

**COUNTY OF SANTA CLARA
JUVENILE JUSTICE COMMISSION
DRAFT Meeting Minutes-January 8, 2019
Santa Clara County Sheriff's Office Auditorium
55 Younger Drive
San Jose, CA 95110**

Commissioners Present: Stephen Betts
Penny Blake
Raymond Blockie
Victoria BurtonBurke, Secretary
Dante Duffel-Steen
Ron Hansen, Vice Chair
Manasa Kumarappan
Nora Manchester
Darius Parakh
Jean Pennypacker, Chair
Carol Rhoads
Vincent Tarpey
Lissa Thiele
Brian Walton

Commissioners Absent: Carmen Montano

Also Present: Honorable Frank Bondonno, Superior Court
Honorable Katherine Lucero, Superior Court
Honorable Pat Tondreau, Superior Court
Jenny Lam, County Counsel's Office
Enrique Flores, Supervisor Cortese's Office
Nick Birchard, Probation Department
Kris Leisten, Probation Department
Sean Rooney, Probation Department
Mike Simms, Probation Department
Alex Villa, Probation Department
Sue Nelson, Behavioral Health, Alcohol and Drug Services
Carolyn Powell, District Attorney's Office
Damon Silver, Public Defender's Office
Mark Becker, Alternate Defender's Office
David Epps, Alternate Defender's Office
Karen Steiber, Independent Defender's Office
Daniel Little, Department of Family and Children Services (DFCS)
Marie Mauboussin, Department of Family and Children Services (DFCS)
Itzhecatt DeLa Cruz, Santa Clara County Office of Education (SCCOE)
David Putney, Santa Clara County Office of Education (SCCOE)
Joann Vaars, Santa Clara County Office of Education (SCCOE)
Andrew Cain, Law Foundation
Chai-Chen Lee, VMC
Francisco Hernandez, OMOS
Darcy Cabral, OMOS
Captain Dave Tindall, San Jose Police Department
Darya Larizadeh, National Center for Youth Law
Amanda Clifford, Bill Wilson Center
Debbie Pell, Bill Wilson Center
Jim Davis, Public
Dana Bunnett, Public

Call to Order & Introductions: Chair Pennypacker called the meeting to order at 12:16 p.m. All who were in attendance stated their names and organizations.

Agenda Approval:

Moved by Commissioner Hansen and seconded by Commissioner BurtonBurke, the agenda was approved unanimously.

Public Comments/Oral Petitions: None

Approval of Minutes:

Moved by Commissioner Manchester and seconded by Commissioner Rhoads to approve the December 4, 2018 Minutes, was approved unanimously.

REPORTS

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

- Juvenile Hall inspection report will be presented to the JJC in March 2019.
- Education Ad-Hoc Committee, organized approximately one year ago, will produce a report in March or April of 2019.
- Group Home Committee had a successful visit to the Bill Wilson Center.
- JJC members met with Nick Birchard and Mike Simms to discuss data reports and obtain additional information about youth under supervision of Juvenile Probation. Except for minor modifications, JJC will have to wait about 18 months for the new CMS System to be in place.
- The February 5, 2019 JJC meeting will be held in the training room at the Crime Lab.
- The RAIC Inspection report is now on the JJC website.

Commissioner Blake reported on the following: The RAIC Inspection Report recommendations.

- RAIC has completed its Policy and Procedures manual and JJC requested the manual be available on-line.
- Behavioral Health has been providing more services to the RAIC and are to be commended.
- Planning and decision making needs to be more transparent and include input from stakeholders.
- JJC requested they be kept informed on the on-going progress of licensing and the remodeling of the facility.
- Because space limitations the staff refrigerator is available to the youth. The JJC requested there be a policy developed to reduce incidences regarding access to food in the kitchen.

Juvenile Justice Court: Judge Lucero reported on the following:

- Training will be Wednesday, January 9, 2017 at the Training Room at the Crime Lab, 250 W. Hedding St for Legal and Legislative Case Law updates presented by the DA's Office and the Public Defender's Office. All are encouraged to attend to learn more about major changes concerning Juvenile Justice.
- Competency Training will be Wednesday, January 30, 2019 at 1:30 in the Training Room at the Crime Lab 250 W. Hedding St. organized by Judge Bondonno.
- Due to a conflict, Judge Sylva sends her regrets in being unable to attend today's meeting.
- There will be a potluck honoring Judge Sylva on January 15, 2019 at 12:00 noon in Dept 83.
- Judge Alloggiamento will be joining the Juvenile Justice team starting January 22, 2019.

Judge Bondonno reported on the following:

- CBO training will be held on Wednesday, February 13, 2019.
- The Court is struggling with receiving reports, in particular having to do with competency. Dr. Kelly will be on board in February to help with the issue.
- Judge Bondonno will be working with the Presiding Judge to obtain funds to hire more doctors.

Dependency Court: No report.

Alternative Schools Department, COE: David Putney reported on the following:

- Looking to extend culinary arts at Blue Ridge School.
- Looking at any additional Special Education services within Juvenile Hall to increase delivery to students with special needs.
- Several JJC Commissioners had a great tour of Osborne School and Juvenile Hall.

Probation Department Juvenile Program: Alex Villa reported on the following:

- As of January 14, 2019, the Community Based Probation Unit will be fully staffed with four (4) Deputy Probation Officers and continue to explore the scope of work they are doing with San Jose Police Department and community members.
- Education Services Unit was restructured to provide more preventative work in junior high schools and is running a rites-of-passage group at Sylvandale Middle School with wonderful results and positive feedback.

Nick Birchard reported on the following:

- The population report for December 2018 was distributed. Population at Juvenile Hall is 124, with 95 males and 19 females. Ranch population is at 58, with 49 males and 9 females.
- Construction has begun on the Juvenile Hall video surveillance and new control desk area with an anticipated completion in 12-14 months.
- Holiday programs at Juvenile Hall went well with the girl's unit winning the decorating contest with their Troll theme.
- Core population in the girl's unit remains high compared to this time last year.
- Construction of the new dorm at the Ranch is about 98% complete and should be opening up possibly in the second week of February 2019, after inspections are complete. Ribbon cutting for the grand opening will be announced as soon as there is a firm date.

Commissioner BurtonBurke asked if new furniture will be purchased for the dorm. Mr. Birchard said the furniture will be brand new.

Commissioner BurtonBurke asked for an update on construction of the gym. Mr. Birchard said the gym and the kitchen will not be finished until the administration building is completed. The gym could be complete in about 60 days after the dorm opens but, because the gym is in the construction zone, there may be a delay in opening the facility.

Chair Pennypacker asked about the type of crimes being committed that have caused an increase in the population of the girls and the average age of the girls. Mr. Birchard said girls have been committing similar crimes as boys, such as armed robberies and car jackings, and girls arrested range from 14 to 17 years of age.

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

- Negotiations are on-going for a new RAIC.
- Initial discussion has begun with Probation to help bring their knowledge and training to reduce the conflict between staff and older youth at the RAIC.
- DFCS is in the middle of an administrative reorganization with the hiring of mid-level Program Manager II level.
- There has been an increase of 46% for relative placement in the last 9 to 12 months. A concerted effort has been made to look for families within Santa Clara County, but one side effect has been a need to place youth out-of-county.

Commissioner Hansen asked if the RAIC is working without a contract, since the contract was due to expire in December 2018 and if it has expired, is there a Plan B in place. Mr. Little said it was described to him as a contract hold-over and there is no danger of having to move out.

Chair Pennypacker asked how many kids are in Group Homes, how many Group Homes are currently in use, and how many kids are in STRP's. Mr. Little said there were about 32 to 35 kids in Group Homes, adding that every week meetings are conducted to bring in stakeholders and come up with solutions. Mr. Little did not have the number of group homes but said there has been little change in the number of homes. Nor did he have the number of how many kids are in STRP's. He said will provide those numbers for the next meeting.

Behavioral Health - Mental Health Services: None.

Behavioral Health - Alcohol and Drug Services: Sue Nelson reported on the following:

- An RFP has gone out for a single provider for Ranch Services. The decision for a single provider was made in conjunction with Probation because it might be easier for youth to only have to deal with one person. Mr. Birchard added that a single provider helps with the integrated system.
- An award was given for the ad concerning marijuana use and pregnancy.
- A substance abuse clinician will be added to the staff at Willow Glen High School.
- A substance abuse treatment clinician has been added at the RAIC since summer of 2018.
- They are trying again to have a substance abuse clinician at The Hub on N King Rd.

Law Enforcement: Captain Tindall reported on the following:

- The Crime Analysis Unit is currently finalizing information for their Uniform Crime Reporting stats (UCR) which go to Department of Justice (DOJ), denoting crimes that occurred in the City of San Jose and arrests associated with those crimes, including homicide, rape, robbery, aggravated assaults with burglary, larceny and vehicle theft.

January through November of 2018 are as follows:

- Homicides: -10%
- Sexual assaults: +2.4%;
- Robberies: +32.7%
- Aggravated assaults: relatively flat
- Burglaries: +18%;
- Larceny: relatively flat
- Vehicle theft: relatively flat

There was a 19% increase in all robbery categories with carjacking one of the highest increases. San Jose had 157 carjacking incidents, resulting in 111 arrests – 72 juveniles and 39 adults. Of the 157 incidents, 68 involved a firearm or replica firearm and 25 involved some other type of weapon. Juveniles are out-pacing adults in car jackings. In armed robberies, juvenile arrests are down 29%. Strong-armed robberies are up 40%. Carjacking up 171%. There is a 22% increase in all robbery types. Aggravated assaults (DV cases were removed from stats) are down, with the exception of juvenile assaults with firearms, which are up 100%. Aggravated assaults are down 18%. Burglaries are down 30%.

Judge Bondonno asked about the actual number of juveniles involved in assaults with firearms. Captain Tindall said it was relatively small with four (4) in 2017 and eight (8) in 2018.

Captain Tindall said he will provide 2018 URC stats at the February 2019 meeting and added that the data is available on-line. He also said that in February 2019 he will present a 5-year report on arrest data, demographics and locations.

District Attorney’s Office, Juvenile Justice: Carolyn Powell reported on the following:

- Effective January 28, 2019 the team will be fully staffed, increasing from six (6) people to nine (9).

Public Defender’s Office: Damon Silver reported on the following:

- The 14th Annual Pizza Party on Christmas Eve at the Ranch, Bill Center and Juvenile Hall was a success thanks to assistance from Probation and the Bill Wilson Center.
- Ms. Younis announced at the December 2018 meeting that Karina Alvarez will be replacing Agustin Arias. Yaamini Rao will be Mr. Arias’ replacement.
- Jeffrey Mendoza will be replacing Kelly Kristal.
- Special thanks to Juvenile Court for accommodating the entire juvenile team so they may be able to attend a conference in Monterey.

Alternate Defender’s Office: David Epps reported on the following:

- Mark Becker will be replacing Kevin Rudich.

Independent Defender’s Office: No report.

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

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

- All youth who had parental consent for the Meningitis B vaccine have been inoculated.

Office of Mediation and Ombuds Services: No report.

YWCA Support Services: None.

Announcements/Correspondence: Dana Bunnett announced the 12th Annual Santa Clara County Children's Summit will be held at SCOE in San Jose on Friday, March 8, 2019 from 8:00 am to 2:30 pm.

Old Business: None.

New Business: None.

Adjourn to Executive Session: Chair Pennypacker adjourned to Executive Session at 12:57 p.m.

Next Meeting: February 5, 2019, DA Crime Lab Conference Room, 250 W. Hedding St., San Jose, CA.

Respectfully submitted,

Barbara Crump