

COUNTY OF SANTA CLARA
JUVENILE JUSTICE COMMISSION
DRAFT Meeting Minutes-July 11, 2017
Crime Lab, 1st Floor
250 W. Hedding St.
San Jose, CA 95110

Commissioners Present: Anusha Agarwal
Penny Blake
Dana Bunnett
Victoria BurtonBurke, Secretary
Bonnie Charvez
Raul Colunga, Chair

Ron Hansen, Vice Chair
Nora Manchester
Jean Pennypacker, Chair
Carol Rhoads
Vincent Tarpey
Lissa Thiele

Commissioners Absent: Brittney Dong, Gustavo Gonzalez, Courtney Macavinta,

Also Present: Adelina Del Real, Superior Court
Marcelo Quinones, County Counsel's Office
Elsa Jennings, Probation Department
Nick Birchard, Probation Department
Lauren Gavin, Probation Department
Kathy Martinez, Probation Department
Sean Rooney, Probation Department
Avlie Posanda Gorman, Probation Department
Jill Ugalde, Probation Department
Holly Child, Probation Department
LaRon Dennis, District Attorney's Office
Elisa Kuhl, District Attorney's Office
Nisreen Baroudi, Public Defender's Office
Michelle Diederichs, Public Defender's Office
Karen Steiber, Independent Defender's Office
Amanda Kennedy, LACY
Vianni Garcia, FLY
Chia-Chin Lee, VMC

Guests Present: Mario Lopez, Supervisors Cortese's Office D2
Amanda Clifford, Bill Wilson Center
Manansa Kumarappan, Student
Catarin Reyes
Braulio Garcia
Corinthia Mejia
Adam Le
Danny Sanchez, Pastor Mayor's Gang Prevention Task Force and
Executive Director the City Peace Project Church

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 Colunga and seconded by Commissioner Tarpey, to approve the agenda, was approved unanimously.

Public Comments/Oral Petitions:

- Elsa Jennings, Probation expressed her gratitude to Commissioner Raul Colunga for his hard work and dedication to the JJC.
- Vianna Garcia, FLY Law Program in will start August 21, 2017.
- Mario Lopez, Supervisor Cortese's Office introduced Mitzia Martinez, who will be entering her 4th year at the University of California Berkley and majoring in Legal Studies and African-American Studies as the Summer Fellow via the New Americans Fellowship program which is part of Supervisor Cortese's Office and housed under the Office of Immigrant Relations. This;; fellowship provides internship opportunities to Deferred Action for Childhood Arrivals (DACA) recipients to work towards enhancing resources for immigrant communities in Santa Clara County. Ms. Martinez is also doing research on how the County can promote personalized financial literacy education for immigrants.

Approval of Minutes:

Moved by Commissioner Colunga and seconded by Commissioner Manchester to approve the June 6, 2017 minutes, was approved unanimously.

REPORTS

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

- Youth Commissioner Anusha Agarwal will be resigning as she will be attending Georgetown University in the fall of 2017. Interviews are being conducted to find her replacement.
- July 2017 marks the beginning of the year for JJC. Discussions are underway to talk about goals and objectives for 2017-18. Committees are being formed for inspections and establishing deadlines.
- RAIC inspection has begun. Commissioner Blake said that due to changes in State regulations not being completed, RAIC is unable to apply for their license and has asked for a continuance. The report will be completed in the fall of 2017.
- Law Enforcement Temporary Detention Facilities inspections have begun.
- Group Home inspections are complete with the report being available in August 2017.
- An alliance of all JJC's in other counties is being created so they could work together on legislation and the sharing of information. A workshop will be held in the fall of 2017.

Juvenile Justice Court: None.

Dependency Court: None.

Probation Department Juvenile Program: Nick Birchard reported on the following:

- Mr. Birchard thanked Commissioner Colunga for his hard work and chairing for JJC.
- The entrance to Juvenile Probation will undergo a facelift.
- Dog graduation will be July 20, 2017 from 3:00 to 4:30 pm. Mr. Rooney added the program is called Living Unchained and is an 8-week program held twice a week with dogs coming from different animal shelters around the county. The program focusses on training the dogs on basic commands and positive reinforcement. The program helps the kids as well as the dogs and is open to both boys and girls.
- Shift change will occur in August of 2017. Girls unit will be moved downstairs and will have its own medical unit.
- Staff is being trained on the Behavior Modification Point System and will start at shift change.

Commissioner Hansen said the film documentary Like Any Other Kid, which was partially filmed at the Ranch, is now complete. The documentary follows the relationships between youth and the staff who care for them in Morgan Hill, California, Bridge City, Louisiana, and New York City, New York over the course of two years. The New York film maker is now shopping it around to various film festivals. Mr. Birchard said there was a viewing in New York a few weeks ago.

Kathy Martinez reported on the following:

- The population report for July 2017 was distributed. Population at Juvenile Hall is 82, with 63 males and 19 females. The Ranch population is at 49, with 44 males and 5 females.
- Placement numbers are low but they are keeping an eye on it in light of Prop 57.
- Wrap-around numbers are low with 55 Probation kids.
- Independent living skills will be available for transitional age probation kids which in the past was only available to foster care kids.

Commissioner Colunga asked Mr. Birchard to explain why the number of kids has increased at the Ranch. Mr. Birchard said the numbers have gone up as the Court is more comfortable sending kids to the Ranch with alternatives for higher level kids being reduced, there has been an increase in the number of kids that now have the option for the Ranch. They are still in discussion with Prop 57 kids and how the program will be developed in the future. The population of girls have increased as well.

Chair Pennypacker commented on the number of 13-year olds in-custody asking if their issues prevent them from being placed. Mr. Birchard said that is correct.

Commissioner BurtonBurke asked if there is a specific sentence that the non-transfer kids are being sent to the Ranch on or, are they going out on the 6 to 18 month program. Mr. Birchard said the current program is 6 to 8 months.

Department of Children and Family Service/Children's Receiving Center (DFCS): None

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

- Seeking Safety group for girls has begun.
- Seven Challenges group to B-4 has started and is going well.

- Ms. Gavin has accepted a promotion with the Adult Division and her last day at Juvenile will be July 21, 2017.

Behavioral Health - Alcohol and Drug Services: No report.

Law Enforcement: No report.

District Attorney's Office, Juvenile Justice: La Ron Dennis reported on the following:

- Prop 57 cases... June had six (6) cases resolved in Juvenile Court. There were four (4) cases where kids were found by the Judge to remain in Juvenile Court with all the kids going to DJJ.
- DA filed three (3) transfer cases in June that were independent from the Prop 57 cases.
- There are five (5) transfer hearings that are scheduled for July and August.
- There are approximately twenty five (25) Prop 57 cases left of to be resolved.
- There has been an increase in 459 (burglary) cases. From January 1 to June 30, 2016 there were 59 residential burglaries and during the same time frame for 2017 there were 207. Ms. Dennis said it appears there are a couple of "crews" working in the County. One female defendant admitted to two dozen residential burglaries.

Chair Pennypacker asked if the court found any of the fitness hearing cases unfit. Ms. Dennis said none as of this month. Those scheduled for July/August may be handled differently as these are possible homicide cases that have yet to be heard and are the only ones they have seen that may be transferred to Adult Court.

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

- New carpet was installed in the PD Office.
- No staff changes.
- On July 27, 2017 there will be additional training for Juvenile Probation on new laws.
- Ms. Baroudi expressed her concern with the high number of girls and the number of African-Americans at the Ranch.
- Calendars have been impacted with Judge Bondonno being out until August 2017. Judge Johnson and Judge Lucero are filling in and sometimes they are hearing two calendars at the same time with as many as 45 case on the calendar. With three (3) departments being shut down at the Hall of Justice, Judge Lucero is reaching out to possibility of open a 3rd department.
- With Prop 57 PDO cases, there is one pending, one homicide and one minor has been made an offer he is considering. There have been 14-16 cases at PDO that are complete. PDO is proud of the accomplishments of these cases. Most cases resolved with the kids either going to DJJ or to the Ranch. There have been a handful of cases when there is a stipulated resolution to the Ranch. One case where there was a one-year commitment, which was in lieu of DJJ commitment. One concern for PDO is when a minor is committed to DJJ, the minor has to register as a sex offender for life and therefore PDO tries to keep them local. One issue with the new AB403 is if they limited to placements (six months) and therapy is usually 6-18 months, they are struggling adding that Probation is trying to get a legislative fix to the issue. As they explore alternatives to DJJ or if they change the Ranch program to be a longer term program they are concerned with the kids that commit sex offenses regarding commitments and registration.

Commissioner Rhoads asked how many kids are at DJJ. Ms. Baroudi thought there were at least 10. Ms. Martinez said that it was just under 10 adding there are 6-7 Prop 57 cases agreed upon to DJJ. Chair Pennypacker asked if the monthly stat sheet could reflect the number of cases that go to DJJ.

Independent Defender's Office: No report.

Alternate Defender Office: None.

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

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

- The internet line to the Pyxis machine and electronic medical record line were cut for 24 hours during construction. A down-time procedure was in place and therefore not one child missed a dose of medication.
- With the girls unit moving to B-2 they are organizing the entire gender-specific health education and will beef up the follow-up plan with the girls program.
- With the opiate epidemic in the country, nurses are being trained with CPR resuscitation process to recognize an opiate overdose. Meetings are being set up with VMC and Pharmacy about keeping life-saving medication on hand.
- Probation put together a Second Entrée Program for the entire population. There are concerns about kids who are overweight, have high cholesterol or high BMI that they have significant education and self-control to select proper nutrition. A survey is being put out to Food Services, Probation QI and Medical Clinic to establish a baseline and try to find where more education needs to be provided. They are also working with Healthlink to run a weekly report for the kids with a high BMI and if necessary they will intervene at that point.
- Accreditation process will begin at the end of July or beginning in August.

Commissioner Bunnett learned that some mental health medications cause weight gain and asked how that is that being managed through nutrition. Ms. Lee said a weight monitoring program is set up for those kids.

Alternative Schools Department, COE: None.

Victim Services Center: Elisa Kuhl reported on the following:

- VSC is forming a partnership with Probation that will allow them to have a victim advocate at the courthouse M-F from 8:00 a.m. to 12:00 p.m. to orient the kids through the process. The advocate will also spend additional time at the courthouse in the afternoons as needed.

YWCA Support Services: None

Announcements/Correspondence:

- Ms. Baroudi introduced Michele Diederichs as Assistant PD.

Old Business: None.

New Business: None.

Adjourn to Executive Session: Chair Pennypacker adjourned the meeting to Executive Session at 12:55 p.m.

Next Meeting: August 1, 2017, DA Crime Lab Conference Room, 250 W Hedding St., San Jose, CA.

Respectfully submitted,

Barbara Crump