

**COUNTY OF SANTA CLARA
JUVENILE JUSTICE COMMISSION
Meeting Minutes – January 4, 2022
Via Zoom**

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

Commissioners Absent: Diana Traub

Also Present: Honorable Maureen Folan, Superior Court
Honorable Frederick Chung, Superior Court
Honorable Shawna Schwarz, Superior Court
Anjelica Hayden, Superior Court
Shannon Hannah, Superior Court
Kara Garasky, Superior Court
Myra Vargas, Behavioral Health
Vanessa Cornejo, Behavioral Health
Veronica Robles, Behavioral Health
Morena Cruz, Probation Department
Mariel Caballero, Probation Department
Ashanti Hayes, Probation Department
Holly Child, Probation Department
Mariel Caballero, Probation Department
Dolores Morales, Probation Department
Laura Garnette, Probation Department
Mike Simms, Probation Department
Victoria Conteras Wolfe, Probation Department
Jill Ugalde, Probation Department
Carl Tademaru, Probation Department
Nick Birchard, Probation Department
Holly Child, Probation Department
Alex Villa, Probation Department
Nisreen Baroudi, Public Defender’s Office
Damon Silver, Public Defender’s Office
David Epps, Alternate Defenders Office
Karen Steiber, Independent Defender’s Office
AnnaLisa Chung, Dependency Advocacy Center
Patrick Tondreau, Chair of Dependency Advocacy

Shelley Aggarwal, Juvenile Facilities Medical Clinics
Lt. Rob Lang, San Jose Police Department
Matt Cammann, Seneca Family of Agencies
Andrew Cain, Law Foundation of Silicon Valley
Lanphuong Le, Valley Medical Center
Dana Bunnett, Kids in Common
Joann Vaars, SCCOE
Jessica Bonduris, SCCOE
Dane Caldwell-Holden, SCCOE
Ruth Maurice, OMOS
Marie Mauboussin, DFCS
Vone Kegarice, JPD
Deborah Pell, BWC
Marcie Bellicitti, Citizen

Call to Order & Introductions: Chair BurtonBurke called the meeting to order at 12:15 p.m.

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

Public Comments/Oral Petitions: None.

Approval of Minutes: December 7, 2021 Minutes approved by all Commissioners present.

REPORTS

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

- Commissioner Burton Burke urges each department speaker to answer the question of the day: Please comment in your reports on your agency's plans for the anticipated COVID-19 surge in the coming weeks.
- The Commission was appreciative of FLY's Annual Showcase, many commissioners and other agencies were able to participate to facilitate a joyful holiday for our in-custody youth.
 - The commission thanks all the agencies who were able to participate, including the youth from Los Altos High School.
- The JJC monitors the daily statistics in Juvenile Hall and James Ranch and are thankful for the continued decline in the number of youth in these facilities even while the participation of youth participating in the Secure Track Program increases.
 - The JJC continues to be concerned about the disproportionality of youth of color in custody.
- The inspection of Juvenile Hall has begun, there will be a separate inspection of the Secure Track Program in the future.
- The Continuum of Care Committee continues to meet with the administration and interested parties at DFCS to monitor the statistics of children entering into care and the number of petitions submitted.
- Commissioners continue to participate in meetings reviewing the responses of the status of COVID-19, education for all youth touched by the systems, and to meet with supervisors and their aids.
- The commission is very sad to see Judge Lucero move on but we know that she will do a fantastic job in her new position.

Presiding Judge: Judge Lucero reported on the following:

- Judge Lucero thanks the Commission, Santa Clara County has an outstanding Juvenile Justice collaborative in so many ways, and the JCC is a leader in making sure that youth are cared for in and out of custody.
- To answer the question of the day with regard to COVID-19 and the surge, cases are still being held remotely when it is a viable option for attorneys and all of our parties that are not in custody.
 - Defense councils are still appearing in court and youth are able to appear remotely or call into court from Juvenile Hall if they are quarantined, but the remote hearings are continuing and that is by agreement of all the stakeholders.
 - Youth kids who have been exposed to or who have tested positive for COVID-19 are not entering the court room.
- Department 82 is still out of use, and we continue to only be able to use two court staff teams for three judges.
 - We do have a current COVID-19 protocol in place that is set to end February 1, 2022.
 - This will have to be reconstituted based on what we see here in the next month or two.
- Detention and Jurisdiction hearings continue to be timely although I know that our days in custody and our days to resolving cases has been lengthened.
 - We are working hard on getting youth out of custody and for the most part over the last month or more we have had either 0 - 2 girls in custody. Over the month of December we had a lot of days with 0 girls in custody.

Juvenile Justice Court: Judge Folan has nothing new to report.

- Judge Folan comments that Judge Lucero is irreplaceable and the commission was blessed to have here.

Dependency Court: Judge Schwarz reported on the following:

- Juvenile Dependency numbers continue to decline primarily as a result of the implementation of Families First Prevention Services Act (FFPSA).
 - The number of new detentions are being tracked closely.
 - Declines can be not just in detentions but all the way through the process in terms of recommendations of returning children as well as recommendations for dismissing cases.
- Cases are still being held in person in the court room, the Dependency Judges are unanimous in that it is better to have people present with us in the court room.
 - There are no current plan in place for a new COVID-19 surge but we are ready to readjust quickly if needed.
 - Vaccination records are still being checked for individuals to be allowed to sit at council table.
 - There are a number of justice partners that are required to be present in the courtroom and we want to make sure that they feel as safe as possible.
- Judge Chung congratulates Judge Lucero on her new position.

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

- To answer the question of the day, Dane states that in terms of preparing for the oncoming surge, it has already come. Osbourne went into post exposure protocol so all of the students are now involved with distanced learning.
 - Today students will be working on ingenuity only which will give the teachers time to get packets and materials ready for the youth for the next two weeks. Dane will deliver coursework to the youth.
 - The Plan during the day is to have students in units or working individually with teachers virtually via Zoom. In the afternoon students can focus on credit recovery or other

coursework. The goal is to continue to have the youth be in front of a live teacher in a virtual environment every single day while we are going through this particular COVID-19 protocol.

- Jessica adds that it's so important to maintain normalcy for students, maintaining a working environment and continue to communicate with students so they do not fall behind. She thanks all the staff that had to work hard to come up with a new learning plan for the youth.

Department of Children and Family Service/Children's Receiving Center (DFCS): Marie Mauboussin has nothing new to report.

Probation Department – Juvenile: Alex Villa, Nick Birchard, and Dolores Morales reported on the following:

- Alex updates that probation has a number of new Supervising Probation Officers that will be starting 2/7/22 in their new assignments in both Adult and Juvenile Departments. We are in the middle of the hiring process for new deputy probation officers.
 - Tutoring Pilot that we are a partner with is currently at full capacity.
 - To answer the question of the day, we still continue to provide support to the County with regard to the Disaster Service Workers. Probation continues to accept requests for additional Disaster Service Workers.
 - Commissioner BurtonBurke asks Alex to send the commission a list of the new Supervising Probation Officers. Alex will send out that information.
 - Commissioner Pennypacker asks about the Tutoring Pilot, how many youth are involved in this program? Alex answers 20 students.
- Nick reports that a significant number of staff at James Ranch have tested positive for COVID-19. Youth have been moved from James Ranch to Juvenile Hall due to the COVID-19 surge.
 - Only one youth has tested positive and they are located in Juvenile Hall.
 - Nick thinks that this low number of youth testing positive may be because of the staff's efforts to keep youth separate within their pods and the overall population small to prevent the spread of COVID-19.
 - At this time Probation is not sure when the youth will be going back to the Ranch, the COVID-19 surge is expected to last 3-4 weeks but this will be to be evaluated as new information comes out.
- Commissioner Burton Burke comments that there were several pods are being put together at Juvenile Hall, Nick answers, there were 3-4 pods that have been possibly exposed to COVID-19, Probation has kept the pod that had not been exposed separate from other pods so that the youth are not mixed together.
- Commissioner Rhoads asks, between illness and the emergency response duty, how badly are the staff impacted and is that presenting any major challenges? Nick answers, that not a lot of the institution staff are Disaster Service Workers so the staff are managing the changes well.
- Nick thanks the Commission for the gifts from the courts and the Judges, the units were decorated nicely and he appreciates all the support that went into the holiday season.
- Dolores thanks the commission in addition to Nisreen and Molly from the Public Defender's office for their support of Probation during the holiday season as well. Probation was able to donate fresh trees and gifts to the secure track families. Thanks to Judge Lucero and Judge Bondonno the youth were able to give these gifts to their families to take home.

Behavioral Health: Mayra Vargas reported on the following:

- To answer the question of the day, Behavioral Health continues to be creative with ways to continue to provide services to the youth while following COVID-19 protocols.

- Staff is currently utilizing technology such as iPads to be able to provide the services to the youth so they have an outlet while social distancing.
- Youth have been able to continue to meet with their clinicians.
- Behavioral Health makes sure that their staff is aware of PPE, making sure the staff are safe when they continue to meet with the youth.
- A new clinician will begin next week and begin working in the CETA program.
- Commissioner BurtonBurke asks how many youth are involved in the CETA program? Mayra answers, that 16 youth are currently involved with the program.

Medical Services: Shelley Aggarwal reported on the following:

- To answer the question of the day, the most important thing is that we are following the guidelines of the regulatory partners to come up with policies and procedures in reference to how to best support the youth and staff. Medical Services is working closely with Santa Clara County Public Health and have regular communication with them to modify our approach.
 - With Omicron being a much more infections variant, we plan to modify our testing strategy. We have increased testing in an effort to capture potential exposures and positive youth as soon as we can.
 - We are reiterating infection control measures, social distancing, masking, environmental hygiene all things that keep us more protected against COVID-19.
 - Vaccination is key, we are having a recurring vaccine clinic for youth who are eligible. All youth who admitted to the Hall are now eligible for vaccination.
 - The FDA put out recommendation for youth 12-15 to get booster, we will modify our process accordingly to make booster shots available for the youth once the official recommendation comes down from the CDC.
- 60% of youth currently admitted to the Hall are fully vaccinated.
- 33% of youth who are not vaccinated.
- 6% of youth are partially vaccinated and have received 1 of 2 doses.
- 56 youth were either fully or partially vaccinated by the time they left either the Ranch or Hall.
 - Pfizer is the vaccine that is being in used in the Hall because that is the one that is approved for younger individuals.
- Commissioner Parak asked, of the youth that tested positive so far, what is the percentage of vaccinated vs. unvaccinated cases? Dr. Aggarwal answers, the youth that we currently have that have tested positive are not vaccinated. Unvaccinated individuals have an increased risk for serious disease and also death. The most important thing is to offer information and education in reference to the benefits of vaccination.
- Commissioner Burton Burke asked, what is your process of getting statistics on youth that are arriving but are unvaccinated? Dr. Aggarwal answers, there is a two point process for youth who are under 18 before they can get vaccinated. Both the guardian and the youth must consent in order for us to complete the vaccination. We have a pretty high rate of offering a vaccine, of the 93% of youth that we have offered the vaccine, 73% have accepted.
- Commissioner Pennypacker asked, of those who are testing positive, how sick are the youth getting? Dr. Aggarwal answers in general for young people they are usually mildly symptomatic or asymptomatic.
- Commissioner Rhoads asked if the Youth Advisory Council has been involved in encouraging more vaccinations? Dr. Aggarwal answers that the Youth Advisory Council has not been involved, but peer education is a goal.
- Carl Tadamaru thanks all the staff working with the youth who are working overtime at the clinic to ensure a safe environment to the youth. Dr. Aggarwal comments that it has been a collaborative effort, we have leadership dedicated to the safety of the youth and the staff and that everyone has been working hard.

- Commissioner Hansen draws attention to Nisreen’s question in the chat: “Have you had a situation where youth wants the vaccine but the parent objects?” Dr. Aggarwal answers that without parental consent we cannot proceed with the vaccine. What we can do is reach out to the parents and offer information and education. Sometimes the barrier is the youth receiving the vaccine while they are in custody, the parents would rather go to their primary care doctor or go to a community provider. At that time we can encourage the family to follow up with the community provider to get that vaccine.
- Commissioner Parak asks, what is the primary reason why an individual might accept the vaccine at the Hall or the Ranch? Why have they not been vaccinated beforehand? Dr. Aggarwal answers that access does make a big difference, for those individuals who have accepted the vaccine at the Hall or the Ranch, the youth wanted to get the vaccine but have not gone to get it.
- Commissioner Rhoads adds to Nisreen’s question, is parental objection occurring and at what frequency? Dr. Aggarwal answers that she does not have the breakdown on how often that occurs.

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

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

- Damon compliments Judge Lucero, she was able to seamlessly take the reins from Judge Tondreau when she began. Damon also acknowledges the constancy in the commitment that the Bench has shown to advance the issues related to our youth.
- Karen Steiber to leave the IDO, she has been a tremendous advocate for youth.
- Ari Terrone will be leaving the Juvenile Team and will be replaced by Cecelia Fernandez.

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

- Karen thanks the Commission, she has worked with the Juvenile Justice Commission for 12 years and has an attachment to this organization and is very proud of what we’ve done. Karen hopes that the Commission continues to do the wonderful work that they do.

District Attorney’s Office: No one present to report.

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

- David congratulates Judge Lucero, and Karen on their new opportunities.
- There will be an assignment change in the next few weeks, from the Alternate Defenders office: Laurie Stewart will be joining Juvenile to replace Amanda Parks towards the end of January.

Legal Advocates for Children & Youth (LACY): Andrew Cain reported on the following:

- Andrew wanted to echo the sentiments for Judge Lucero, Andrew notes that Judge Lucero really understands the symmetry between child protection and family healing. Judge Lucero embodies using the bench with vision to help improve the system.

Dependency Advocacy Center: AnnaLisa Chung reported on the following:

- AnnaLisa congratulates Judge Lucero, she credits Judge Lucero with being the driving force to constantly pushing herself and other to do better for the youth. She thanks Judge Lucero for all she has done to better the lives of the families that have come to the dependency court.
- She also thanks the bench for the holiday spirit they have showed, for Judge Schwarz putting together the coat drive at the courthouse, and also make for making sure that the court was able to have a successful toy drive. These events mean the world to the families who get to participate.

- To answer the question of the day, Dependency is taking things as they come regarding COVID-19 and the surge of new cases. We are doing our best to work without folks and being cautiously optimistic. Dependency is ready to adjust as needed to best serve our families during this time.

The Office of Mediation and Ombuds Services: Ruth Maurice reported on the following:

- To answer the question of the day, in terms of COVID-19, we are relatively isolated where we are so we continue to offer our services to youth via phone and video. These services have not been affected.
- Ruth also congratulates Judge Lucero as she moves on to a new job, Judge Lucero has been such a strong and consistent support for restorative justice in the courts.

Announcements/Correspondence: Dana Bunnett reports that Next Wednesday at our Juvenile Court Aligned Action Network (JCAAN) meeting from 3:00 -5:00 PM we will have a presentation about the research project "Lifting the Bar" which is an innovative strategy with Oakland youth on probation. The focus has been on the youth to identify a connection at school to be a supporter. If you would like to join us, please email me at dbunnett@kidsincommon.org.

Adjourn to Executive Session: Chair BurtonBurke adjourned to Executive Session at 1:10 p.m. The next meeting will take place on Zoom on February 1, 2022.

Respectfully submitted,

Anjelica Hayden