

**SANTA CLARA COUNTY  
JUVENILE JUSTICE COMMISSION  
Meeting Minutes—June 3, 2014  
Santa Clara County Crime Lab, 1<sup>st</sup> Floor, 250 W. Hedding St., San Jose, CA**

**Commissioners Present:** Penelope Blake, Chair Tracy Lauth  
Raul Colunga, Vice Chair Nora Manchester  
Stephen Betts, Secretary Jean Pennypacker  
Raymond Blockie Pamela Serrano  
Dana Bunnett Anita Sunseri  
Victoria BurtonBurke Vincent Tarpey  
Ronald Hansen

**Commissioners Absent:** Commissioners Bonnie Charvez and Kimberly Dong, Youth Commission, previously notified Chair Blake that they would be unable to attend the June 3<sup>rd</sup> meeting.

**Also Present:** Honorable L. Michael Clark, Superior Court  
Honorable Margaret Johnson, Superior Court  
Honorable Katherine Lucero, Superior Court  
Honorable Jesús Valencia, Superior Court  
Jose Franco, Deputy Public Defender, Public Defender Office  
Chia-Chen Lee, Nurse Manager, Valley Medical Center (VMC)  
Paola Estanislao, Deputy District Attorney, District Attorney's (DA)  
Office  
Pinaki Chakravorty, Deputy District Attorney, District Attorney's (DA)  
Office  
Russ Correia, Local 1587  
Dan Lloyd, HCPM II, Department of Alcohol and Drug Services (DADS)  
Robert DeJesus, Deputy Chief Probation Officer, Probation Department  
Mariel Caballero, Probation Department  
Elsa Jennings, Probation Department  
Jermaine Hardy, Probation Department  
Rita Loncarich, Probation Department  
David Herrera, Probation Department  
Diana Perez, Probation Department  
Christy Smith, Probation Department  
Ernesto Bejarano, Prevention Analyst, Department of Alcohol and Drug  
Services (DADS)  
Cybele LoVuolo-Bhushan, Secretary (Board), ACLU-Mid Peninsula  
Chapter  
Neysa Fligor, Deputy County Counsel, County Counsel's Office (CCO)  
Kevin Rudich, Deputy Alternate Defender, Alternate Defender Office  
(ADO)  
David Epps, Alternate Defender Office (ADO)  
Angela Haick, Principal, Santa Clara County Office of Education (COE)  
Jennifer Kelleher, Directing Attorney, LACY

**Guests Present:** Lyn Johnson, Private Citizen  
LeeAnne Vezzani-Katano, Private Citizen

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**Call to Order & Introductions:** Chair Blake called the meeting to order at 12:25 p.m. All persons in attendance stated their names and organizations.

**Agenda Approval:** Moved by Commissioner Manchester and seconded by Commissioner Tarpey, the agenda for June 3, 2014 was approved unanimously.

**Public Comments/Oral Petitions:** Chair Blake invited those in attendance to submit public comments to the Commission. Chair Blake reminded those in attendance that public comments are limited to three minutes.

Ms. LoVuolo-Bhushan stated that she has been away for some time, but reviewed the prior minutes and would like to share her ideas. The trend toward direct files increasing is concerning, as well as the numbers in Juvenile Hall. The population number in Juvenile Hall was 152 while the Ranch was 41, and so if it was feasible to consider increasing the Ranch numbers and decreasing Juvenile Hall, it may be worth it to study and find out if it's the right thing to do since the gap is so large.

Ms. LoVuolo-Bhushan also suggested having one or two Ranch youth come to address the Commission and speak to their experience. She also suggested that Judge Valencia share information about his visit to the Glen Mills School, and suggested that the Commission consider inviting the principal or staff to talk to the Commission about their ideas.

Chair Blake announced that Commissioner Stephen Betts would be sworn in again to serve a full term after having served a partial term. Chair Blake stated that Commissioner Betts will continue as the Commission Secretary. Chair Blake introduced Commissioner Colunga, Vice Chair, to announce the two new Commissioners. Commissioner Colunga introduced Victoria BurtonBurke, who has over 25 years of experience with the Public Defender's Office and has been active in Juvenile Justice issues for quite some time. Commissioner Colunga also introduced Ronald Hansen, who has worked in research and development, as well as served on the Civil Grand Jury in the past. Commissioner Colunga welcomed the two new commissioners.

Chair Blake invited Judge Valencia to swear in the three Juvenile Justice Commission members, and Judge Valencia administered the Oath of Office to Commissioners Betts, BurtonBurke, and Hansen as a group.

Chair Blake stated that the Commission is at full staff again.

**Review & Approval of Minutes:** The following changes were made to the May minutes:

1. Judge Lucero reported that she is listed in her old department, Department 67, on the minutes. She is currently in Department 78.

Moved by Commissioner Manchester and seconded by Commissioner Colunga, the minutes of May 6, 2014 were approved with the changes outlined above.

**REPORTS**

(Note: Various reports were taken out of order)

**Chair's Report:** Chair Blake reported on the following:

- The Commission had a planning meeting earlier this month, where the commissioners agreed to attempt to continue to do all the things that the Commission has done in the past, and then some.

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- The law enforcement agency inspections for the year are completed. The Commission should be receiving a letter in a month or so from the State instructing them to begin the law enforcement agency inspections. The Receiving, Assessment and Intake Center (RAIC) report is also completed. Hopefully, both reports will be done before the next meeting.
- The Commission will be developing goals for the coming year next month.

### **Juvenile Justice Court:** Judge Valencia reported on the following:

- Judge Valencia continues to meet with the committee for the financial evaluations hearing task force to address the particular aspects of the rights of parents to a financial hearing.
- Judge Lucero and Judge Valencia continue to work on the JTC CETA training collaborative.

### Judge Lucero reported on the following:

- Judge Johnson and Judge Lucero visited the Ranch yesterday. They both were thrilled to see how well the youth were doing, particularly when they encountered high school graduates who were going to be receiving their high school diplomas that night. 15 to 16 youth total will be receiving their diploma. Judge Johnson and Judge Lucero also were pleased with the new building, and how the school setting seemed conducive to learning.
- Judge Lucero attended the Drug Court conference with two probation officers and our treatment team member, Dr. Nelson. Those who have not attended in the past should consider attending. This year, there were approximately 5,000 people and over 25 professional tracks. The conference will be held in Washington, D.C. next year. They reviewed how therapeutic treatment courts continue to be what keep the community safe and keep citizens from having to be incarcerated when they have mental health issues and/or drug and alcohol addictions. These courts work, and an example of the success is the fact that Texas was able to close three prisons. Judge Lucero stated how proud she is of our Drug Court, and what good work is being done in Santa Clara County. Judge Manley and Judge Clark were also there.
- We are looking forward to the possibility of getting the \$3 million dollar grant, and will probably know within the next month. Once they do know, they will discuss the combined JTC and mental health/dual diagnosis court. They are preparing for the footwork and are thinking positively.
- AB 12 training will be held tomorrow from 3 to 5 p.m. at the Probation Department. All are welcome.
- Today is the Juvenile Hall inspection on behalf of the judges. Judge Lucero will tour the Hall today through the judicial perspective as part of the legally mandated annual inspection. She will report back on that tour.
- A lot is going on in July, and Judge Lucero may not be able to make the July 1<sup>st</sup> meeting.

### Judge Johnson reported on the following:

- One point about the visit to the Ranch was how pleased the youth were to see Judge Johnson and Judge Lucero, and how it is nice to talk to the youth about how they are. Chair Blake added that, in response to the public comment about bringing in youth, the Commission members and judges do talk to the kids. Judge Johnson agreed, and added that while they can't talk about cases or what's pending, they are able to talk to the kids about how they feel and what it's like out there.
- Judge Johnson is still working on a Domestic Violence Court to deal with teen dating violence. All are encouraged to attend the meetings that are held on the first Tuesday of every other month. A meeting was held in May, and so the next should be in July. Please call her for exact details.
- The Self-Help Center from the Court is trying to get their services over to Juvenile Court once or twice a month so that individuals can access the types of services that people receive at Family Court, such as help with parentage orders, visitation schedules, etc. Some minors are parenting

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minors who could then access those types of services at Juvenile Court. Parents of our minors could also benefit, since determining parentage is an issue in a lot of cases.

**Dependency Court:** Judge Clark reported on the following:

- On June 11, the Court, in partner with Department of Family and Children's Services (DFCS) and other agencies will hold the annual Reunification Day. This is a fairly new event where key families who have reunified under particularly extraordinary circumstances are honored at a special afternoon ceremony. This uplifting event is open to those who work on the dependency side. Commissioner Tarpey inquired about the location of the event, and Judge Clark answered that it would be at the Social Services Agency auditorium at 1:30 p.m.
- The Non-Minor Dependency program continues to expand. Before, when a dependent child reached 18, they 'aged out' of foster care. This had bad results for children, until the law changed about five to ten years ago so that kids could voluntarily remain in the Juvenile Court Dependency system until age 21. At first, kids did not want to stay in the system, but the available services have expanded and now kids do want to stay in until they are 21 and even want to stay in after they turn 21. Over 200 non-minor dependents are now in the Dependency Court system. Judge Schwarz runs that program, and does a lot of work for it. Commissioner Bunnett asked if there was a celebration for the high school graduation for non-minor dependents, and Judge Clark responded that it is built into the process.

Commissioner Serrano asked if Adoption Day is coming up. Judge Clark said the annual Adoption Day is typically in the second or third week of November and is well publicized. Judge Clark did about 50 to 60 adoptions last year, and it should be coming up again this November.

**Probation Department Juvenile Program:** Chair Blake asked about the one female currently placed at the Ranch as reported by the June 3<sup>rd</sup> Probation Department Population Sheet that was distributed at the meeting. Mr. Robert DeJesus responded that while she is somewhat isolated, she is not left alone and staff are sensitive to her being there as the only female. In terms of programming, the Ranch is about group processing but since there is only one person in her group, it is more like individual counseling. The Probation staff are trying to identify potential girls that may be heading in the direction of the Ranch, however they don't see any. There are currently only 12 girls in Juvenile Hall, and while the County is large, only three girls are in secure confinement. This is a good problem to have. The young lady currently only has a brief period of time left at the Ranch, and they don't anticipate another girl will join her before she goes into re-entry.

Judge Lucero added that she ran into the young woman during her tour of the Ranch, and that she seems to be doing well. They did not talk about her case, but the girl did tell Judge Lucero that she felt like the Hall was more chaotic and that she wasn't always getting the mental health piece she needed, and now she feels as though she is getting everything she needs and is in a peaceful place. Judge Valencia thanked Judge Johnson and Judge Lucero for their report, and added that while it is not a good experience to be the only female, she is getting what she needs by being there. Judge Valencia also stated that this situation does raise the opportunity for Probation to explore expedited programming for young people who need that individual attention, and that it may be worth discussing if it has the potential to accelerate the rehabilitation of certain youth. Mr. DeJesus agreed, and stated that since the Ranch program is based on dosage, if a young lady is getting her education and more attention can be given to her, she may be getting an increased amount of dosage in a shorter period of time. It should be discussed what this may mean for future girls.

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Mr. DeJesus also added that, in response to the public comment, Juvenile Hall is a detention facility, while the Ranch is a post-dispositional facility. The balancing of populations can't happen because the youth are in different stages of the Court process.

Mr. DeJesus reported on the following:

- Laura Garnette has been named Chief of Probation. The announcement came out by County Executive Jeff Smith on Friday, and a formal announcement should be sent at a later time. Chair Blake asked that Mr. DeJesus please congratulate Chief Garnette on behalf of the Commission.
- Mr. DeJesus acknowledged Judge Johnson and Judge Lucero for coming to the Ranch. They were able to sit down for an hour to talk about the work they are doing with the kids. Judge Johnson was on the Juvenile Delinquency side in the past, but they were able to discuss the new Ranch program that started in 2006 and the numerous changes that have been made. Mr. DeJesus remarked on the importance of decision makers having a clear understanding of what all the options are and what is at the heart of those options.

Ms. Rita Loncarich reported on the following:

- During May, they had several town meetings, and have another one coming up this Friday. Juvenile Hall is a large place in terms of staffing, and so town hall meetings allow people to communicate. The meetings are held at different times of the day so those on the varying shifts can attend. The purpose of starting these was to discuss recent programs that were implemented, such as the assessment orientation unit. They had a presentation by the Behavior Modification Committee, which looks at the rewards and sanctions for the youth. It is important that this is done methodically, so the presentation was able to focus on that. They also had evidence based fairs, which was department wide. Seven work groups came together to work on the different pieces of working toward an evidence based department, and to focus on what they're doing and where they're going.

Chair Blake asked about the 8 youth on the Probation Department Population Sheet that are waiting for the Ranch. Since they are post-disposition, why are they being held and is there a particular amount of time they are supposed to wait? Ms. Loncarich responded that it is an average. The average would include the population that returns from the Ranch on a 'time-out'. Those youth will stay at the Hall from two weeks to 30 days, and tend to be kids who are having difficulty adjusting to the Ranch. The time frame for kids who are waiting to go to the Ranch right after Court is about a one week wait. This week allows the orientation counselor to come from the Ranch to do a face-to-face orientation with the youth. The counselor will try to get the youth into the mind set of going to the Ranch.

Commissioner Pennypacker inquired about the courtesy holds, and if the average is over 200 days because the kids who are being counted are direct files. Mr. DeJesus responded that yes, it is correct that the 200 day average is normal for the direct files. He stated that some stay longer while some stay shorter. Chair Blake added that this sort of data skews what's going on in the Hall, but that these youth are more or less in the security units. Mr. DeJesus stated that he isn't sure if there is a female youth in there, but the vast majority of those youth are in the security unit. Commissioner Pennypacker asked why they are listed under post-disposition, and if the youth counted here are done in adult court. Judge Lucero responded that the youth are post-disposition for Juvenile Court, but their new case is as an adult. The Juvenile system isn't in charge of this, but the Hall needs to house them here due to their age. Chair Blake stated that a couple youth talked about staying at the Hall for a long time and how it enabled them to catch up on school, which is a small positive.

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Commissioner Hansen asked if the teachers from Osborne are included at the town hall meetings. Ms. Loncarich stated that they are not, but they are trying to get momentum on town hall meetings and that they have discovered through this process that they will need more town hall meetings.

Commissioner Tarpey asked about the population of Hispanic youth continuing to ratchet up, with over 80% of the population listed as Hispanic. Mr. DeJesus responded that he can't give an explanation. The number is typically in the high 60's to low 70's, and he can't offer anecdotal suppositions to this. Judge Lucero added that access to education for this particular population is very poor, and when kids aren't in school, they're more likely to have problems. This is why they are working on having education as part of rehabilitation and to include the school component within the next few years. Commissioner Tarpey asked about the focus on the fact that the Hispanic youth are receiving the suspensions and expulsions. Commissioner Sunseri stated that many youth don't have the skills they need, and are not attending school regularly from the beginning. Judge Lucero added that an assessment was done of youth who went through the detention facilities, and it was found that they were an average of two to eight years behind in English and Math.

Ms. Caballero stated that Juvenile Probation, along with stakeholders and the Court, will be releasing their annual report hopefully in July for 2013. The comprehensive report will include a discussion of trends and some analysis. Hopefully, the annual report will answer some questions that the data presents. Ms. Caballero will present the report to the Commission once it is published.

Commissioner Colunga added that there is a new Cultural Competency Director for Children Services for the County. Commissioner Colunga is going to work on getting the new director to do a presentation on the issue of disproportionality so that he may hear from the stakeholders.

Judge Valencia went on to say that part of this dialogue needs to include law enforcement agencies. One of the factors is that when police resources are scarce and there is a shortage of police personnel, the resources are concentrated in particular areas. If resources are concentrated on high crime areas, it may have some bearing on the trends and numbers we're seeing.

**Mental Health:** No report.

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

- DFCS selected a day in May and celebrated Children's Counselors Appreciation Day for the 16 counselors.
- The statistics will come out via email since it is so early in the month.
- Staff have been answering more phone calls, which has led to more kids coming in, and so May has been very busy. They are ramping up efforts to try to help the Department with relative assessments to get youth back with relatives so that kids do not have to spend a day in foster care.
- Once a month, we are having systems meetings with medical, mental, and public health staff with RAIC supervisors and staff to address different issues such as language problems, as well as to discuss complicated cases. It has been helpful to have a central place with medical, mental, and public health all in one room.
- The RAIC planning process continues, with the next stakeholder meeting coming up in July. We are going forward with the consultant and individual stakeholder interviews. We have one staff workshop and three service provider workshops, and are putting together an advisory workshop.

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- The local Beyond the Bench will be September 5<sup>th</sup> at the Masonic Temple. There are great speakers this year, and they will be doing a presentation and workshop. The registration will be coming out shortly, and Ms. Hubbs will be providing a flyer to the Commission in the future so that Chair Blake may circulate it. Chair Blake added that the Save the Date is currently posted on the Child Abuse Council of Santa Clara County website: [www.CACSCC.org](http://www.CACSCC.org).

**Department of Alcohol and Drug Services (DADS):** Mr. Dan Lloyd reported on the following:

- The Department of Alcohol and Drug Services (DADS) has been in the process of integration with the Mental Health Department. They held a meeting in May at Juvenile Hall to discuss the new location and space. Concerns from staff were heard about the physical space issues.
- As of July 1st, the service provider Asian Americans for Community Involvement will no longer contract with DADS for this coming year. DADS will be expanding with current providers to cover the six different locations that will be impacted.
- A new location to provide services will be starting behind Valley Medical Center (VMC) to cover the Moorpark clinic. Another location will be starting in South County to expand services in that area.
- With summer school programming decreasing, DADS is providing clinic based access so students can be seen during the summer months.

Chair Blake inquired about the merge of DADS and the Mental Health Department. Mr. Lloyd responded that on January 1, 2015, an RFP for the two combined departments for outpatient and residential contracts will be going out.

**Law Enforcement Agencies:** No report.

**District Attorney – Juvenile Justice:** Mr. Pinaki Chakravorty reported on the following:

- Mr. Chakravorty will be attending the Commission meetings for the next two months while Mr. Arriola is away.
- Mr. Chakravorty introduced Ms. Paola Estanislao as the new Deputy District Attorney assigned to human trafficking. Chair Blake stated that the Commission is anxious to have Ms. Estanislao make a presentation, as the Commission wants to focus more on trafficking.

**Independent Defense Office:** No report.

**Alternate Defender Office:** No report.

**Public Defender Office:** No report.

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

**Medical Services:** Ms. Chia-Chen Lee reported on the following:

- They have obtained a new x-ray machine for the medical clinic to help with the efficiency of diagnosing a patient. Once the x-ray is taken, it can be sent electronically to the hospital so that a diagnosis can be quickly sent back.
- Last year, with the Probation Department, we were able to begin to incorporate pictures of the youth into their medical records. Over the last year, this process has proved to be very helpful, as medication cheating can be avoided, and providers can identify a youth with more than a date of birth and a medical number.

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**Alternative Schools Department, COE:** Ms. Angela Haick reported on the following:

- In the beginning of May, a staff appreciation event was held for teachers and support staff. Students and Probation worked together on the event, including creating posters that are still up for anyone who may visit.
- CAHSEE test administration was completed in May. Results have not come in yet but we anticipate strong results.
- Last night was the graduation at the County office. About 25 alternative education students participated in the Ceremony, including four graduates from Juvenile Hall. Judge Tondreau was our guest speaker.
- This morning, a music recital was held in one of the secure units. One of the support staff, Probation, and one of our teachers are working with the youth. The youth are being taught to read music, identify notes, and work with each other. They appreciate that Probation was able to join them. The department would like to see this program grow, and, if they are lucky, the youth can start practicing holiday music next month for the holiday visits.

Mr. Rudich added that he attended the graduation, and it was nice to see a lot of the positives and kids receive scholarships. He wanted to thank the COE Office and Ms. Haick for her work and great ideas for the ceremony.

Mr. DeJesus added while he wasn't at the CTC event mentioned earlier, Juvenile Hall is working on producing a video through a contract with a film agency. The video is part of the Prison Rape Elimination Act (PREA) and will be played for youth when they are admitted into Juvenile Hall. Mr. Rudich and Ms. Lee were actors for the video, and Mr. DeJesus was grateful for their participation.

**Victim Witness Assistance Center:** No report.

**YWCA Rape Crisis Center:** No report.

**Announcements/Correspondence:** None.

**Old Business:** The Juvenile Hall inspection report is on the Court website. If you have not received a copy, you download it from there.

**New Business:** At the last Executive Session, they held the election of the Commission Management Team. The team will stay the same this year, with Penelope Blake as the Chair; Raul Colunga as Vice Chair; and Stephen Betts as Secretary.

**Adjourn to Executive Session:** On order of Chair Blake, the meeting was adjourned to Executive Session at 1:24 p.m.

**Next Meeting:** July 1, 2014

**Respectfully submitted,**

**Britney Huelbig  
Recording Secretary**