

**COUNTY OF SANTA CLARA
JUVENILE JUSTICE COMMISSION
APPROVED Meeting Minutes-February 2, 2016
Santa Clara County Service Building 2, 1555 Berger Drive, San José, CA**

Commissioners Present: Raúl Colunga, Chair
Ronald Hansen, Secretary
Raymond Blockie
Victoria BurtonBurke
Bonnie Charvez
Kimberly Dong
Gustavo Gonzalez
Nora Manchester
Carol Rhoads
Pamela Serrano
Vincent Tarpey

Commissioners Absent: Commissioners Jean Pennypacker, Penelope Blake, Courtney Macavinta and Jeremiah Tanojo

Also Present: Honorable Franklin Bondonno, Superior Court
Honorable Katherine Lucero, Superior Court
Honorable Margaret Johnson, Superior Court
Honorable Pat Tondreau, Superior Court
Alvaro Viramontes, Advocate, YWCA
Chia-Chen Lee, Manager, Valley Medical Center (VMC)
Chris Arriola, Supervising Deputy District Attorney, District Attorney's Office
Dana Bunnett, Director, Kids in Common
David Epps, Alternate Defender Office (ADO)
Emily Freda, Volunteer, Kids in Common
Jennifer Hubbs, SSPM, Department of Family and Children's Services/RAIC
Jenny Lam, Deputy County Counsel, County Counsel's Office
Jermaine Hardy, Deputy Chief Probation Officer, Probation Dept.
Karen Brajenovich, Associate Ombuds, Juvenile Welfare Office of the Ombudsman
Kevin Rudich, Alternate Defender Office
Margarita Villa, Advocate, District Attorney's Office/USO
Michael Clarke, Probation Manager, Probation Department
Nisreen Baroudi, Juvenile Court Supervising Attorney, Public Defender's Office
Randi Perry, Law Program Manager, FLY
Sally Lawrence, Healthcare Program Manager, BHSD/Department of Alcohol and Drug Services
Tammie Lindsey, Mediator/VOMP Supervisor, Office of Human Relations/VOMP
Yvette Irving, Director, Santa Clara County Office of Education

Guests Present: Mario Lopez, Policy Aide for Supervisor Dave Cortese
Maya Marjanovic, Policy Aide for Supervisor Cindy Chavez

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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 February 2, 2016, was approved unanimously.

Public Comments/Oral Petitions: Judge Bondonno reported that a new artwork display and new carpet has been installed in the reception area at Juvenile Hall. He invited all to go and see the renewed reception area.

Approval of Minutes: The following change was made to the January 5, 2016 minutes:

1. On the first page, under “Also Present,” Mario Lopez is a representative from Supervisor Dave Cortese’s office and not Supervisor Cindy Chavez’ office.

Moved by Commissioner Manchester and seconded by Commissioner BurtonBurke, the minutes of January 5, 2016, were approved with the change outlined above.

REPORTS

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

- Chair Colunga reported that he attended a Continuum of Care Committee meeting to discuss Assembly Bill 403. The Committee has been meeting a long time and is reaching out to community partners, including the Juvenile Justice Commission (JJC).

Juvenile Justice Court: Judge Tondreau reported on the following:

- Judge Tondreau stated that he and other court staff have toured the new Family Justice Center Courthouse. The grand opening will be held during the last week of July 2016. Dependency Court will move in the first or second week of August 2016 and will occupy the entire fourth floor, including three departments, plus the Wellness Court Department with Judge Pennypacker (Courtrooms 66 through 69). Each department will have at least three or four interview rooms that are adjacent to the entrance of the courtroom.
- He reminded everyone that the Dependency Beyond the Bench Conference is scheduled on September 9, 2016 at the Masonic Lodge in San Jose.
- He alerted a few leaders in Probation about the Commission on the Future of California’s Court System, a commission set up by the Chief Justice to look into the court system and come up annually with a recommendation on how to move towards efficiency and better use of our courts. The next meeting on February 8th will focus on a recommendation concerning the consolidation of Dependency and Juvenile Justice System Courts into one unified court. Judge Lucero sent out an email informing people about the Unified Juvenile Court.
- There is a \$2.2 million deficiency in our State courts.
- There is also a deficiency of court reporters in our Court, even if every reporter is present and not sick or on vacation. The Court will no longer hire reporters and there is a court-wide effort to reduce the use of court reporters or share reporters between courts. Currently

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all three judges in the Juvenile Justice System have their own permanent reporters and there is a recommendation to allow only two permanent reporters and one pro-tem reporter.

- The Odyssey system has now been implemented in Criminal and Family Courts and both courts are now going paperless. In April 2016 Dependency Court will go paperless. There have been a few issues as it takes a tremendous amount of manpower to scan all the files into the Odyssey system. The current Odyssey implementation date for Juvenile Justice Court is June 2016.

Judge Lucero reported on the following:

- She and Judge Johnson are finalizing their new judicial responsibilities.
- The Legal Year in Review training will take place today at 1:45 p.m. on the 4th Floor Conference Room in the Probation Department. The District Attorney's Office and the Public Defender's Office will provide an overview of the 2015 and 2016 legislative changes.
- One of the goals this year is to schedule legal trainings at least twice a year. The monthly Juvenile Justice Court Systems meetings will be cut back to the second Wednesday of even-numbered months. A revised schedule of the remaining 2016 meetings was sent out this week.
- Legal trainings focused on updates and other practices will be scheduled the second Wednesday of odd-numbered months. The trainings covering topics such as bias and new placement issues will be developed by the attorneys themselves. MCLE credits will also be offered to those who attend.
- Next week Judge Lucero will meet with Stanford University and some other leadership in the court system to talk about multi-systemic therapy, a state of the art evidence-based approach for probation youth. Stanford has expressed the desire to partner and collaborate with the Court and maybe do some work in Juvenile Hall with minors who have child psychiatrist interns. Judge Lucero continues to worry about the lack of comprehensive pooled continuum of care around behavioral health, post substance abuse and mental health and is committed this year to focus on these issues.
- Judge Lucero will work with Probation and Behavioral Health this year to meet with wilderness therapy professionals to offer youth wilderness therapy interventions.
- This is still no movement yet on hiring an Eligibility Worker/Resource Specialist. Judge Lucero will continue discussions with Supervisor Cindy Chavez' office to make the position available.

Judge Johnson reported on the following:

- She is now in Department 77 and taking on Judge Tondreau's cases concerning dually involved youth.
- A friend of Judge Johnson's who is a photographer has donated photos of ocean life that are currently on display in the waiting room at Juvenile Hall. New paint and new carpeting have also been installed. She encouraged all to visit the waiting room at Juvenile Hall to view the improvements.
- The Court User Implementation Committee will meet again on February 16, 2016 and the Community Based Organization (CBO) training is scheduled for February 24, 2016. The CBOs are developing the flyers and getting the information out.

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Judge Bondonno reported on the following:

- Judge Bondonno thanked Judge Tondreau, Judge Johnson and Judge Lucero for sending him binders and spending time with him since taking on his new assignment in Juvenile Justice Court. He expressed concern regarding an issue raised by Judge Tondreau relating to the lack of court reporters as well as the long wait for translators in court. Judge Johnson reported that a nationwide study is being done concerning the use of interpreters in the court system. She will report out on some new rules being promulgated on interpreters when it becomes available.

Dependency Court: No report.

Probation Department Juvenile Program: Mr. Jermaine Hardy reported on the following:

- Currently there are 94 youth in Juvenile Hall and 43 are at the James Ranch. The population continues to remain low.
- Staff will meet with the contractor that was selected for the kitchen remodel project in Juvenile Hall. The start date will be February 16th to break ground on the project.
- The James Ranch construction project to build a dorm, kitchen and administration building is moving forward as well. The proposals are in and the finalists will do a presentation to the panel on February 9th.
- A few programs are scheduled in Juvenile Hall to observe Black History Month. A list will be sent out to the JJC regarding the programs that have been selected for the youth.
- There are three separate murals in the waiting room and interview rooms at the clinic in Juvenile Hall. The same contractor will be asked to do a similar one for the library.

In response to an inquiry by Chair Colunga, Mr. Hardy stated that there is no update on the equipment in the control room. It remains on hold. Chair Colunga advised that the JJC will continue to work with the Board of Supervisors for their support on the project.

A Commission member raised an inquiry regarding the current population capacity at the ranch to which Mr. Hardy advised that the current rate is at 72 with the Board of State and Community Corrections. The ranch had 7 pods, 6 for boys and 1 for girls. One of the pods was deconstructed back in September 2015 to create more room and space for the youth. The rating capacity was then changed to 72 with 6 pods, 5 for boys and 1 for girls. The rating capacity after the rebuilding and extra space will be at 108.

An inquiry was raised regarding improvements in the lighting at the ranch. Mr. Hardy advised that Probation has contracted with ABS Engineers to do an assessment and provide ideas on how to improve security. Improvements have already been made so that staff could see better when they are out doing searches. Each staff member has upgraded lights that they personally have on themselves. ABS Engineers will return for four more visits to talk to staff. The assessment should be completed in March 2016.

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

- The DFCS is working with Dependency Court on who the presenters will be at the Dependency Beyond the Bench Conference on September 9, 2016 at the Masonic Lodge in San Jose.

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- The Department is still getting the stats on the Receiving Center for the month of December 2015. The December 2014 totals did not repeat themselves compared to the December 2015 totals for runaways.
- The DFCS continues to struggle with the 24-hour rule and remains committed to the fact that it may have to make decisions to go over the 24-hour mark in order to keep siblings together and make the best placement for youth whenever possible. The Department continues to work with providers to search diligently for in-county solutions for sibling placements. Larger sibling groups have to go out-of-county unfortunately. Chair Colunga advised that he understands the need to comply with the 24-hour law but there is also concern about what is in the best interest of the youth. He spoke of the need to work towards perhaps a short-term licensing period so youth can be placed in-county and that the JJC will continue to work with the Board of Supervisor in the hopes that they will develop a solution.
- The Continuum of Care Committee meetings have expanded to include all FFA and group home providers to review options in regards to continuum of care reform. The Department is taking a more active role with high-risk youth. Representatives from the High-Risk Youth Committee that meets monthly are attending the meetings at RAIC so they can hear from the social workers who participate in the teaming process about solutions and provide information to what some of the youth's needs are.
- The RAIC is also partnering with the RFA process which is the new licensing approval process for relatives and non-relatives on becoming approved foster parents. The RAIC is very committed to clearing relatives since occasionally a relative can get approved faster than a licensed facility.

Chair Colunga asked Ms. Hubbs to extend an invitation on behalf of the Commission to the Division Director to attend the JJC meetings.

Behavioral Health - Mental Health Services: No report.

Behavioral Health - Alcohol and Drug Services: Ms. Sally Lawrence reported on the following:

- Approximately 70 percent of youth that attend the programs have cranial health disorders. She reported on efforts to come up with evidence-based clinical tools to help the assessment process be more of an integrative process. A tool has been implemented that will impact referral distributions potentially and the Department of Alcohol and Drug Services is doing a pilot study with the American Society on Addiction Medicine, an integrative assessment tool which includes not only Title 22 substance regulations but Title 9 mental health regulations as well.

Law Enforcement Agencies: No report.

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

- Two attorneys, Roy Benson and Mary Robinson, have been assigned to Juvenile Justice Court. They both have a great deal of experience in juvenile justice.
- Several new attorneys are getting adjusted. A new law training session will be scheduled soon.

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- A staff person has been hired at Juvenile Probation to scan and log in all the referrals from the Probation Department.
- There were three direct files in January 2016. The cases involved armed robbery, sexual assault and a gang stabbing in Gilroy. Those minors were all 16 to 17-years-old at the time of the event and had records of various sorts but have now all turned 18 at the time of filing.
- The District Attorney's Office is doing a review of all Juvenile Hall fitness cases filed last year and, hopefully, by the time the review is finished in the summer all the cases filed in 2015 would have been resolved.
- The Governor has proposed legislation which is focused on credits in Adult Court for prison time but would also eliminate prosecutorial waivers and go to court waivers. This will be on the ballot in November 2016.

Independent Defender's Office: No report.

Alternate Defender Office: No report.

Public Defender's Office: Ms. Nisreen Baroudi reported on the following:

- The Public Safety and Rehabilitation Act for 2016 would eliminate direct files and change the transfer process where the courts don't have to find the minor fit on all five criteria. Further discussion about how this will affect the Direct File Program will be held at the next Direct File Subcommittee meeting.

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

Medical Services: No report.

Alternative Schools Department, COE: Ms. Yvette Irving reported on the following:

- This past Thursday the County Office of Education (COE) with the support of Probation was able to do a second honors assembly at Osborne School in Juvenile Hall. Staff celebrated the successes of more than 20 students at the Hall and worked with other units about what they could do to achieve the same success.
- The Foster Youth Coordinating Services Program will also be offering professional development around *Fostering Unity through AB 854*. It will occur on Friday, March 11, 2016 at Orchard School from 1:30 to 4:30 p.m. The primary audience is school districts within the County but other organizations are invited to attend.
- The COE is currently writing its next version of the Local Control Accountability Plan (LCAP). There are two areas that are considered state priorities that are expanded for County Office, one is involving expelled youth and the second is involving foster youth. Both have specific goals and budget items attached to it. The Plan is available for public review and will be posted online by mid April 2016. The COE worked successfully to identify goals with community agencies and families last year and is hoping to accomplish the same this year.

Victim Witness Assistance Center: The Victim Witness Assistance Center relocated to the District Attorney's six months ago and has adopted a new name called the Victim Services Unit. There has been an increase of 40 percent in the number of referrals but the staffing level in the

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unit remains the same. Currently, staff are working with families and victims to provide court support services. Commissioner BurtonBurke asked that the Court Users Project surveys be offered to the victims so that the JJC can get an adequate basis for its report.

YWCA Support Services: No report.

Announcements/Correspondence: Dana Bunnett announced that the annual Children’s Summit is scheduled on Friday, February 26, 2016. The theme this year is *Connecting the Dots from Cradle to Career* with an emphasis on strategies for early brain development and working with youth who have challenges and barriers. She distributed an event flyer and invited all to attend.

Old Business: None.

New Business: None.

Adjourn to Executive Session: Chair Colunga adjourned the meeting to Executive Session at 1:15 p.m.

Next Meeting: March 1, 2016, at 12:15 pm.

Respectfully submitted,

**Stephanie Wong
Recording Secretary**