

**COUNTY OF SANTA CLARA
JUVENILE JUSTICE COMMISSION
Meeting Minutes – December 7, 2021
Via Zoom**

Commissioners Present: Victoria BurtonBurke, Chair
Stephen Betts, Vice Chair
Carol Rhoads, Secretary
Heather Angove
Jean Pennypacker
Lisa Macias
Lissa Thiele
Nora Manchester
Penny Blake
Ron Hansen
Darius Parakh
Diana Traub
Vaishali “Shali” Sirkay
Lionel Allan

Commissioners Absent: Paula Escobar

Also Present: Honorable Frederick Chung, Superior Court
Honorable Katherine Lucero, Superior Court
Honorable Franklin Bondonno, Superior Court
Anjelica Hayden, Superior Court
Graciela Gonzalez, Behavioral Health
Vanessa Cornejo, Behavioral Health
Veronica Robles, Behavioral Health
Morena Cruz, Probation Department
Mariel Caballero, Probation Department
Dolores Morales, Probation Department
Alex Villa, Probation Department
Victoria Contreras-Wolfe, Probation Department
Paul Jhin, District Attorney’s Office
Nisreen Baroudi, Public Defender’s Office
Damon Silver, Public Defender’s Office
David Epps, Alternate Defender’s Office
Dane Caldwell-Holden, SCCOE
Mark Camilleri, South County AED Principal
Jill Ugalde, Probation Department
Lanphuong Le, Valley Medical Center
Ruth Maurice, OMOS
Karen Steiber, IDO
Manny Cardenas, Fresh Lifelines for Youth
Ravi Rajendra, Office of the County Counsel
Shelley Aggarwal, Juvenile Facilities Medical Clinics
Lt. Rob Lang, San Jose Police Department
Patrick Tondreau, Chair of Dependency Advocacy Center
Andrew Cain, Law Foundation of Silicon Valley
Eugene Santillan, North County Principal AED

AnnaLisa Chung, Dependency Advocacy Center
Jessie Eschman, Welcoming Center
Allie Hughes, Office of Supervisor Lee
Marcie Bellicitti, Citizen

Call to Order & Introductions: Chair BurtonBurke called the meeting to order at 12:17 p.m.

Agenda Approval: The agenda was approved by all Commissioners present.

Public Comments/Oral Petitions: None.

Approval of Minutes: November 2, 2021 Minutes approved by all Commissioners present.

REPORTS

Presentation: The JJC Looks at Data. Commissioner Ron Hansen reported on the following:

- This data comes from two different organizations: the Juvenile Probation Department, which produces daily and monthly reports, and reports from DFCS, which produces a daily dashboard and report, and monthly report.
- In custody youth have gone from a peak of 200 youth to 60-70 youth for monthly average population.
 - For youth in custody in Juvenile Hall, the monthly average population has stayed around 75-125 youth for the last several years.
 - In 2019 a decline in population (due in part to COVID-19) put the average population at about 50 youth and has lasted 12-16 months.
 - Youth housed at the Ranch have also declined in population around 2019-2020, housing 20-25 youth.
- An upward trend can be seen in youths' average length of stay. From this, Commissioner Hansen calculates 'total youth-days,' the number of youth in Juvenile Hall times the average length of stay for the entire population. This youth "cost" to our community is typically about 8,000 youth-days.
 - To put this into perspective, a class size of 40 spans 7,200 youth days in school in a school year.
 - The youth put into Juvenile Hall tend to be there for a longer period of time. This signals a difference in composition of the youth at Juvenile Hall.
- The average length of stay can be found by looking at the reports on a daily basis. The report is broken down based on the youth as they enter the Hall and they go through their court process.
 - This example is taken from September 15, 2021: 44 youth were in the Juvenile Hall
 - 60% had been in Juvenile Hall less than 100 days
 - 41% of youth had been in the Hall longer than 250 days. This includes youth that are in the Secure Track Program.
 - Looking at the same population two months later on November 15, 2021
 - About 60% of the youth population that had been there less than 100 days, this stayed about the same.
 - Larger percentage of youth made up the population that had been in the Hall for the 200-250 day grouping.
- In tracking the youth age in Juvenile Hall:
 - When the population was 100, youth aged 11-14 made up 14-16% of the entire population.

- In the past 2-3 years, this population has reduced to 1 or 2 youth aged 14 or younger entering the Hall with attention to keeping youth out of Juvenile Hall.
- Though calls and referrals to DFCS have remained the same, petitions have declined continuously since January of 2020.
 - Over the course of the last three reporting times, petitions have numbered in the single digits.
- The daily reports that we were receiving through DFCS identified where the youth might be, scattered site, a particular house, the Welcoming Center, or if they are still in the system but they are considered to be a runaway.
 - Some of these youth are difficult to place and may not stay in their placement. This is a challenge that DFCS has to manage, especially when certain youth are difficult to track.
- In closing, Commissioner Hansen cautions: data cannot tell us the answer, it can support possible answers and needs interpretation before it suggests answers to the questions we are posing. It can show trends, how things are changing (improvement or warning). It can suggest who and what to ask, and it can suggest where to look for answers.
- Nisreen asks, under the slide with youth aged 11-14 I don't think that accounts for when the law changed. The minimum age of prosecution is now 12. Commissioner Hansen answers, when he began making this report he wanted to be as inclusive as possible but he can make that adjustment moving forward. Judge Lucero adds that the data used in the charts started in 2015 but the law did not change until 2018 so it might be useful to add in the graphs that the law changed during that time.

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

- The Continuum of Care Committee continues to meet semi-monthly to discuss issues that face Dependency partners
- JJC is monitoring changes at DFCS that result in fewer removals of children from their care takers and fewer petitions being filed
 - A better understanding of this was facilitated by the participation in the DIY Training this past month.
- Our Equity and Justice Committee continues its concern for school safety and the potential for the criminalization of youth
 - At the Legislative Committee's request, the Commission has sent letters to federal legislators supporting the Counseling not Criminalization in Schools Act.
- The JJC also continues its concern with housing and development of programs for SB823 Secure Track youth and is monitoring the development of the program.
 - 2 Commissioners were able to visit the Secure Track unit to view progress and speak to several of the youth.
- Members of the JJC are involved in the Gender Responsive Task Force transition and attended the Association of Justice Involved Females in which commissioner Thiele was a presenter.
- The Commission also participates in several educational focused Zoom meetings including the Juvenile Justice Aligned Action Network and others that review the problems and processes in education after COVID and remote schooling
- The commission has also been in communication with other JJC's and was able to participate in a Zoom meeting with San Diego's JJC where we shared information with how items were progressing in our respective counties.
- JJC made a special effort last year to brighten things around the holidays for in-custody youth and are pleased to continue assisting in getting special gifts supplies for the holidays that run from Halloween to Christmas. The JJC is grateful for the input of the E3 program and Bring Me A Book foundation this year.
- Our meetings will continue virtually until further notice.

- The James Ranch Inspection report is completed, published and distributed. Members of the inspection team participated in an exit meeting with the staff at James Ranch. Carol Rhoads will present on the inspection's conclusions.
- Commissioner BurtonBurke reminds speakers to address the question of the day: What you can imagine your organization doing to prevent youth from entering the system?

Presentation: Juvenile Justice Commission James Ranch Inspection Report November 2021:

Commissioner Carol Rhoads presented on the James Ranch Inspection:

- The full report can be found on the Court's website, with a one page executive summary and report recommendations.
- To begin with commendations, the staff at James Ranch were on their own for most of the pandemic working without family visits, teachers or CBO's on site and in addition working with depleted staff due to emergency service.
- Probation together with Public Health partners did well to keep in-custody youth safe during COVID.
- Areas of concern that resulted in recommendations:
 - Court schools lagged other districts in responding to COVID to maintain educational progress for youth.
 - This is a serious matter when considering youth at the Ranch who already face educational challenges.
 - There is a new COE team at the Ranch, JJC is looking forward to some of the educational issues that will be addressed.
 - These recommendations were addressed to Probation COE, Facilities, County Executive and the Board of Supervisors.
 - There is a countywide challenge regarding appropriate placement for youth with high behavioral health needs.
 - This affects the Dependency system as well as the Justice system, diverting services and not being able to meet specific youth needs.
 - Until individuals receive appropriate assistance, Juvenile Hall can expect default placements for youth at the Ranch because of a lack of a more appropriate setting.
 - There continues to be a concern about disproportionality of youth entering Juvenile Hall and the Commission wants to work to continue to address the school to prison pipeline.
 - The perimeter security surveillance system which, after a number of years, remains unfunded and un-implemented at the Ranch.
- Commissioner Rhoads thanks the staff at the Ranch for their cooperation and responsiveness and their work throughout this difficult period.
- Judge Bondonno asked, if there is no Ranch security system that may dramatically impact what the County does at the Secure Track at the 6-month mark. One of the options a Judge has is to reduce from the Secure Track to the Ranch or somewhere else. Is there anything we can do to encourage getting the security system up and going? Commissioner Rhoads notes that it's not that there is no Ranch security, rather a video surveillance system is still not funded by the Board of Supervisors. Maybe Probation has a more complete comment on that?
- Jill Ugalde added: In regards to our surveillance system we do have a recommendation from the AVS to provide recommendations for improved security on the James Ranch facility. The report was sent right before COVID, we currently have approved cameras for the dormitory and we are working with a contracted provider to get those cameras up and running. As far as the actual perimeter sensing and any type of additional security, a contract is going to be needed to get that moved forward. The Ranch is aware that this is an area that they need to look deeply into with multisystem collaboration. Judge Bondonno added he is ready and willing to support. Jill

comments that the proposal still needs to be written to get an estimate for funding. Jill will be reaching out to the commission if they need additional support.

Juvenile Justice Court: Judge Lucero reported on the following:

- Judge Lucero thanks the Juvenile Justice Commission for their dedication and critical role that they play in holding systems accountable for the best outcomes for youth.
- Judge Amber Rosen and Judge Ralph Sivilla-Jones to join the dependency court bench in January 2022.
- Legal Updates Training for the Juvenile Justice Court to be held on 1/12/2022. Training to be held by the Public Defender, the District Attorney, and County Counsel.
- Judge Lucero expresses her concern about not being able to meet within the JJSC work groups in person for almost 2 years, having no way to systematically work through race equity during this critical time.
- Family First Prevention Services Act implementation group meeting: a legal change that is mandating our county to work with a prevention lens for our child welfare families.
 - There is a lot of prevention work, which may be the reason for a drastic drop in petition filings
 - The Judges have expressed concerns and want to make sure that they are aware of the kinds of services that are being offered in lieu of bringing in formal petitions
- DJJ realignment: Judge Folan and Judge Lucero visited the Secure Track youth to look at the upgrades that are occurring, some future and proposed upgrades, and spoke with the youth.
 - They are satisfied that the youth are being well taken care of and the program is rehabilitative and that the youth feel like they are getting what they need to be welcomed back into the community.
 - It is the hope of the Judges that they use the Ranch as a step down as soon as possible even before the 6 months if possible.
- Judge Bondonno adds that there are a number of issues about competency that the law has not resolved yet. We are organizing a training for evaluators in competency scheduled for February or March of 2022.
- The pilot tutoring program is getting off the ground slowly, and he hopes to have some real numbers to speak about by February.
- Judge Tondreau asks, regarding legislation for next year, do you have any suggestions for potential clean up language to clarify portions of the competency statute? Judge Bondonno replies that he would like to have that conversation offline.

Dependency Court: Judge Chung had nothing new to report.

Department of Children and Family Service/Children's Receiving Center (DFCS): Jessie Eschman had nothing new to report.

Probation Department – Juvenile: Jill Ugalde, Dolores Morales, and Alex Villa reported on the following:

- Jill Ugalde reported:
 - Last week some of the San Francisco 49er players spoke to the youth over Zoom. They were able to speak to the youth about the players, finances, and working as a team.
 - During the Thanksgiving holiday the Ranch prepared meals for the After Care families.
 - Marc Utsey is currently working with the YAC to become peer help education advisors. They are currently working with the Juvenile Hall clinic to create a program of peer educators.

- The Ranch is currently starting the pilot program for the UCCI Core Correctional Practices Model that is scheduled to be up and running in the A-Pod. Staff is currently participating in coaching with UCCI facilitators to ensure sustainability for long term program success.
- Jill encourages the JCC to stop by the winter wonderland, filled with holiday decorations at the Ranch.
- Dolores Morales reported:
 - Today is the first day of the Trades Program at Juvenile Hall. Volunteers have been able to come in from 9 different trades and share their life experiences with the youth. The youth have the opportunity to work with Safety Cal OSHA to obtain a certificate that will make them employable in California with hands on experience to take with them.
 - During the holidays Juvenile Hall is working with FLY and local high schools to write letters and send small gifts to the 65 youth in the Hall over the holidays.
 - Juvenile Hall is looking to start a book club, with a goal of each youth having 2 books/digital books.
 - Secure Track youth are asking for gifts for their siblings. The Hall is requesting 20 gifts, individuals looking to participate are encouraged to contact Dolores for a list.
- Alex Villa reported:
 - The program narrative has been approved for the Duly Involved Youth Initiative awaiting signatures.
 - The vast majority of Education Services team members have been called as disaster service workers however, we are working on a project for Ed Services that will provide education support for pre-adjudicated youth in the coming year.
 - Alex is working with Judge Bondonno to put names together for the tutoring pilot program.

Behavioral Health: Veronica Robles had nothing new to report.

Medical Services: Lanphuong Le reported on the following:

- Currently, with the new admissions at James Ranch and Juvenile Hall:
 - 89.1% youth have been offered the COVID vaccine
 - 73.7% youth have been vaccinated
 - 26.3% youth declined the vaccine
 - 10.9% unable to ask
- Youth who are already discharged from the Hall and the Ranch, 16 of them were partially vaccinated, 36 youth had completed their vaccinations.
- As of December 1st, Medical Services is offering the COVID booster shot for youth 18 and over.
- Commissioner Burton Burke asked, have flu shots been administered? Lanphuong answered, yes, flu shots have been administered at both facilities already.

Law Enforcement Agencies: Lt. Rob Lang had nothing new to report.

District Attorney's Office: Paul Jhin reported on the following:

- The DA's office is continuing to work with various school districts and have recently been working a lot with East San Jose School District.
 - Staff has done a lot of work regarding the Fentanyl poisoning epidemic that is impacting our youth. There has been a large uptick on the number of poisonings that have occurred and the DA's office has been working closely with law enforcement to curb this epidemic from continuing.

- Commissioner BurtonBurke asked about the South County diversion program (for youth that have had a police report written. Paul answers that Adam Flores would be the best person to answer questions about the diversion program.

Public Defender's Office: Nisreen Baroudi and Damon Silver reported on the following:

- To answer the question of the day “what you can imagine your organization doing to prevent youth from entering the system”, on her wish list, Nisreen notes she would like 9 Community Public Defenders and 2 Education Rights Attorneys to work in-house to work on getting ahead on why youth are entering the system. Though previous attempts at applying for a grant to obtain those resources were not successful, she will continue trying.
- The South County Diversion Program was expected to launch 12/6/21, and would like a JJC presentation on the subject for further information.
- Nisreen and Judge Lucero were appointed to the Judicial Council Family and Juvenile Law Advisory Committee Secure Youth Treatment Facility Offense Based Classification working group. The first meeting is scheduled for 12/14/21.
 - As a working group, they are supposed to report to the Judicial Council no later than 7/21/23.
- Attorneys from the Public Defender's Office are going to California Public Defenders Association training in Monterey scheduled to be in person. Nisreen will present on the basics of the Secure Track during the training.
- Nisreen notes that she echoes Judge Lucero's concern of the inability of the REJS and REP meetings/workgroups to continue. Meetings have not been getting the information they expected and are not able to look at the numbers as a group.
- Traditional pizza delivery by the Public Defenders will continue on 12/24 to the Ranch Juvenile Hall.
- Damon reminds the JJC that FLY's virtual showcase is on 12/10/21 at 8:00 AM and encourages JJC to attend.

Alternate Defender's Office: David Epps had nothing new to report.

Independent Defense Office: Karen Steiber had nothing new to report.

Legal Advocates for Children & Youth (LACY): Andrew Cain has nothing new to report.

- To answer the question of the day, Andrew notes that we all understand the barriers that youth face to being successful in school are often factors that contribute to youth being involved in juvenile justice or child welfare. To prevent youth from entering the system LACY is thinking about delivering more direct services to allow students to be more successful in school and more broadly thinking about reform efforts within school districts to level the playing field for students.

Dependency Advocacy Center: AnnaLisa Chung had nothing new to report.

- To answer the question of the day, prevention has been a priority area for DAC for the last few years. DAC has been successful in the areas of prevention to represent parents with open court cases and in collaboration with Adult Probation for the past few years as well as our new relaunch this year First Call for Families.
 - Working to strengthen families to prevent the need for them to enter the system.

The Office of Mediation and Ombuds Services: Ruth had nothing new to report.

- To answer the question of the day, Office of Mediation gets cases from youth that are already in the system, but to hopes of preventing the youth from re-entering the system, the victim-offender mediations allow youth to start a conversation with the victim, put a face to the victim, and allow

the youth to hear the real consequences their actions have on another person. This might help the youth be more understanding and think twice in the future. The parent-youth mediations also help the family with communication and give them other tools to reduce tension at home, to prevent youth from acting out in the future.

Alternative Schools Department: Dane Caldwell-Holden reported on the following:

- Transition Navigator has been on-boarded to the department, and she will begin working with school districts as soon as possible to smooth the way for youth coming out of incarceration back into the most appropriate program for their success.
- Beginning in September, the department has been having 45 day assessment cycles, giving teachers data to understand how to better reach the youth. Over the last 2 and half months, we have seen math grades improve from a fourth grade level to a sixth grade level. 90-day growth is really positive so far.

Announcements/Correspondence: None.

Adjourn to Executive Session: Chair BurtonBurke adjourned to Executive Session at 1:30 p.m. The next meeting will take place on Zoom on January 4, 2022.

Respectfully submitted,

Anjelica Hayden