

**COUNTY OF SANTA CLARA
JUVENILE JUSTICE COMMISSION
APPROVED - Meeting Minutes-December 6, 2016
Crime Lab, 1st Floor
250 W. Hedding St.
San Jose, California 95110**

Commissioners Present: Anusha Agarwal Raul Colunga, Chair
Penny Blake Gustavo Gonzalez
Dana Bunnett Nora Manchester
Victoria BurtonBurke Carol Rhoads
Bonnie Charvez Vincent Tarpey

Commissioners Absent: Jean Pennypacker, Ron Hansen, Courtney Macavinta, and
Brittney Dong

Also Present: Honorable Franklin Bondonno, Superior Court
Honorable Katherine Lucero, Superior Court
Honorable Pat Tondreau, Superior Court
Jenny Lam, County Counsel's Office
Chris Arriola, Supervising District Attorney, District
Attorney's Office
Nick Birchard, Probation
Karen Barjenovich, Obbuds, OHR
Andrew Cain, LACY
Michael Clarke, Probation Manager, Probation
Zelia Faria-Costa, Sr. MAPS, Behavioral Health Services
Shay Franco-Clausen, CSW
Lauren Gavin, HCPM, Mental Health
Ashanti Hayes, Juvenile Hall
Jennifer Hubbs, SSPM, RAIC/DFCS
Elsa Jennings, Juvenile Hall
Lyn Johnson, Private Citizen
J. J. Kapp, Public Defender, Public Defender's Office
Von Kegarice, Manager, Probation
Amanda Kennedy, LACY
Stephanie Kitchen, PM, Behavioral Health Services/Prev.
Chia-Chen Lee, VMC
Giap Le, Manager, JPD
Kathy Martinez, Deputy Chief, Probation
Steve Olmos, Chief Schools Officer, Santa Clara COE
Eric Parsons, Juvenile Hall
Randi Perry, Program Director, FLY
David Putney, Director Alt. Ed., Santa Clara COE
Sean Rooney, Probation Manager, Probation

Kevin Rudich, Alternate Defender's Office
Melissa Suarez, SSPM, RAIC/DFCS
Robert Young, Probation Manager, Probation

Guests Present: Mario Lopez, Policy Aide, Supervisor Cortese's Office

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

Oath of Office: Judge Tondreau conducted the swearing in of newly appointed Commissioner Dana Bunnett.

Agenda Approval:

Moved by Commissioner Tarpey and seconded by Commissioner Rhoads, the agenda was approved unanimously.

Public Comments/Oral Petitions: None.

Approval of Minutes:

Moved by Commissioner Manchester and seconded by Commissioner BurtonBurke to approve the November, 1, 2016 minutes was approved unanimously.

REPORTS

Recognition of Chris Arriola, Deputy District Attorney:

- Commissioner Colunga acknowledged the recognition Mr. Arriola has received from the Court and other agencies. Commissioner Colunga read the inscription being presented to Mr. Arriola which summarized his history and achievements with the Juvenile Justice Commission.
- Mr. Arriola recognized the collaborative efforts of the agencies and organizations throughout the County which lead to a positive outcome. He is happy to continue working on prevention efforts as a person in-charge of the Community Prosecution (Crime Prevention, Truancy Abatement and Parent Education). Mr. Arriola thanked all of the collaborating agencies.
- Due to a conflicting meeting, Mr. Arriola requested to give the District Attorney's Office report early, and was given approval by Commissioner Colunga.

District Attorney's Office, Juvenile Justice:

Chris Arriola reported on the following:

- Transfer Hearings: Diligent work is being done. The District Attorney has agreed a vast majority of the cases, certainly pre-adjudication, will have an opportunity to go back to Juvenile Court if there is an agreement with counsel.
 1. Seven (7) cases in one (1) day came back.
 2. There could be anywhere from twenty-five (25) to forty (40) or fifty (50) cases.
 3. The procedural details and work load have been challenging.
 4. Mr. Arriola believes there will be a good outcome, and thanked everyone for their patience.
 5. The office may possibly be acquiring new staff to help with the workload.
 6. Adult district attorneys (and possibly defense attorneys) who have handled the adult side of this population, will be appearing in the Transfer Hearings; therefore, Mr. Arriola asks for patience for the individuals while adjusting to the different court proceeding.
 - i. Mr. Arriola affirms Commissioner Colunga's question by assuring there will be training for the attorneys.

Laron Dennis is giving a training in Southern California, and Cindy Hendrickson is giving a training at the Sheriff's Academy.

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

- Reports Commission is reviewing:
 1. Law Enforcement Agency Report – Commission expect to approve it in the Executive Session.
 2. Juvenile Hall Report – Working on completing the report
- Commission has a group home visit in addition to the many meetings attended by the Commissioners.

Juvenile Justice Court:

Judge Tondreau reported on the following:

- Beyond the Bench for Juvenile Justice is January 27, 2017.
 1. Angela Alvarado from the District Attorney's Office will conduct an informative and fun presentation on Social Media the entire afternoon. Judge Tondreau encourages interested individuals sign-up.
- Congratulations to the Juvenile Justice Commission for receiving the LACY's Honors Award.

Judge Lucero reported on the following:

- The Superior Court has been making adjustments due to Proposition 57 and Proposition 64 to ensure there are limited missteps from the cases coming from Adult Court and reducing the felony sales cases for marijuana.
 1. Stakeholders are meeting regularly.
 2. Judicial transfers are going well.

- The Court Systems Management Meeting will be on December 14, 2016, in the Judicial Conference Room at the Juvenile Justice Center in Department 83.
 1. There will be discussions about protocol and case law.
 2. Work is being done on Firearms Reporting Statute.
 3. There are many meetings and projects taking place.
 - Judge Lucero clarified Commissioner Gonzalez' question regarding local level/California Laws and Federal Laws surrounding marijuana; Children are not supposed to smoke marijuana since the legal age is 21 years old, but offenses now carry a reduced charge (example: marijuana sales has been reduced from a felony to an infraction).
 - Educating the youth is important because children do not believe marijuana is a problem.
 - The laws are new will be a learning process during the transition.

Judge Bondonno reported on the following:

- There is still a struggle obtaining evaluators.
 1. There are a people in the contracting process.
 2. Judge Bondonno expressed gratitude to Lauren Gavin and Dr. Wang for finding a way to extend the dollar for the presently contracted evaluators.
 3. Meetings have taken place on Thursdays, and will continue to occur on Thursdays until there is a satisfactory number of evaluators.
 - Judge Bondonno will be meeting December 8, 2016, with Ana DiRago, Ph.D., from Palo Alto University who is presenting an option to supervise between two (2) and five (5) of their fully licensed clinical fourth-year Ph.D. students. The capacity for reports could increase by five (5) to ten (10) reports per month.
 - The demand for psychological reports may increase as more Transfer Cases occur.
 - Younger Ph.D. holders do not have the "suite of psychological examinations" required by the Court; therefore, the Court is working on a way to have a library to assist.

Dependency Court:

Judge Tondreau reported on the following:

- All judges, except Judge Tondreau, are at the Juvenile Institute, an annual conference of people involved in Juvenile Court, with two and a half days of breakout programs.

Chair Colunga recommended combining the two items Judge Tondreau reports on, and Judge Tondreau consented.

Probation Department Juvenile Program:

Sean Rooney reported on the following:

- Juvenile Hall: The monthly numbers are holding steady at approximately eighty-five (85) to eighty-seven (87) for the last five (5) to six (6) weeks.
 1. Every weekend a few new youth enter, some for the more serious crimes, which is slowly driving the numbers up in the unit.
- Juvenile Hall: A final inspection is scheduled for the cafeteria on Monday, December 12, 2016.
 1. If the inspection goes well, there is hope to be in the cafeteria by Christmas.
 2. There have been small obstacles in the way.
- Juvenile Hall: The biggest focus has been the transfer process.
 1. Many young people in the security unit are being recertified back to Juvenile Court.
 2. Even though the new process creates a nervous feeling, it has been smooth.
 3. Some days two (2) or three (3) County Jail people come back from County Jail to go through the process, slightly impacting the Court movement.
- Juvenile Hall: A K-9 Dog program began a few weeks ago with three (3) dogs and three (3) young people (either Transfer or Direct File cases), and the first graduation is pending for Thursday, January 19, 2017.
 1. Juvenile Hall partnered with a local provider who has worked with Santa Cruz County and Monterey County to teach youth in Juvenile Hall or Foster Care to train rescue dogs.
 - The training is approximately eight (8) weeks.
 - The dogs are fostered by other families who bring the dogs to and from the trainings.
 2. At the graduation, the young people are able to show off their handling skills in front of invited family members and potential adopting families.
 - The young people are given a voice when choosing which family should have the dog.
 - The young people love the program.
 3. If successful, the program participants may increase.
 - The investments from the youth has been tremendous.
 - As the next group rolls in, Mr. Rooney would like to talk to the program coordinator to allow the first group to be mentors/trainers.
 - Behavioral Health will be brought in to track moods and behaviors.

Elsa Jennings reported on the following:

- Juvenile Hall: Holiday season events (if interested in attended, Ms. Jennings will send an email of the schedule):
 1. Decorating Contest will be December 23, 2016, from 10:00 a.m. until 12:00 p.m.
 2. Pizza Party provided by the attorneys will be December 24, 2016, in the evening.
 - Thank you to all of the attorneys
 3. Santa Claus visit will be on December 22, 2016, at 5:00 p.m. in the Court waiting room.
 - Bill Wallau, counselor who works for the MAC Unit, has orchestrated the event.

- Board of Supervisors will give a Letter of Commodation for his volunteer service on Christmas for over 40 years.
- This will Be Mr. Wallau’s last Christmas as Santa Claus. His son will take his place beginning in 2017.

Michael Clarke reported on the following:

- James Ranch holiday season events:
 1. Holiday Bar-B-Que and Show will be December 7, 2016. Commissioners are invited to attend.
 2. Bill Wallau has expanded his services to James Ranch.
 - Mr. Wallau receives donations, and is able to provide gifts for all of the youth.
 - Usually staff contributes to provide gifts to the youth.
 - Mr. Wallau delivers the message of why Christmas is celebrated with his appearances.
 3. The attorneys will provide pizza at James Ranch on Christmas Eve.
- The construction project is moving forward.
 1. Contractors have been obtained who have been onsite.
 2. There is some construction equipment coming out.
 3. In January 2017, the location for the construction should be fenced off.
 - Commissioner Gonzalez inquired about the completion date of the construction project. The answer is over the course of two (2) phases, dorms first, then other buildings, the completion date is February 2019.

Kathy Martinez reported on the following:

- In a presentation, Ms. Martinez updated and informed the Commission on 1. The Youth Advisory Council (YAC), 2. Impacting the School to Juvenile Justice Pipeline Initiative, 3. Initiative to Improve Services for Probation Supervised Youth in Extensive Foster Care, and 4. CCR.
 1. In 2015, a State Grant was received, allowing Probation to develop YAC within the department. Probation contracted with Fresh Lifelines for Youth (FLY) who has an advisory council manager. Probation has dedicated an officer to work closely with the manager to develop the council.
 - Work over the last year includes conducting seven (7) focus groups;
 - Thirty-eight (38) participants of former juvenile justice involved youth
 - The groups identified the challenges they faced while going through the juvenile justice system, what they need to be successful, areas the council could focus on, and incentives to encourage participation.
 - They are hoping to gather a group of ten (10) to twelve (12) youth adults who were formerly system involved to join the advisory council.

- The focus group has come up with a core design group, and meeting weekly to develop their mission, values and vision.
 - The group was given the option to rename the group, but decided to keep it as an Advisory Council. Instead of being members, they would like to be called Juvenile Justice Consultants.
 - The group is talented and motivated. They receive incentives for participation.
 - Probation is hoping to have a formal council formed by early spring of 2017.
2. Probation was approached by the Youth Law Center who received funding from The Zellerbach Family Foundation to do work specifically with Santa Clara County Probation around Juvenile Justice-involved Extended Foster Care Children.
- It is a year-long technical assistance project looking to develop model practices and policies for Juvenile Justice Extended Foster Care Youth;
 - Find ways to provide additional support;
 - How to engage youth who may not be taking advantage of available services; and
 - To provide technical assistance to the Probation Department and some stakeholders.
 - Technical Assistance includes: training in adolescent brain development, legal requirements of AB 12, supports and services available to youth in extended foster care, best practices for case management, child-specific foster parent recruitment, and youth engagement for probation supervised youth.
3. Probation applied for another technical assistance grant.
- With statistics provided by Impact Justice, Santa Clara County Probation along with four other counties, was awarded a technical assistance grant reviewing how to slow the School to Juvenile Justice Pipeline.
 - The research found children who experienced suspension or expulsion have ended up in the Juvenile Justice System.
 1. Research in collaboration with Chief Probation Officers of California found nine (9) out of ten (10) children in a county run security facility had experienced suspension or expulsion.
 2. To create change, the group will work with the five (5) counties to review education data (K-12), system-involved and not-system-involved data, attempting to find early indicators in hopes of slowing the pipeline.
 3. This will be a year-long project.
 4. Santa Clara County Probation is working with Eastside Union High School to gather the data.
 5. Commissioner Gonzalez asked Ms. Martinez what elementary and junior high school districts will be involved; and Ms. Martinez stated Probation is identifying

Eastside Union High School feeder schools to find what data is readily available.

4. Probation has been working jointly with Behavioral Health and DFCS over the last several months to develop a Continued Care Reform Structure.
 - Four (4) different work groups were formed, and had an orientation last month with co-chairs from all three departments leading each work group to lead the effort towards implementation of the Continued Care Reform requirements.
 - There is a separate community engagement group/advisory team forming to have a second meeting with community providers later in the week.
 - CCR is at the forefront, and Probation has been moving forward to make it work.

Commissioner Colunga requested to hear more information regarding the new ASR Strategic Planning effort.

- Ms. Martinez explains the process began early in the summer of 2016, and through the process there have been a series of three (3) meetings with approximately twenty (20) core people (volunteers of people from the Ranch and facilities from many different staffing levels) to review all of the points of the system.
 1. Each step/point from arrest to placement is reviewed thoroughly.
 2. Examining major transition points to find the gaps and room for improvement.
- Currently in process of conducting six (6) or seven (7) focus groups to look at three areas to gather feedback:
 1. Early Prevention
 2. Moderate to Intensive services
 3. High services
- There has been community involvement as well.
- Once the data is gathered, Probation will be able to develop a strategic plan.

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

Jennifer Hubbs reported on the following:

- New Director, Francesca LeRae from Los Angeles, will begin January 9, 2017.
 1. Ms. Hubbs will send a biographical statement to the Commission.
- Structured Decision Making (SDM) is in the implementation phase.
- Fully into the integration of the Child and Family Practice Model.
- The Department is examining and identifying system items to assess possible improvement.
- The next meeting (personnel only) for the planning of the future site of the RAIC will be Friday, December 9, 2016, therefore, no updates are available.
 1. The process is still on track.

Melissa Suarez reported on the following:

- Implementing the overnight shift.
 1. Child Abuse Hotline will be answered at all hours.
 2. Investigations during those hours with the overnight staff have also started.

3. Full implementation by the end of the month
 4. Not fully staffed, but still hiring staff.
- The Department has been sending out many gift cards (\$50 gift card and \$50 Target card) to meet the needs of children in emergency situations.
 1. Forty-seven (47) cards were handed out in the previous month.
 - Referencing last month's question regarding chronic runaways and how many of those were free children; in the last three (3) years there has only been one (1).
 1. Chronic Runaway is defined for the department purposes as children who have showed up more than one (1) time in a month or more than one (1) month in a row. (Department Definition provided by Ms. Hubbs)
 - Family Find is still in development.

Judge Tondreau requested more information regarding extended stay at the new temporary facility.

- Ms. Hubbs explains the community support to keep the current location; therefore, a six (6) month extension is being reviewed.
 1. Alzheimer's Board and Board of Supervisors have been approached.
 2. The extension is actively in negotiations.

Ms. Hubbs addresses many question in the meeting as follows:

- The status of the former RAIC has been pushed back from December 2016 to January 2017.
 1. The County owned building is still being repaired.
 2. Commissioner Blake reiterated the Commission's support of staying where the RAIC is currently located.
- The transition from the counselor classification to the social worker classification is over halfway complete. One (1) code under active hire status went to the Board of Supervisors recently. There will be one (1) upcoming vacancy in January (the code will add and delete).
 1. In order to transition the codes, an Add and Delete must occur. When the position becomes vacant, the code will be able to change classifications.

Behavioral Health – Mental Health Services:

Lauren Gavin reported on the following:

- Juvenile Hall clinic will be adding Sunday hours in mid-January at Probation's request.
 1. The Clinic will be open ten (10) hours on Saturday and ten (10) hours on Sunday.

Behavioral Health – Alcohol and Drug Services:

Stephanie Kitchen reported on the following:

- Since the passing of Proposition 64, many stakeholders throughout the community have become concerned about use amongst youth.
- The department is trying to organize curriculums and provide training to the community.
 1. Work is being done with other counties.

Law Enforcement Agencies: No report.

Public Defender's Office:

J.J. Kapp reported on the following:

- Nisreen Baroudi from the Public Defender's office is at a training sponsored by IDO with Lana Kredie presenting.
 1. Training is being held in Investigation Unit.
 2. Possibly 65 attorneys, including IDO, are at the training.
 3. The trainers will conduct a joint training for probation the week of December 12, 2016, regarding Proposition 57 Transfer Hearings.
- From a defense perspective, the recertification(s) back to Juvenile Court have been smooth.
- Maria Avila (Juvenile Unit Attorney) will be moving to Prelim Unit with Judy Wang taking her place beginning the week of December 12, 2016.
- Pizza Party going into 11th year (began in 2005).
 1. All the attorneys from PDO and ADO will go to James Ranch (2:00 p.m.) and Juvenile Hall (4:00 p.m.) on Christmas Eve.

Independent Defender's Office: No report.

Alternate Defender's Office:

Kevin Rudich reported on the following:

- Looking forward to the Pizza Party.
 1. Gratitude was expressed towards Elsa, Sean and Mike for facilitating the Pizza Party.
 2. This year, due to the low populations in James Ranch and Juvenile Hall, the Pizza Party will be expanded to include the Bill Wilson Center.
- ADO will be having training on the Transfer Hearings.

Legal Advocates for Children and Youth (LACY):

Andrew Cain reported on the following:

- Amanda Kennedy will be assuming the position once held by Ruby Marquez as the Dually Involved Youth Liaison.
 1. Case related or systemic questions can be directed to both Mr. Cain and Ms. Kennedy.
- On behalf of LACY, it was an honor to recognize the Juvenile Justice Commission with an award at the LACY ceremony.
 1. The Law Foundation of Silicon Valley has a YouTube site if anyone is interested in watching the videos from the ceremony.

Medical Services:

Chia-Chen Lee reported on the following:

- Ms. Lee thanked Stephanie Kitchen for the partnership with medical training and Ms. Kitchen's department to work on creating a Drug and Education Training Program.
 1. Over ninety percent (90%) of children in the Juvenile System consume/use some type of drug with marijuana being number 2 on the list.
 2. The children who are released have been hard to educate.
 3. Ms. Kitchen ensured all medical staff was properly trained to provide the youth quick educational guidance before release.
- The Healthlink transition has been a success, and Ms. Lee is grateful for everyone involved.
 1. Security update: Ten percent (10%) of the children already have a "My Health Online" (MHO) account.
 - The children in-custody with pre-established website MHO access are able to find out when the next appointment is and possibly facilitate an escape. Although the kids may or may not have access to the internet in Juvenile Hall, the parents/friend outside can use the website MHO information of future appointment to possibly facilitate an escape.
 - Solution for above issue; the operation system has been built: if a child is in Juvenile Hall, the MHO website account is deactivated upon the admission registration process by the clinic staff, and automated calls for appointment reminder will not be made to the child's home. The MHO will be reactivated upon discharge.
 2. Privacy: the status of in-custody, drug, and alcohol should not be open to community providers.
 - Some information has been left only on paper.
 - Pilot project in the works to maintain privacy for teenagers.
- Medical Outreach Program will be presenting January 21, 2017, in San Antonio, Texas at the American Correctional Association Conference.

Alternative Schools Department, COE:

Steve Olmos reported on the following:

- The office has experienced a lot of turnover in staff.
- The numbers are low in Juvenile Hall and Community Schools.
 1. There are approximately one hundred (100) students from the thirty-one (31) districts feeding into the department which is down from three hundred (300).
- The OYA program has experienced an increase
 1. The program serves 16 – 24 year olds disengaged from school.
 2. About two hundred (200) students
 3. Principal has been at the school for about four (4) months
- Districts are holding onto their students for two (2) reasons:
 1. The way districts receive money has allowed the districts to properly assist youth in the system.
 2. The State started measuring or including expulsion statistics in success rates, therefore, schools are tending keep the children in their schools.

Victim Witness Assistance Center: No report.

YWCA Support Services: No report.

Announcements/Correspondence:

- There is a Children's Summit on February 24, 2017.
- A recommendation to permanently eliminate Juvenile administrative fees will be heard at CSFC meeting on December 15, 2016.
- Juvenile Hall is still in the County's process of acquiring security cameras.
 1. There will be an update provided on the bid information from years ago.
 2. Commission has a strong interest in seeing this issue be addressed.
 3. Mario Lopez states the process must take place, but is moving forward. The action will be prioritized individually.

Old Business: None.

New Business: None.

Adjourn to Executive Session: Chair Colunga adjourned the meeting to the Executive Session at 1:25 p.m.

Next Meeting: January 3, 2017, DA Crime Lab Conference Room, 250 W. Hedding Street, San Jose, California.

Respectfully submitted,

Janice Jones