean Rooney, Probation Manager, Probation Department
Robert Young, Probation Manager, Probation Department
Elsa Jennings, Probation Manager, Probation Department
Nisreen Baroudi, Juvenile Court Supervising Attorney, Public Defender's Office
Sakeenah El-Amin, Law Program Manager, FLY
GeDa' Jones-Herbert, Law Program Site Manager, FLY
Debbie Pell, Chief Program Officer, Bill Wilson Center
Ariel Blume, Director of Cultural Comp, CEO
Cindy Clause, Program Manager, Comprehension

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Anusha Agarwal, Student
Mario Lopez, Policy Aide for Supervisor Dave Cortese

Call to Order & Introductions: Chair Colunga called the meeting to order at 12:22 p.m. All who were in attendance stated their names and organization.

Agenda Approval: Moved by Commissioner Manchester and seconded by Commissioner Tarpey, the agenda for April 5, 2016, was approved unanimously.

Public Comments/Oral Petitions: None

Approval of Minutes: No change was made to the February 2, 2016, minutes. Approval of Minutes moved by Commissioner Manchester and seconded by Commissioner Serrano. The minutes of February 2, 2016, were approved unanimously.

REPORTS

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

- Hopes to have the Juvenile Hall inspection report completed and reviewed at the next meeting in May. After the meeting, the report should be approved and published.
- Parking validation for families of minors in court has been received through Supervisor Cortese's efforts. Need to work out process and system to implement. Implementation is on the agenda for the Court Users Implementation's Work Group. May be able to tie it into the way the victims are reimbursed.
 - Chair Colunga questions which department works with reimbursements for victims
 - Chris Arriola, District Attorney's Office, stated District Attorney's Office is responsible, and the process has recently changed. Office now gives out half-day passes or blue reimbursement cards, as opposed to day long passes. They are trying to automate it so victims are taking it to a machine, eliminating the person. In some ways it is easier, and some ways it makes it more complicated. The option may be available for others as well (the blue slips).
 - Mario Lopez, Dave Cortese's office added it is more like a validated parking ticket.
 - Chair Colunga stated will work out the details to implement it quickly.
 - Lopez stated tickets are ready. It is just the matter of doing the process, reviewing, monitoring and tracking. High volume and necessity is the reason proceeding in this manner, but afterward will continue with the process or acquire an actual machine.
 - Chair Colunga would like to do trial run to determine how going to do it on an ongoing basis
- Several commissioners are meeting with Senator Jim Beall, Friday, April 8, 2016, to discuss the need for periodic fire inspections on group homes, rather than limiting to initial fire inspections when modifications are made.
- Also, because cost of living is so high in this area, Chair Colunga is going to inquire whether he is willing to take legislation that would provide regional reimbursement rates for group homes and for foster homes. Will inform committee of status at subsequent meetings.

Juvenile Justice Court: Judge Tondreau and Judge Johnson are at DIY Conference in another state across the country; Judge Lucero reported on:

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- Thanking Dave Cortese’s office for helping with Juvenile fees and fines. Alameda County, behind Los Angeles and San Francisco, is the third county in the state to pass moratorium on Juvenile fines and fees in Juvenile family court. This does not include restitution. Fines and fees include daily housing fees, EMP fees, and probation supervision fees. Judge Lucero is hoping to work with Board of Supervisors and Juvenile Justice Collaborative to develop resolution for Santa Clara County.
 - Collection rates are low, and while costs of collecting the fees are high. Cortese’s office is looking into it. Fifty percent of the families default on payments, never have a hearing at DOR, and end up in default collection mode at the full rates. Sixty-five percent (of the fifty percent) of families reviewed for costs to see payment is possible, receive imposed fees.
 - A bill at State level, SB 941, seeking to eliminate Juvenile court fees for all 58 counties, and will be in public safety committee next week in Sacramento.
- AB 2000 which was the probation term legislation inspired by this county and our reentry program has made out of the judiciary committee, and is in mark up. It looks like it will proceed in this legislation period. We may have some termination probation services to all youth in the state.
- Regard to training, educational rights training coming up on April 28th at 1:30 p.m. at the probation office on the 4th floor training room. Well known speaker and Professor of Law from University of District of Columbia will talk about educational rights for probation youth.
- Will have fitness report training on May 11th, 12-1:30 p.m. at an unknown location at this time, but mark calendars.
- Working with the Eligibility Workers at SSA who are receiving daily calendars, and running all families to see what services they are qualified to receive. Finding about 90% of the families qualify for or are on public aid. Courts are looking at having an Eligibility Worker and Resource Specialist stationed at court so families can be linked to services while they are at the court. Juvenile Hall is also making a space for an Eligibility Worker to immediately determine the services the families and youth qualify for.
- Having Robo-call success. Looking at Robo-call to call the families and youth about court dates. Court admin has agreed to make sure the phone numbers are entered into Odyssey to have relationship with Robo-call people. Phones are automatically called.
 - Courts are trying to be more user friendly so people know about hearing and remember hearings and show up. Getting phone numbers for youth and parents.
- *Commissioner Manchester questioned a concern last month about being out of compliance with ADD.*
 - *Judge Lucero stated: Yes, there are concerns, and in discussions with mental behavioral health looking into behavioral health services. Working with probation to make services more robust in Juvenile Hall. Worried about self-harm. Judge Lucero, Sean Rooney and Loren Gavin have formed a little review committee. Behavioral health has indicated a lot of the staffing protocols were designed for 300 kids in the hall, but today there are only 89. Looking at an overhaul of how we are delivering services to our youth.*

Judge Bondonno: No report.

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Dependency Court: No report.

Probation Department Juvenile Program: Sean Rooney reported on the following:

- Received some numbers late, but put them together. The document highlights the numbers that continue to drop daily. Courts doing a good job utilizing electronic monitoring for all appropriate cases. Some direct file youth that have graduated high school, aged out and moved on also causing numbers to drop. At the Ranch there are about 35 fairly steady so working with the Ranch trying to make sure everything is done to alleviate issues with minors coming back due to mental health issues. Trying to streamline AAR process as well.
- Juvenile Hall site construction: Cafeteria project is going well. They are laying pipes; inside has been completely gutted out. Getting all their plumbing for electrical, water, and grease trap. Will have inspection this Friday; doing a great job.
- Gardening project is back up and running. Thanks to Ron, it is doing well. “The first harvest was a wrap.” Lettuce. One of master gardeners helped kids harvested last Saturday. They did lettuce wraps. Kids loved learning how to grow something, harvest it, then go back into the unit and eat it. Going really well.
- Will be sending an invite out for the next couple weeks for grand opening for library (which has also been hard at work).
- Muralist worked with group of girls doing a great job.
- State inspection 26th and 27th of this month. Trying to get all of paper work together to get to our reports to Juvenile Justice Commission. There have been some hang ups on some facilities. Reconnecting with the fire marshal to get the final reports.
- Juvenile law week coming up. This Friday, staff from the courts will do projects with each one of the units, and spend time with the minors.
- *Chair Colunga poses question regarding Meal Program (and transportation) with kitchen under construction.*
 - *Mr. Rooney response: Going well. Kevin Cooper and his staff have done a great job. They quickly realized some of the foods can't keep hot long enough so they adjusted what they are serving. Acquired another truck because other was too rickety with things moving around. The biggest hurdle for PO staff was on Saturday morning, when they dropped off breakfast a lot of times the staff will let the kids sleep in. Because there are only so many hot carts they have to bring the carts into the units, and pull the trays out. If the minors sleep-in the food gets cold. The kitchen needs the carts because they are going to take all the carts back and prepare for lunch.*
 - *Will be able to make their deadline which is the first part of August. The big hurdle will be to have to order some of the big kitchen equipment with the 5 month lead time, but that could be the only thing that is a blip on the screen, but construction wise, everything is going pretty well.*
- *Commissioner BurtonBurke questions: Once the kids reach 18, and finish school they go away, where do they go?*
 - *Mr. Rooney Response: If it's a direct file case, and they are pending, they go to County Jail or potentially to State Prison. If they have graduated high school and they've been sentenced, once they reach the age 18, they move from B3 over to County Jail. They are sent to their next destination. If that individual turns 18, but they haven't graduated yet, or they haven't been sentenced, they can stay until they are 19.*

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- *Follow up question from Commissioner BurtonBurke: If they have graduated and reached 18, but still are pending, would they stay there?*
- *Mr. Rooney Response: They would stay there until they are 19. All previously mentioned things would have to fall into place for that to happen. A couple young men went there in the last two days. One already reached 18 but graduated. One graduated earlier, under 18 already sentenced, and once 18, he moved over last night.*
- *Follow up Question Commission Member: If they graduate and over 18, they go to the jail even if they are still pending?*
- *Response from audience member: It depends if there is a stay order from the actual Presiding Judge. That really overviews if they are allowed to stay until 19. Not many have been opposed. If pending education, they are able to stay until 19; if they have been order to stay and get their diploma, there is an understanding that they have to ship over when they turn 19.*
- *Mr. Rooney states: The main reason that is cited to stay is that they will be able to complete their education. It is more seamless Juvenile side, than it is over on the County Jail side.*
- *Judge Bondonno comment: Informed there was no attempt to segregate County Jail population by age, and would hope this commission would recommend to the sheriff 18 to 23 year olds should be held separately due to jail conditions.*
- *Chair Colunga: Commission will try, but may not have jurisdiction.*
- *Audience member: Bill proposed by Senator Hill from San Mateo County who was going through looking at the facility because Chief Garnette wants to be a pilot for housing young people up to age 21. 18 to 21 will be segregated. Something being worked on.*
- *Audience member: Chief Probation Officer is in favor of keeping under 21. They would return back to Juvenile Hall to receive services, and be segregated from the adult population. Must wait to see how it turns out.*
- *Commission Member states: There is going to be a retreat shortly, and one of the things to discuss is getting involved with the Juvenile Hall side to see if a report should be written.*
- *Additional comment from Commission Member pointing out discrepancy in numbers displayed in handout from Probation Office: EMP. Information seems inaccurate: **15 males and 8 females with total of 60.***
 - *Mr. Rooney will send out correct numbers. 16 and 18 are correct numbers, but will send the correct breakdown of male/female.*
- *Additional comments from Audience Member: Assistants are putting them into database. IT is short staff, but will make them available. Commission reminds probation to put the two numbers together. Commission will send out the information.*

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

- Will Lightbourne and Gray Graves visited. Santa Clara County is not only county with stays over 24 hours at receiving centers. The concern with Teen Remote Care Reform on the horizon is a very lengthy discussion about some of the concerns from that stand point and some plans are in place. Communicating directly with them Mr. Rose, specifically, of some

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more barriers especially around San Andreas Regional Center (a more concerning partnerships, since those are the clients tend to require the longest stay, and are trying to find an appropriate placement for them). New Assistant Director trying to learn as much about the agency. Therefore, taking deeper look at 2015 population and trends. Currently going into the cases, and looking at an analysis of 2015.

- Will Lightbourne has seen the Receiving Center, was gone before it began to fill, so received a tour. Points regarding limitations to that particular facility were discussed. In terms of facility, continuing to meet the master plan for the future site. Still planned to be on the East Valley Campus. It will be a continuum of implementation; the RAIC is the first wave of implementation. Still on track to be within the timeline.
 - They are starting with their focus group.
- Taking more active role with foster parents, looking forward at retention because there are a lot of new foster parents.
 - Started gift card program to support emergency placements. Handed out first official gift card for emergency care. Program began April 1st. Any foster parent taking an emergency placement for a child will get a \$50 Safeway and \$50 Target card per child. If a sibling group of five foster parents are able acquire the food and items needed. Forster care is a reimbursement system, and can be a hardship on a foster parent in a family of five, and have to wait to receive reimbursement a month later. The program is up and running
 - Intern has designed a flyer for the RAIC that has services and support offered, large items to borrow, supportive services, placement information, hours of operation, also smart clinic, and the services they provide. A map is on the other side of the flyer.
 - Participating in the new RFA process (the new process of licensing the foster parent). The supervisor meets all the new foster parents, come to the RAIC, meet the team, see where it is located, learn about the RAIC to decrease intimidation the first time going to pick up the first foster child. Adding incentive to meet the team and be a part of that process.
- *Commission Member question: Regarding reference to the facility technicians and physicians that are normally there, or not currently there. How are medical services being provided to the minor?*
 - *Response from Ms. Hubbs: Services have always been under contract as a nurse practitioner. Dr. Eggy and Dr. Sterling cover when the nurse practitioner is vacant. Only have one code covering Tuesday through Saturday. Doctors work Mondays, and see kids from Sunday on Monday. Jessica Lim is still Nurse Practitioner. She is seeing all medical patients in the clinic. She is covering the clinics and the rape kits. There is still the same amount of coverage between her and Heather Wood, who is the Charge Nurse. They are still getting clearances, either nurses level, or if they need a doctor, they have the Nurse Practitioner level. Needs are being met. Clinic is rescheduling to other pediatric doctors, and expanded her clinic hours. Running almost to full capacity. Waiting for doctors to come back.*
 - *Commission Member expressed concerns about Nurse Practitioner: Is Nurse Practitioner able to do medical exam that is required?*
 - *Ms. Hubbs response: Able to perform medical clearance for intake. They are not doing 30 placement exam. Before it was a Psychiatric Nurse Practitioner. Made the*

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- decision to hire Pediatric Nurse Practitioner when that Nurse Practitioner left due to the greater knowledge base.*
- *Follow-up question by Commission Member: Is the more extensive medical being performed by VMC?*
 - *Ms. Hubbs response: Yes, the VMC Spark Clinic Nurse Practitioner is seeing some of those patients, and doing ongoing provision of services. More information is available from Dr. Harris, but they do have positions that are covering that if she needs more support. Billing information is unknown.*
 - *Follow-up question by Commission Member: Dr. Harris has not assigned anyone to physical be at the clinic?*
 - *Ms. Hubbs response: Not to her knowledge. Dr. Harris is overseeing it.*
 - *Commission Member question regarding gift card incentives: What is definition of emergency placement?*
 - *Ms. Hubbs response: for the purposes of the gift card, any placement where the foster parent or relative has less than 2-day notice to prepare for and incoming child(ren) into their care. A Manager in department can decide if they have more than 2-day notice, and is a relative with large amount of children, the manager can wave the 2-day requirement. It is only for County foster homes, not FFAs or group homes. A discussion with foster parent association and Cindy Chavez is how this developed. It was a big push from the Board of Supervisors to get help to the foster parents.*
 - *Commission Member question regarding Dr. Eggy and Dr. Sterling: do we want Nurse clearances or Nurse Practitioner clearances.*
 - *Ms. Hubbs response: Must go back to department to, and consult with County Counsel to find the regulations.*
 - *Commission Member states: Commission will also review regulations as a part of their duties. Maybe ask our county counsel to look at the issue to get a perspective from commission on agencies.*
 - *Ms. Hubbs states: Dr Eggy discussed where to put the money; into Nurse or Nurse Practitioner. They still meet the standard of care.*
 - *Audience member states: When Bill Wilson Center became nationally accredited through counsel and accreditation, which is a higher standard of regulations than even our community care licensing, one of the requirements, and worked with the rates closely on this, it can be a Nurse Practitioner. We must have an initial health screening within 24 hours. Then they go back for full screening within 30 days. Regulations are clear that it can be different types of medical professionals including Nurse Practitioner.*
 - *Commission Member question regarding earlier meeting and incentives to foster care: Who takes and signs them up? There are three incentives. 1. Gift cards. 2. 200 hours of respite care, 3. Change in coverage of liability insurance under the County. They would have the same coverage as foster care (Unsure, will confirm later).*

Behavioral Health - Mental Health Services: No report.

Behavioral Health - Alcohol and Drug Services: No report.

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Law Enforcement Agencies: No report.

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

- Did one direct file last month. It was a couple of kids. Also did a review of 25 direct file cases, in Juvenile Hall, 4 or 5 of them will find their way back to Juvenile Court which is good. Will continue to review those in June. Then report back on those.
- Will start looking into Fitness Cases as well. To review those by the Fall.
- Initiative pending to eliminate Direct File cases, and only have Fitness cases. Will be helpful regardless if it passes or not on how our process go.
- In terms of prevention efforts:
 - Truancy efforts are stepping up. Anticipate doing about diversions 3,000 again this year High school kids. Have done about 100 prosecution of parents with k-8 cases who are chronically truant. Definition is more than 30 days and they are prosecuted. Infractions or misdemeanors against the parents. Taking it very seriously. Happy to say we have 8 parent projects going on right now. Including one in English and Spanish in Gilroy and one in English and Spanish at Overfelt High School.
- Things are in full swing in terms of filing. There will be an increase in filings in March, but compared to other years, March is usually the highest month. This is maybe 180 filings. 5 years ago it would have been 350. Filings in comparison are low. Fair to say the kids have more problems, but like Judge Lucero was saying, there are more resources.
- *Commission member request clarification: 30 days to go after chronic truant. Is it a continuous 30 days or spattering of 30 days?*
 - *Mr. Arriola clarifies: State definition is 6 days of unexcused absences under the law. Santa Clara County usually are not going to file a misdemeanor on somebody, the parent being responsible, not the child.. Want to see if they refused any services from the school district. There has to be 3 warnings and conferences before doing anything. When at court, choices are given, “If you go back to school, or parent project or drug counseling is needed, we won’t prosecute you,” but every point we are trying to do diversion. Bottom line is how do we get the kid to school?*
- *Commission Member question: What are the reasons the child isn’t going to school, is it the parent?*
 - *Mr. Arriola response: Yes, it is the parents, sometimes the kids, but almost always parents. There may be domestic violence in the home, codependency issues; trying to intervene with school and their lack of resources. It can be very difficult for the schools. The last thing they are worried about is a kid cutting school.*

Public Defender’s Office: Ms. Nisreen Baroudi left to attend another meeting; J.J. Kapp speaking from Public Defender’s Office:

- Continue to have attorneys train outside the office, and manage matters of dual status of youth synopsis with many of familiar people. Chief of Probation Officers is presenting at the conference. Ms. Baroudi just got back from training put on by Public Defender’s Office

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- Want to mention May 11th training does not have a site yet. Dr. Mitiguaou is presenting on Adolescent Brain Development and Fitness. He did part of the training at Public Defender's Office recently, and it was really great.
- Social worker, Lupe Ramirez still getting up and running. Working with administrative branch returns trying to get them evaluated. She's been working with the attorneys to develop case plans. She reported to court verbally several different times.
- At the end of the month, Joe Clark will be replaced by Tom Cummins. Joe has done a great job, is great young lawyer. Tom is veteran of Juvenile Court. Now will have three veterans along with 3 newer attorneys.

Independent Defender's Office: No report.

Alternate Defender Office: David Epps

- Staffing change starting next Monday; Paul Chang will report.

Legal Advocates for Children & Youth (LACY): No report.

Medical Services: Ms. Chia-Chen Lee reported on the following:

- Introduced Angela Hilton, Application Manager for Healthlink, who will give update on Healthlink
- Ms. Angela Hilton reported on the following: Started digging into workflow and visiting the Hall and the Ranch. Team perspective along with colleagues from vendor EPIC. EPIC is the vendor; Healthlink is the product. Over last two months have completed discovery, and will be producing scope document for Go-Live. The plan is for the system to be going to an upgraded version on Saturday, November 5th. It will be "live" in Juvenile Hall delivering medical care on Monday, November 7th. That is our intention unless there are unexpected issues during testing phase.
- Looking at behavioral health side at Juvenile Hall as well as clinical side
- Working with County Counsel and Compliance Officers to make sure adhering to confidentiality needs for juveniles.
- Healthlink offers much more access into medical records through application called "Care Everywhere" and allows other healthcare institutions access to the medical information. Looking at closely to keep secure info that is required for juveniles.
- Medication administration are going to have some creative solutions for all workflow looking at, particularly per pill count. Clinic is fine, but how to do the administration, trying to do electronically so it would document automatically instead of paper charting. Looking for innovative ways to accomplish that.
- *Commission Member question: Focus was on the Hall. Will it also be rolled out to The Ranch?*
 - *Ms. Hilton response: Have done some innovative things at both*
- *Commission Member question: What about Receiving centers RAIC? Is there any?*
 - *Ms. Hilton response: Not there for this November go-live.*
 - *Ms. Lee response: For clarification, medical services doesn't provide medical services for RAIC clinic. They are separate.*
- *Commission Member question: Will kids be able to access their own health records through Healthlink?*

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- *Ms. Lee response: Still in discussion. Dr. Arash had some idea, but still need to work with County Counsel for legal perspective to find proper solution.*
- *Commissioner Member comment: Want to ensure the kids know what they were on, how to link to community, how to get medication, if in need of reproductive health interventions; they need to know. That is where the County's accountability should be even more importantly. Hopefully that will be next phase.*
- *Ms. Hilton adds: Looking into that option. The "My Health Online" application portal that is live today has minimalistic views of adolescent information due to parents logging in as the child from clinic, so there isn't a lot of information. Hoping to expand, and have a discharge process to make sure the juvenile is activated. Understanding things like reproductive activity might be somehow excluded from view from the parent. Working on that configuration and hopefully can go live with it as well*

County Office of Education: No report.

Victim Witness Assistance Center: No report

YWCA Support Services: No report.

Announcements/Correspondence: Dana Bunnett announced official data books for 2016, and "Voting for 'Kids'" bumper stickers on the table next to sign-in.

Chair reminds all to sign in.

Old Business: None.

New Business: None.

Adjourn to Executive Session: Chair Colunga adjourned the meeting to Executive Session at 1:12 p.m.

Next Meeting: May 3, 2016, at 12:15 pm.

Respectfully submitted,

**Janice Jones
Recording Secretary**