

**COUNTY OF SANTA CLARA
JUVENILE JUSTICE COMMISSION
Meeting Minutes-December 2, 2014**

Santa Clara County Crime Lab, 1st Floor, 250 W. Hedding St., San Jose, CA

Commissioners Present: Penny Blake, Chair
Raúl Colunga, Vice Chair
Raymond Blockie
Dana Bunnett
Victoria BurtonBurke
Bonnie Charvez
Ronald Hansen
Tracy Lauth
Nora Manchester
Jean Pennypacker
Jeremiah Tanojo
Vincent Tarpey

Commissioners Absent: Kimberly Dong and Pamela Serrano

Also Present: Honorable Katherine Lucero, Superior Court
Honorable Pat Tondreau, Superior Court
Honorable Jesús Valencia, Superior Court
Terry Ugaude, Supervising Group Counselor, Juvenile Probation Department
Jennifer Hubbs, SSPM I, Department of Family & Children's Services (DFCS)/Receiving Center
Ana Sona, Juvenile Hall Counselor, Juvenile Probation Dept.
Yvette Irving, Director, Santa Clara County Office of Education
Melody Grandell, Juvenile Justice Chair, Santa Clara County League of Women Voters
Jonathan Madigan, Community Relations Specialist, California Youth Connection
Alvaro Viramontes, Advocate, YWCA Rape Crisis Center
Anne Elwart, Probation Manager, Probation Department
Chia-Chen Lee, Manager, Valley Medical Center (VMC)
David Epps, Alternate Defender Office (ADO)
Karen Steiber, Attorney, Independent Defense Counsel Office
Rita Loncarich, Probation Manager, Juvenile Hall
J.J. Kapp, Assistant Public Defender, Public Defender's Office
Elle Parsons, Juvenile Hall Counselor, Juvenile Probation Dept.
Jose Lepe, Juvenile Hall Counselor, Juvenile Probation Dept.
Jose Franco, Supervisor, Public Defender's Office
Ruby Marquez, Staff Attorney, LACY
Mariel Caballero, Program Manager, Probation Department
Michael Wharton, Juvenile Crimes Sergeant, San Jose Police Dept.
Jenny Lam, Deputy County Counsel, County Counsel's Office
Robert DeJesus, Probation Department

Guests Present: Lyn Johnson, Private Citizen
Cybele LoVuolo-Bhushan, Secretary (Board), ACLU-Mid Peninsula Chapter
Eric Kurhi, Reporter, San Jose Mercury News

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Call to Order & Introductions: Chair Blake called the meeting to order at 12:20 p.m. All who were in attendance stated their names and organization.

Agenda Approval: Moved by Commissioner Colunga and seconded by Commissioner BurtonBurke, the agenda for December 2, 2014 was approved unanimously.

Public Comments/Oral Petitions: Chair Blake announced that Judge Tondreau would swear in two commissioners at the same time, Commissioner Blockie and Commissioner Colunga. Judge Tondreau administered the Oath of Office to both commissioners.

Presentation by Marc Buller, Assistant District Attorney

Mr. Buller introduced himself and his desire to speak about the role of the Juvenile Justice Commission. He has been with the District Attorney's Office for over thirty years, and involved with Juvenile Court since 1985. He has seen a lot of changes but the consistent body of the Commission has done a lot for the Juvenile Justice System. The structure of the Commission may have changed but the reports have helped keep everyone in line in regard to the service provided to the young people in our community. Mr. Buller commended the Commission for all of the work they do.

Mr. Buller continues to work with Judge Tondreau on their committee. They will meet next week about the future of the committee and their leadership group. They continue to push forward and question what they are doing. It has been noteworthy for the various Juvenile Justice partners to look inside their systems and push to ensure that the system is as good as it can be.

Next year, after he retires, Mr. Buller will continue to be involved with those committees in different ways, and will continue to report back to the Commission and work diligently on making sure the system works for all the people in it.

Chair Blake presented Mr. Buller with a Certificate of Appreciation in recognition of his many contributions to the Santa Clara County Juvenile Justice System. Chair Blake recognized Mr. Buller as being responsible for the Juvenile Wards Unit, where he ensured that all youth were dealt with fairly. As Co-Chair of the Juvenile Justice Systems Collaborate Case Systems and Processing Workgroup, he has been instrumental in leading the establishment of a number of programs that have focused on reducing the racial and ethnic disparity in the Juvenile Justice System. The Commission wishes Mr. Buller well in his new career path, where he will continue to work with the youth of our community.

Mr. Buller stated that it has been great to work with the Juvenile Unit, and that the ability to impact the community and young people is totally different than the adult side. They stress on their lawyers that this is an opportunity to do a lot of good things, and a lot of them have taken that opportunity. Mr. Buller stated that the Juvenile Unit is in great hands with Chris in the future, and he thanked the Commission for their support. Chair Blake added that some members of the Commission will make donations in his honor to his school.

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Approval of Minutes: Moved by Commissioner Tarpey and seconded by Commissioner Blockie, the November 4, 2014 meeting draft minutes were approved unanimously.

REPORTS

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

- Since we are now in the middle of the Fiscal Year, they have completed and published the Ranch and group home inspection reports. Those reports are available online.
- The Commission will begin the Juvenile Hall inspection report this week, and will complete the Receiving Center again by the end of the year.
- The Commission has continued to play an active role in the new Receiving Center planning process.
- The position paper on the use of OC Spray in Juvenile Hall has also been published and posted online. The Commission is asking that OC Spray not be used going forward. The Commission does not see the need and would urge the department to provide the appropriate training and programming so that there is not a need for this type of tool. That position is outlined more substantively in the report.
- The inspections of law enforcement agencies are underway. They will be continuing that over the next several months.
- At the end of this month, the Commission will be down three members. Commissioner Lauth will be moving to another county, Mr. Betts has gone to work for the Bill Wilson Center, and Commissioner Bunnett's tenure will expire at the end of the month. They are in the process of filing these vacancies as soon as possible.

Juvenile Justice Court: Judge Tondreau reported on the following:

- Judge Tondreau acknowledged Stephen Betts, Commissioner Lauth and Commissioner Bunnett for the work they have done over the last couple of years. This Commission has been a strong and proactive body, and each of these people have made significant contributions.
- The pepper spray report was also acknowledged by Judge Tondreau. The report was sent to a lot of people and garnered tremendous feedback. Currently, the County Board of Education, La Raza Roundtable, Silicon Valley Council of Non-Profits, the Juvenile Court Judges, and the Mercury News are all on the Commission's side of the issue that pepper spray should not be used.
- The San Andreas Regional Center is sending three of their people to give a presentation tomorrow at 3:30 p.m. on how the operation works, how to qualify, etc. All are encouraged to attend.
- Unfortunately, Juvenile is losing Judge Valencia, who will be leaving January 20th. Judge Valencia has been a tremendous asset and is a great judge. His demeanor and interaction with youth and families is commendable. There will be a potluck on January 15th to honor him and all are invited to attend.
- Judge Tondreau also acknowledged Ann Elwart, who is leaving as well. She has made enormous contributions to the Ranch program, and will be missed.

Judge Valencia reported on the following:

- Judge Valencia will be attending the January Commission meeting. He has been working to wrap up the major projects he has been involved with.

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- The financial evaluation hearing rights protocols have been finalized and implemented. They have an advisement of rights form that was revamped with the help of the Department of Revenue and other committee members.
- In August, the new Senate Bill that was passed added WIC §786 which created a new dismissal of records procedure. An ad hoc committee was formed to draft a protocol, which was done, and now we need to synchronize it with the existing 781 records protocol. The hope is to have that done by the end of the year.
- Over the next couple of weeks, Judge Valencia will be making a farewell tour. He will be going to Juvenile Hall and the Ranch to have one last visit with the kids and staff. He will give his final report at the January meeting.

Judge Lucero reported on the following:

- On the note of honoring Mr. Buller, Judge Lucero added that he got her hired at the District Attorney's Office, where Chair Blake was Judge Lucero's boss. Judge Lucero was surrounded at the DA's Office by compassionate and highly ethical people, and has no doubt that Mr. Buller will keep that going.
- Opportunity Court is our third Thursday Juvenile Treatment Court in the community. We started in April, and it has been very well received. There are typically eight to ten community services at the Center for Training and Careers (CTC), with a youth service fair from 1:30 to 3:30 p.m. on the third Thursday. All probation youth are welcome. Probation Officers and judges just have to refer the youth there so they can come take advantage of services. Our last workshop was on heroin and the dangers of it; we also had a job readiness workshop. The kids do get incentives for attending the workshops, such as \$10 Target gift cards. There will be no Opportunity Court in December, because CTC will be having a Christmas extravaganza that day. Youth and their families are being encouraged to attend that event. If CTC knows ahead of time that youth will be there, they will have a special package for them.
- An Opportunity Court coordinator has been hired. This individual will partner with the Court for case managing and to make sure follow up is being done.
- With regard to Co-Occurrence Court, the final interviews to hire a coordinator are on Monday. This will be a huge step toward its implementation. They are working with a judge in Ohio who does have a Co-Occurrence Court, and have gotten her protocol, which has been identified as using best practices. The two will physically combined on January 22nd after Judge Valencia leaves, so that will be the first day Judge Lucero will preside over Mental Health and Juvenile Treatment Court. The protocols will remain the same until Behavioral Health integrates and we get our integrated assessments, and then we will get a broader umbrella approach to the kids.
- Judge Lucero will be attending CITA hearings with Judge Valencia, who has a true gift with our youth. This will help her get to know the kids before starting to work with them.
- Today from 1:30 to 2:30 p.m., there will be a re-entry meeting to see if we can access the adult re-entry services for kids whose probation is terminated. A warm hand off to that array of services would be ideal, but research will need to be done on what that could look like.
- LACY got a contract to do the Special Immigrant Juvenile Status (SIJS) processing. We need to start asking about if our youth have documentation. If they are probation youth,

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they have a path to citizenship through this special status. Probation officers can work with LACY on the legal piece once findings are made in Juvenile Court.

Dependency Court: No report.

Probation Department Juvenile Program: Mr. Robert DeJesus reported on the following:

- The Commission's report on OC Spray was thoughtful and well researched. Many thanks to the Commission for the time spent on the report, which exudes professionalism.
- Mr. DeJesus acknowledged Ms. Ann Elwart as she prepares to transition over to the Adult Probation Department. Ms. Elwart was one of the founders of the enhanced Ranch program. Over the last several years, the Probation Department has gone in the direction of Evidence-Based Programming (EBP). The Ranch is all about EBP and utilizing strategies that have been proven to be successful. Mr. DeJesus thanked Ms. Elwart for her years of service as she goes on to inform and educate those in Adult Probation about EBP and quality assurance.
- Mr. DeJesus also acknowledged Ms. Rita Loncarich, who will be retiring at the end of the month. Ms. Loncarich hired Mr. DeJesus 28 ½ years ago, and he thanked her for all he has learned from her. The amount of compassion and love she has for the kids is amazing, and has done a tremendous job.

Ms. Rita Loncarich reported on the following:

- Another change coming to the department is that Ms. Diana Teves will be coming back from Juvenile Services to Juvenile Hall on December 22nd when the new Deputy Chief starts. We are excited about having her back.
- The census numbers are low. The Population Sheet distributed today shows yesterday's numbers; today, we are at 104. The numbers are consistently going down, which gives us the opportunity to do more programming with kids.
- For November programs, Ms. Megan Williams, who has been coming to Juvenile Hall for about 30 years, came for Thanksgiving with fresh flowers. She faithfully comes twice a year, with the other visit being for Mother's Day. She lets the youth arrange flowers for their mom, grandmother, guardian, or whoever is visiting them that particular holiday.
- Mr. Bill Wallow will be coming in December as Santa Claus. He has also been coming for about 30 years, and he brings with him gifts that are donated by the Kiwanis Club.
- Without special people like Ms. Williams and Mr. Wallow, these events wouldn't be possible. The kids really look forward to the visits from these great people.

Commissioner Tarpey inquired who the new Deputy Chief will be, and Ms. Mariel Caballero responded that it will be Ms. Kathy Martinez. Ms. Martinez will be starting on December 22nd. Other manager moves include losing Mr. Jermaine Hardy and Mr. Mike Simms, but we will be gaining back Mr. Carl Tadamaru and Mr. Nick Broshard. A fourth manager will also be announced next week as part of the re-organization that is occurring. Ms. Caballero will forward the new organization chart to Judge Tondreau and Chair Blake.

Chair Blake, on behalf of the Commission, acknowledged Ms. Elwart and Ms. Loncarich for their hard work and openness during inspections. They both worked with the Commission with a great deal of respect. Commissioner Blockie added that, as someone who has worked with both

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Ms. Elwart and Ms. Loncarich, they will both be missed. The level of expertise and professionalism they brought made our job easier.

Chair Blake inquired if OC Spray has been used under either of the OC Spray pilot projects. Mr. DeJesus responded no, it has not. The initial pilot project went into effect on August 4th and in the B-9 Unit on October 20th, but the spray has not been utilized under either project.

Ms. Elwart announced that the holiday party at the Ranch will take place on December 10th. The staff potluck is from 12 to 1:30 p.m., and the kids and staff performance will go from about 2:15 to 4 p.m. If you would like to come for either portion, all in attendance are welcome. The staff put a lot of time into helping the kids showcase their talents.

Department of Children & Family Service/Children's Receiving Center: Ms. Jennifer Hubbs reported on the following:

- Ms. Hubbs echoed the sentiments of others that the Commission is a great watchdog agency with valuable input. She thanked the Commission for their participation in the Receiving Center meetings.
- One of the biggest issues with the current Receiving Center location has been lighting. As they build next door, they keep moving the lights and parking spaces. As part of the Capital Projects for 2016, the Receiving Center was approved for new lighting. Ms. Hubbs went to Mr. Bruce Wagstaff about this, who ordered a couple of people to meet with Ms. Hubbs to do problem solving. They will be meeting this Thursday to do some problem solving on the lighting situation.
- For the first time since Ms. Hubbs came on board, a resident has stayed over 24 hours. Staff heard the youth would be coming on the 21st of November, and he arrived on November 26th. From the 21st to the 26th, staff did everything they could to find him a placement. He is a five year old with a broken leg, so he is in a wheelchair for four to six weeks, and requires special considerations. With the Thanksgiving holiday, they were unable to place him. The Receiving Center is not equipped to care for kids more than 24 hours, so they had a team meeting with counselors, supervisors and social workers to map out what the youth would need to keep a daily routine. They detailed out an individual care plan, including homework packets, medical care, etc. He is still at the Receiving Center now on day six, but they do have a potential placement with a foster parent. The hope is to have it worked out by today at 4 p.m.

Commissioner Colunga inquired about if a fire evacuation drill was done with the youth in the wheelchair, and, if so, how did it go. Ms. Hubbs responded that no, a drill was not done with this youth specifically, but they do have a contract with the Sheriff's Office for drills. The Sheriff's Office will be running monthly drills, and they will be practicing a fire drill with a wheel chair. As part of the individual care plan for this particular youth, the Captain of Station 8 has been contacted and notified that they have a youth in a wheelchair staying there. The Captain advised her to inform the dispatcher of that if they do need to call 911. Also, because this youth is not bound to the wheelchair and there is no ventilator to worry about, he can also be picked up easily. Commissioner Tarpey then asked if fire evacuation drills have been done at all. Ms. Hubbs clarified that drills have been done, but have not been done with a child in a wheelchair. They did discuss what would be done differently if they did have a child in a wheelchair.

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Commissioner Colunga asked if those at the County Executive's Office working on the 2016 Capital Improvement Project timeline are aware of the three to five year time frame that they were given to be at the Receiving Center. Ms. Hubbs stated that her concern was that by 2016, she's hoping we don't need the lights at that location fixed. She hopes to get other alternatives worked out at the Thursday meeting.

Behavioral Health - Mental Health Services: No report.

Behavioral Health - Alcohol and Drug Services: No report.

Law Enforcement Agencies: No report.

District Attorney's Office, Juvenile Justice: No report.

Independent Defender's Office: No report.

Alternate Defender Office: No report.

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

- There have been two assignment changes in the Public Defender's Office. Ms. Polina Beckerson left the Juvenile Division, and Ms. Barbara Wolfe will replace her starting on the 15th. Mr. Kenny Luu will be leaving on the 15th, and Ms. Pola Crawford will be replacing him.
- We have started preparations for and will be in contact with Juvenile Hall for the pizza delivery schedule for December 24th. He has been in contact with Ms. Elwart to arrange. The Juvenile Hall delivery will likely be at 5:30 p.m., with the Ranch being a little earlier so people can do both. Mr. Kevin Rudich will be coordinating at the Alternate Defender Office, and Ms. Nisreen Baroudi will be coordinating for their office.

Legal Advocates for Children & Youth (LACY): Ms. Ruby Marquez reported on the following:

- The County Executive's Office has given LACY funding for SIJS petitions, as Judge Lucero mentioned. Please send us your youth who need immigration assistance. In particular, send your Juvenile Justice youth, as their petitions tend to be harder.

Medical Services: No report.

Alternative Schools Department, COE: No report.

Victim Witness Assistance Center: No report.

YWCA Rape Crisis Center: No report.

California Youth Connection: Mr. Jonathan Madigan reported on the following:

- CYC has finalized their AB12 survey. It is an online survey that can also be printed. They are trying to fix the format.

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- They are very excited about SB 1099, which comes into effect next month.
- Mr. Madigan was recognized as Outstanding Person by eBay for his work with TeenForce, and will be recognized at a ceremony this week where he will also give a presentation on CYC.

Chair Blake added that anything the Commission can do to help, they would be happy to partner with CYC.

Announcements/Correspondence: None.

Old Business: The Commission's report on the use of OC Spray in Juvenile Hall has been published and is on the website.

New Business: None.

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

Next Meeting: January 6, 2015 at 12:15 pm.

Respectfully submitted,

**Britney Huelbig
Recording Secretary**

County of Santa Clara

Memorandum



To: Juvenile Justice Commission

Date: December 1, 2014

From: Rita Loncarich, Probation Manager – JH
Elsa Jennings, Probation Manager – JH

Subject: Probation Department Population Sheet

Juvenile Hall Population	97	Males 84 / Females 13
James Ranch	39	Males 37 / Females 2
12 and under	0	
Awaiting Placement	3	

	Male	Females	Total
EMP	62	5	67
CRP	17	1	18
JH Commits	7	0	7
Ranch Wait/James	1	0	1
EDGE	12	1	13
PEAK	15	1	16



**Santa Clara County Probation Department
 Juvenile Hall & Ranches Daily Statistics
 Sunday, Nov 30, 2014**

Facility By Age

AGE	13	14	15	16	17	18	TOTAL
JUVENILE HALL	1	9	14	22	39	13	98
JAMES RANCH	1	2	11	16	7		37
TOTAL	1	10	16	33	55	20	135

Juvenile Hall & Ranch By Offense

OFFENSE CATEGORY	JH	JR	TOTAL
FELONY CRIMES AGAINST PEOPLE	17	14	31
DRUGS, ALCOHOL RELATED OFNS	5	2	7
OTHER CRIMES AGAINST PEOPLE	3		3
PROPERTY CRIMES	8	2	10
WEAPON CRIMES	4	4	8
OTHER CRIMES	10	6	16
RETURN/COURTESY HOLD/OTHER	51	9	60
TOTAL	98	37	135

Breakdown of Return/Courtesy Hold/Other Admits to JH

DESCRIPTION	TOTAL
COURT ADMIT	1
PROGRAM FAILURE - COMMUNITY RELEASE PROGRAM	1
PROGRAM FAILURE - ELECTRONIC MONITORING PROGRAM	2
PROGRAM FAILURE - PEAK	1
PROGRAM FAILURE - JAMES RANCH	1
VIOLATION OF PROBATION W/ NEW ARREST	2
FAILURE TO OBEY - CURFEW	1
FAILURE TO OBEY - GANG ACTIVITY	2
WARRANT - ARREST	5
WARRANT - BENCH	2
COURTESY HOLD	33
TOTAL	51



**Santa Clara County Probation Department
 Juvenile Hall & Ranches Daily Statistics
 Sunday, Nov 30, 2014**

Juvenile Hall & Ranches Population

GENDER & ETHNICITY	FEMALE	MALE	BLACK	CAUCASIAN	HISPANIC	OTHER	TOTAL
JUVENILE HALL	12	86	7	13	75	3	98
JAMES RANCH	2	35		1	35	1	37
TOTAL	14	121	7	14	110	4	135

Facility Capacity

FACILITY	TOTAL POP	CAPACITY	% CAPACITY
JUVENILE HALL	98	390	25%
JAMES RANCH	37	84	44%
TOTAL	135	474	28%

Juvenile Hall by Unit

UNIT	TOTAL
B02 (ASSESSMENT & ORIENTATION)	8
B03 (COMMITMENT/RANCH WAIT)	9
B04 (MENTAL HEALTH)	7
B05 (GEN POP)	12
B07 (GEN POP)	13
B08 (SECURITY)	19
B09 (SECURITY)	18
G01 (GIRL GEN POP)	12
TOTAL	98

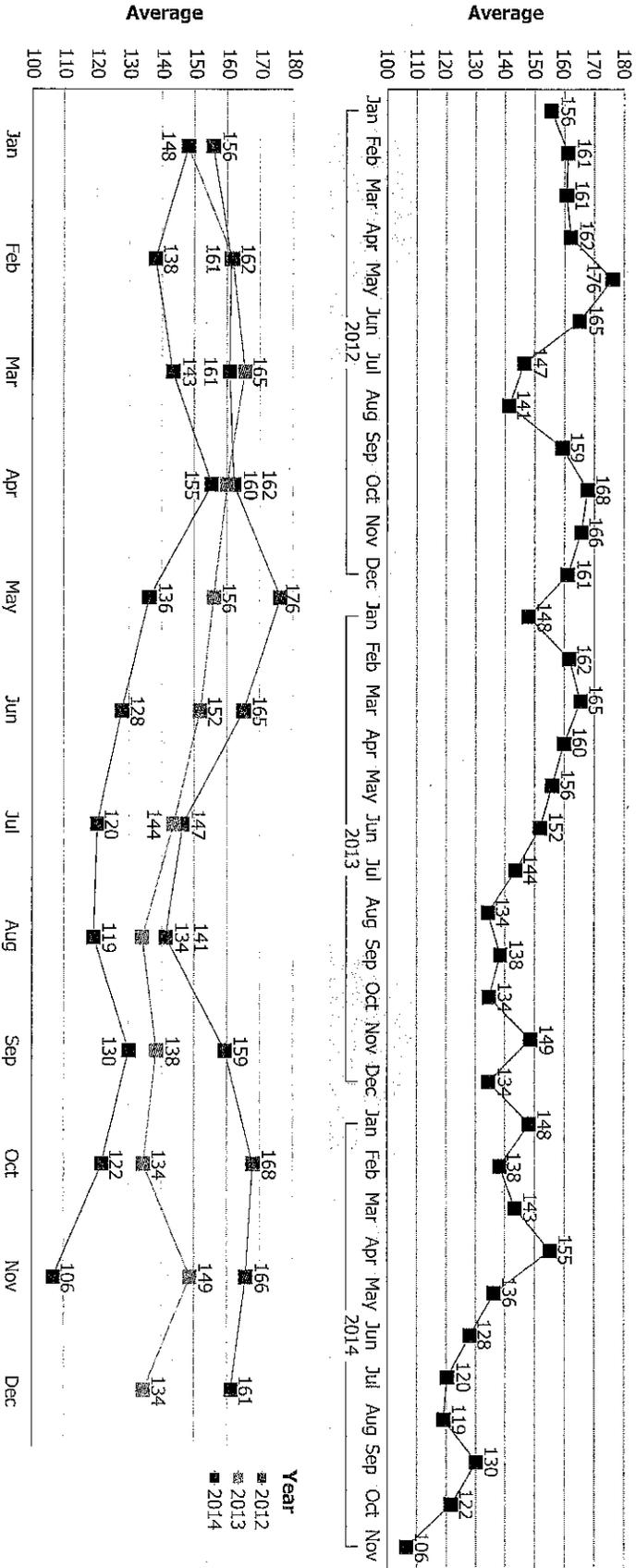
Juvenile Hall by Custody Status & Average Length of Stay in Days (ALOS)

STATUS GROUP	STATUS	COUNT	%	PRE-DISP ALOS	POST-DISP ALOS	ALL ALOS
PRE-DISP	NEW/PENDING	1	1%	0.0		0.0
	AWAITING DETENTION HEARING	6	6%	3.0		3.0
	DETAINED, AWAITING COURT	28	29%	27.5		27.5
	ADJUDICATED, AWAITING DISPO	15	15%	37.1		37.1
PRE-DISP GROUP		50	51%	26.9		26.9
POST-DISP	COMMITTED TO JH	7	7%	23.1	22.1	45.3
	AWAITING RANCH	4	4%	39.5	10.2	49.8
	AWAITING PLACEMENT	3	3%	20.3	19.7	40.0
POST-DISP GROUP		14	14%	27.2	18.2	45.4
OTHER	COURTESY HOLD (DOC)	34	35%			252.6
OTHER GROUP		34	35%			252.6
TOTAL		98	100%	27.0	18.2	107.8



**Santa Clara County Probation Department
 Juvenile Hall Population Monthly Average
 Reporting Period: November, 2014**

Juvenile Hall Monthly Average Trendline



Year	JH AVERAGE											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2012	FEMALE	20	24	23	20	19	17	13	11	17	21	17
	MALE	136	137	138	142	157	148	134	130	142	147	148
	TOTAL	156	161	161	162	176	165	147	141	159	168	161
2013	FEMALE	17	9	12	17	18	16	18	20	17	15	14
	MALE	131	152	154	143	137	136	126	114	122	120	135
	TOTAL	148	162	165	160	156	152	144	134	138	134	149
2014	FEMALE	9	9	12	17	15	12	12	9	8	9	10
	MALE	139	129	131	138	121	116	108	110	122	112	96
	TOTAL	148	138	143	155	136	128	120	119	130	122	106

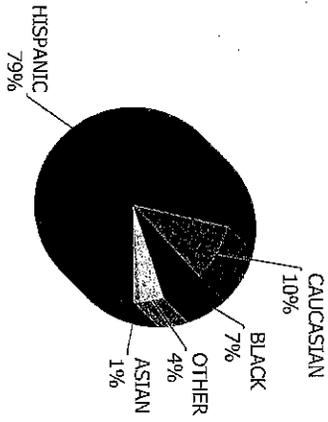


**Santa Clara County Probation Department
 Juvenile Hall & Ranch Population Monthly Average
 Reporting Period: November, 2014**

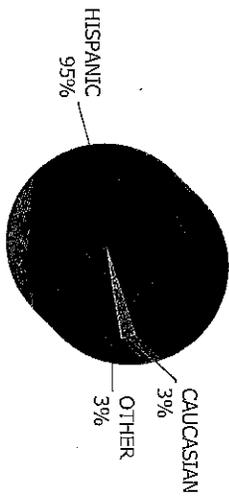
FACILITY	FEMALE	MALE	TOTAL	CAPACITY	% CAPACITY
JUVENILE HALL	10	96	106	390	27%
JAMES RANCH	2	38	40	84	47%
TOTAL	12	134	146	474	31%

FACILITY	ASIAN	BLACK	CAUCASIAN	HISPANIC	OTHER	TOTAL
JUVENILE HALL	1	7	10	84	4	107
JAMES RANCH			1	38	1	40
TOTAL	1	7	11	122	5	146

Juvenile Hall and Ranch Population Average by Ethnicity for November, 2014



JUVENILE HALL



JAMES RANCH