

**COUNTY OF SANTA CLARA
JUVENILE JUSTICE COMMISSION
Approved Meeting Minutes-January 5, 2016
Crime Lab, 1st Floor
250 W. Hedding St.
San Jose, CA 95110**

Commissioners Present: Raul Colunga, Chair
Penny Blake
Raymond Blockie
Victoria BurtonBurke
Gustavo Gonzalez
Ron Hansen, Secretary
Courtney Macavinta
Nora Manchester
Jean Pennypacker
Carol Rhoads
Pamela Serrano
Jeremiah Tanojo
Vincent Tarpey

Commissioners Absent: Bonnie Charvez, Kimberly Dong

Also Present: Honorable Pat Tondreau, Superior Court
Honorable Katherine Lucero, Superior Court
Honorable Margaret Johnson, Superior Court
Honorable Frank Bondonno, Superior Court
Honorable Mike Clark, Superior Court
Jenny Lam, County Counsel's Office
Kathy Martinez, Probation Department
Elsa Jennings, Probation Department
Robert Young, Probation Department
Vone Kegarice, Probation Department
Chris Arriola, District Attorney's Office
Cindy Hendrickson, District Attorney's Office
Nisreen Baroudi, Public Defender's Office
Karen Steiber, Independent Defender's Office
Kevin Rudich, Alternate Defender's Office
Lori Medina, Department of Family & Children's Services (DFCS)
Jennifer Hubbs, Department of Family & Children's Services (DFCS)
Chia-Chen Lee, VMC
Mario Lopez, Supervisor Cortese's Office
Matthew Henry, FLY
Lauren Gavin, Behavioral Health, Juvenile Hall
Sally Lawrence, BHDS/DADS
Jennifer Kelleher Lloyd, LACY
Yvette Irving, Santa Clara County Office of Education, (SCCOE)
Alvaro Viramontes, YWCA
Tara Stroz, Blueridge

Guests Present: Arcel Blume, Office of Cultural Comp
Debbie Pell, Bill Wilson Center

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

Agenda Approval:

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

Public Comments/Oral Petitions: None.

Approval of Minutes:

Moved by Commissioner Tarpey and seconded by Commissioner Manchester to approve the minutes of December 1, 2015, the minutes were approved unanimously.

Presentation – “AB 403: What’s Ahead for Minors in Probation and Child Welfare”

Lori Medina – Director, Department of Family, Children and Family Services

Kathy Martinez – Deputy Chief Probation Officer

Ms. Medina and Ms. Martinez distributed a PowerPoint presentation on California’s Child Welfare Continuum of Care Reform (CCR) and gave an overview saying the Continuum of Care Reform is designed to assist children, youth and families with placement and in achieving permanent placement.

The Legislature wanted to impart a movement away from congregate care and increase placements in family based homes and move children to permanence.

Commissioner Gonzalez asked if more families will be participating in the program that takes in these kids. Ms. Medina said that is the need and the biggest challenge is recruiting resource homes. Ms. Martinez added that the need will be greater with the addition of the Probation population.

Judge Tondreau expressed concerns about high risk kids needing long term treatment. Ms. Martinez responded by saying the State is working with the Chief Probation Officers of California on defining exceptions. She said there have been exceptions allowing extension of short-term STRCs in residential treatment centers for an additional 90 days, however, there are criteria that must be met and benchmarks that youth must meet.

Judge Tondreau asked about homes rated 1-9, asking if those rated 11-12 are in a different category and do not have to move to complete shut-down. Ms. Medina responded that homes rated 1-9 do not have to move towards complete shut-down, and can apply to be a short-term treatment center but would have to take a higher level of youth. She said this is an issue in that high level youth should not be in a low level group home. They should be able to find a home-based setting for treatment foster care for these youth. Ms. Martinez said Probation should start off with a low level of care and with a treatment foster home given it is looking at the lengthier resource family approval process.

An audience member asked if there will still be restrictions on mixing 602 and 300 populations. Ms. Medina said with counties that have a temporary shelter, restrictions exist on mixing new admits with re-admits.

Judge Lucero asked if the program is being streamlined for both populations. Ms. Medina said streamlining is one of the objectives, adding that the intent of having Resource Family Approval is to have a pool available for other families.

Commissioner Macavinta asked if there is an anticipated rise in treatment foster care homes as a catch-all for the greater number of children needing more than a resource family can offer. Ms. Medina responded that she does not know if there will be an increase in the number of children. She said she feels it will be a struggle for providers to transition to short-term residential treatment centers. The accreditation process takes time and some providers are concerned it will put them out of business.

Chair Colunga asked if JJC will be invited to communicate with the State their needs and wants. Ms. Medina said the State does want to hear concerns and recommendations, and that she and Ms. Martinez would be happy to communicate concerns to the State, adding that a CCR website is an option to log concerns and send feedback.

Commissioner Pennypacker asked if treatment in the home is required. Ms. Medina said yes, and that there are requirements on types of treatment.

Commissioner Pennypacker asked if there will still be group homes for non-minors. Ms. Medina said youth in the non-minor dependent category are not supposed to be in group homes and have to be transitioned out of those homes.

Mr. Rudich said in the current system, group homes specialize in areas such as sex offender counseling, mental health or substance abuse, asking if this would change as a result of 403. Ms. Medina said the State recognizes some providers want to have specialties.

Commissioner Gonzalez asked if there is any fear that group homes may be lost due to single rate pay. Ms. Medina said there is concern about losing group homes for a variety of reasons, and single rate pay is one of the reasons.

It was asked if the plan is to make these homes MediCal certified. Ms. Medina said yes, or they already have an operational agreement with a MediCal certified provider.

REPORTS

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

- Acknowledged and thanked Mario Lopez, from Supervisor Cortese's office, for his hard work putting together potential solutions for items identified in previous inspection reports.
 1. Mr. Lopez drafted a letter for Supervisor Cortese to review and forward to Jim Beall's office to look at the possibility of having the State change foster care rates to regional reimbursement rates.
 2. Requirement for fire inspections to be done periodically, not just at the time of licensing.
 3. Included in the Court Users Report was an issue regarding adequate parking for families going to court. Fleet Facilities is now considering, based on fiscal impact, providing validated parking in the parking garage across the street. Probation has provided general information to Fleets & Facilities in the courts. An e-mail was sent to Judges Tondreau

and Lucero seeking additional insight to identify actual and a possible financial feasibility study.

4. Mr. Lopez was able to secure "A" parking stickers for the Commissioners.
5. Health Links for Juvenile Hall electronic medical records will be completed by March of 2017.
6. The Juvenile Hall Control Room is waiting on final approval of a privacy/security policy from Joe Simitian's Special Committee before moving forward with appropriation of already-approved equipment. Once policy is authorized and approved, control room equipment can be replaced.

Juvenile Justice Court: Judge Tondreau reported on the following:

- Judge Tondreau is transferring to Dependency court on January 19, 2016. His last day in Juvenile Justice Court is January 14, 2016.
- A two part training will start Wednesday, January 6, 2015 at 3:30 on the Fourth Floor, with the second session in February to reviewing major services Probation provides. January's session targets the placement process, Ranch program and Edge & Peak program. February's training will focus on Department of Juvenile Justice, EMP, CRP and the RAP Program.
- Robert F. Kennedy National Resource Center for Juvenile Justice has scheduled its first open symposium on Dually Involved Youth in Boston, MA on April 5 & 6, 2016.

Judge Lucero reported on the following:

- The Eligibility Worker/Resource Specialist position has been denied. She asked the Commission to do whatever it can to continue to emphasize to the BOS the need for an Eligibility worker or similar position in Juvenile Justice. Plans for three Resource Specialists, to be made available via SSA contracts through CBOs were unsuccessful.
- Judge Lucero asked the Commission to continue championing the waiving of fees for families in Juvenile Court, much as San Francisco and Los Angeles have done. She holds hope something can be accomplished in this area in 2016.
- Asked the commission to be involved in the implementation of the mental health facility for Santa Clara County for Adolescents for Youth, lauding the community for persuading the BOS of the need for a mental health facility for adolescents, while restating the need for that facility for Probation and foster youth. She said there have been Probation youth needing acute mental health services with nowhere to go.
- A Legal Law Year-In-Review is scheduled February 2, 2016 from 1:30 p.m. to 3:30 p.m. in Probation Dept, 4th Floor. The DA and PD will present 2015 changes in law. All are welcome.
- Judge Lucero invited all to attend a pot-luck luncheon honoring Judge Tondreau for his 8.4 years in Juvenile Justice Court, January 14, 2016 from 12:00 p.m. to 1:00 p.m.

Chair Colunga commented that due to the Commission's current workload, a project focused on waiving of fees for families cannot occur at this time, adding that he understands the Juvenile Justice Systems Collaborative Case System and Processing Workgroup will work on that project following recommendations from the last Court Users meeting.

Judge Johnson had no report.

Judge Bondonno had no report.

Dependency Court: Judge Clark reported on the following:

- Welcomed Judge Tondreau coming over to Dependency Court.
- Judge Arroyo is finishing up her 3-year term in Dept 70 and will move to another assignment.
- Judge Schwarz will continue as a Supervising Judge in Dept 60.
- Judge Clark will continue in Dept 67.
- Judge Pennypacker will continue to serve as the Dependency Wellness Court judge.

Probation Department Juvenile Program: Elsa Jennings reported on the following:

- The population report for December 2015 was distributed. Population at Juvenile Hall is 87, with 76 males and 11 females. The Ranch population is at 42, with 35 males and 7 females.
- The holiday program went well and a special thanks to all the attorneys who provided for the annual pizza party.
- The 2nd Annual Student Honors Assembly will be January 28, 2016 at 1:00 p.m. in the Juvenile Hall gym.

Department of Children and Family Service/Children's Receiving Center (DFCS): Jennifer Hubbs reported on the following:

- Due to an interest in the new Resource Family Approval (RFA) process, Ms. Hubbs offered to present on the RFA process at a future JJC meeting.
- A Spanish speaking RFA worker will be working the 1:00 p.m. to 10:00 p.m. shift with the hope to have them co-located at the RAIC.
- Mid-year budget proposal has been submitted for a night shift at the RAIC that will cover the CAN Center, respond to ER referrals, and process intakes in the middle of the night.
- An application has been written for some of the State money for recruitment and retention of foster parents including special needs foster parents.

Judge Tondreau asked about future plans for a RAIC meeting with the community. Ms. Hubbs responded saying those meetings probably should be reinstated.

Behavioral Health - Mental Health Services: Lauren Gavin reported on the following:

- Beginning January 1, 2016, Mental Health started referring to the new four co-occurring capable providers, which means kids with both co-occurring mental health and substance abuse issues will be able to go to one provider. The four providers are: Gardner, EMQ, HealthRight 360, and Community Solutions.

Behavioral Health - Alcohol and Drug Services: No report.

Law Enforcement: None

District Attorney's Office, Juvenile Justice: Cindy Hendrickson reported on the following:

- Nine attorneys have been hired and will fill the misdemeanor class.

- Troy Benson, Kelly Meeker, Alex Adams and Alexis Cosse and joined the Juvenile Team.
- Mary Robinson replaced Jim Sibley who has retired.

Chris Arriola reported on the following:

- There were two Direct Files for December 2015 totaling 2015 Direct File cases at 33.
- Reviewing Fitness cases at the request of Judge McGowan.
- All Direct File cases in Juvenile Hall will be reviewed regarding consideration of mitigation discussions with the defense attorneys.
- Ten new Parent Project classes have begun. Referrals can be sent to Gloria Madarino.

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

- The Juvenile Team will attend a day-long conference in Monterey, January 23, 2016.
- Guadalupe Ramirez has been hired as the new Social Worker and she will be shared with the adult Mental Health team.
- Juvenile Hall Pizza party was a huge success with 81 kids in attendance.
- Working with DA on putting mitigation together for the Direct File pilot program.

Independent Defender's Office: No report.

Alternate Defender Office: Kevin Rudich reported on the following:

- Mr. Rudich thanked Probation, and specifically Jan Fujiyama, for making the pizza party a huge success.

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

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

- During the Medical Clinic's remodeling, a new project called Mural Project has begun. A professional artist from Palo Alto is working with kids to express their creativity in a more positive way.
- The Medical Team from the Juvenile Hall clinic, including physician nurses and a medical unit clerk, will visit Contra Costa County on January 14, 2016 to learn from their experiences of the EPIC Electronic Medical Record (Healthlink).

Alternative Schools Department, COE: No report.

Victim Witness Assistance Center: None.

YWCA Rape Crisis Center: No report.

Announcements/Correspondence:

Commissioner Gonzalez thanked Elsa Jennings for showing him around Juvenile Hall and complimented her for her work ethic and her care of the kids.

Old Business: None.

New Business: None.

Adjourn to Executive Session: Chair Colunga adjourned the meeting to Executive Session at 1:18 p.m.

Next Meeting: February 2, 2016.

Respectfully submitted,

Barbara Crump