

**COUNTY OF SANTA CLARA
JUVENILE JUSTICE COMMISSION
DRAFT Meeting Minutes-March 7, 2017
Crime Lab, 1st Floor
250 W. Hedding St.
San Jose, CA 95110**

Commissioners Present: Penny Blake
Dana Bunnett
Victoria BurtonBurke
Bonnie Charvez
Raul Colunga, Chair
Ron Hansen, Secretary
Courtney Macavinta
Nora Manchester
Jean Pennypacker, Vice Chair
Carol Rhoads
Vincent Tarpey
Lissa Thiele

Commissioners Absent: Anusha Agarwal and Brittney Dong

Also Present: Honorable Julianne Silva, Superior Court
Honorable Katherine Lucero, Superior Court
Honorable Franklin Bondonno
Jenny Lam, County Counsel's Office
Robert Young, Probation Department
Elsa Jennings, Probation Department
Nick Birchard, Probation Department
Giap Le, Probation Department
Kathy Martinez, Probation Department
Sean Rooney, Probation Department
Carl Tademaru, Probation Department
Marc Wsey, Probation Department
Michael Clarke, Probation Department, James Ranch
LaRon Dennis, District Attorney's Office
Nisreen Baroudi, Public Defender's Office
Kevin Rudich, Alternate Defender's Office
Eric Persons, Alternate Defender's Office
David Epps, Alternate Defender's Office
Karen Steiber, Independent Defender's Office
Jennifer Hubbs, Department of Family & Children's Services (DFCS)
Annette Stahlnecker, Department of Family & Children's Services (DFCS)
David Putney, Santa Clara County Office of Education (COE)
Nicky Ranior-Beba, Santa Clara County Office of Education (COE)
Jennifer Kelleher Cloyd, LACY
Stephanie Kitchen, BHSD
Helen Norman, BHSD
Zelia Faria-Costa, BHSD
Aiko Matsumura, Starlight
Alex Perez, Starlight

Guests Present: Debbie Pell, Bill Wilson Center
Mario Lopez, Supervisors Cortese's Office

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

Oath of Officer: Judge Lucero administered the Oath of Office to Commissioner Penny Blake

Agenda Approval:

Date of next meeting at the bottom of the page should read April 4, 2017 not March 4, 2017.

Moved by Commissioner Manchester and seconded by Commissioner Pennypacker, the agenda, as amended, was approved unanimously.

Public Comments/Oral Petitions: None.

Approval of Minutes:

Moved by Commissioner Manchester and seconded by Commissioner Tarpey to approve the minutes of February 7, 2017, was approved unanimously.

REPORTS

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

- The Juvenile Hall Inspection Report should be approved at Executive Session and will be on the JJC website within one week.
- An update on the Ranch inspection will be given at Executive Session.
- Interested Commissioners have signed up to attend DJJ on April 5, 2017 in Stockton will be given a tour. Chair Colunga invited Judiciary members to attend. Space is limited to 15 spots.
- By-law changes will be discussed at Executive Session as some items will be revised to add clarity so JJC is more in line with its operating procedures. Any changes will be voted on at the next meeting.

Juvenile Justice Court: Judge Lucero reported on the following:

- Foster Vision is now available to 400 Social Workers which was an effort to have foster youth educational data accessible to all those working with foster youth. The Foster Vision project has been worked on for the past ten (10) years. The second phase was to have it available for Probation youth.
- National Center for Youth Law (NYCL) from Oakland has offered to have Santa Clara County be a pilot site for the Foster Education Program which will assist Probation youth in their educational goals. Discussions have begun with COE and Probation due to the monetary and people-power commitment. Since NYCL does not often pilot their innovations in county sites, it is important to look closely at this and at ramping up educational efforts with Probation youth.

- On March 8, 2017 from 12:00-2:00 to be held at Crime Lab conference room, there will be a training on DJJ with a guest speaker from DJJ to present and answer questions due to an increase in cases and referrals. MCL and Probation credits for this training are available.
- On March 29, 2017 from 1:00-3:00 at the Isaac Newton Senter Auditorium, there will be a training on Structural Bias with James Bell from The Burns Institute as the guest speaker. All are invited.
- All judicial officers will be attending DJJ on April 5, 2017.

Judge Bondonno reported on the following:

- Judge Bondonno distributed a memo for JJC regarding increasing the Panel of 602 Psychological Evaluators regarding his concern about the lack of depth in the 602 evaluator panel list last spring. Despite efforts, only two (2) new evaluators have been added. Although there are 20 evaluators at least four (4) have not conducted a psychological exam since October 2016. There has been no slow-down in psychological reports and they are averaging approximately 12 ½ reports a month. Judge Bondonno expressed his gratitude to Behavioral Health for all their support.

Judge Silva reported on the following:

- Judge Silva began her assignment in January 2017 and welcomes all to visit and educate her court.
- She attended Juvenile Justice training and shared that once others learned she was from Santa Clara County she learned that Santa Clara County has rock-star status around the State.

Dependency Court: No report.

Probation Department Juvenile Program: Kathy Martinez reported on the following:

- The population report for February 2017 was distributed. Population at Juvenile Hall is 92, with 80 males and 12 females. The Ranch population is at 25, with 22 males and 3 females.
- There are 55 youth in wrap-around services, 15 youth in out-of-home placement and 9 non-minor dependents.
- Youth Advisory Council is progressing nicely and are now in the process of recruiting young people as members with a total of 7 official members who prefer to be called "Justice Consultants." The core group of young people have been working on designing it and coming up with activities and things they would like to do within the system that will influence and hopefully make a difference for the young people. A kick-off event is tentatively set for March 20, 2017.

Mike Clarke reported on the following:

- The Juvenile Hall kitchen project is complete.
- Trailers have been set up for construction at James Ranch and hopefully the ground-breaking ceremony will be held in the next month.
- With the bridge being compromised by the flooding of Coyote Creek, the evacuation at the Ranch began on Sunday and all went smoothly. Due to the fact that this occurred over the weekend, the population was low because of youth being out on O.T.'s Youth were moved to Juvenile Hall and Mr. Clarke thanked JH staff for their assistance. Youth returned the following Saturday. The flooding did not go past the road and no buildings were affected. Communication with the

Water District went very well. Mr. Clarke gave recognition to his staff for all their help in coordinating the move. The kids were very cooperative with only one youth fleeing from transport.

Chair Colunga complimented the Ranch for a job well done and for keeping JJC informed.

Commissioner Tarpey asked if the flooding will have any influence on the design of the new building. Mr. Clarke said that the new buildings have accounted for the flood-plane using the 100-year flood plan and the new buildings will not be set up in the flood-plane.

Commissioner Gonzalez asked if they had to go through the flooding again, would anything be done differently. Mr. Brichard said they will be meeting to debrief. Mr. Clarke said the only issue was with the antiquated phone system and not be able to leave an outgoing message as to their status. Fortunately they were able to forward the phones to Mr. Clarke's line so that an outgoing message could be left.

Commissioner Pennypacker asked that given the issue of the bridge and the possibility of being isolated, is there going to be any thought given to flood mitigation type plan. Mr. Brichard said that now that it has happened and that it could be a problem, it would be something the County and Parks will have to look into any potential issues. Mr. Brichard said JJC has been a wonderful support. Mr. Clarke added there was a discussion on who owns the Sycamore Avenue Bridge, and determined it is a County road.

Commissioner Hansen commented that he and Commissioner Pennypacker went to Juvenile Hall to meet with some of the kids from the Ranch and determined that it was a good situation as the kids were anxious to get back to the Ranch. Commissioner Hansen asked if COE will be part of the debriefing. Mr. Clarke said yes, saying they were very fortunate that the evacuation occurred that particular week as school was not in session, adding that there are more partners that will be involved in the debriefing.

Commissioner Rhoades asked what happened with the kids that were on OT's. Mr. Clarke said that the kids were sent with letters to their parents to ensure the parents return their kids to Juvenile Hall and, those already on OT's received a phone call telling them to report back to Juvenile Hall. All parents received a phone call informing them of the situation with the flood and how to reach them and even had the kids call their parents on arrival at Juvenile Hall as well as when they left to return to the Ranch.

Commissioner Tarpey asked if any of the buildings were affected and if so, will there be a need to treat these buildings for fungus. Mr. Clarke said no buildings were affected.

Commissioner Gonzalez asked about food supplies and sustainability. Mr. Brichard said it is built into the plan on sustainability. Mr. Clarke added that if the bridge became inaccessible, the Ranch can sustain itself for 3-4 days on the generator and there is enough food supply for many weeks. If the situation were to worsen with the possibility of the bridge being out and the buildings being flooded, there is an option of going to the Superintendent's home on the hill by moving the kids in the vans to that location.

Commissioner Charvez asked if there is a plan in place for a nursing staff and/or getting medications to the kids. Mr. Clarke said there is a nursing station and medications on site.

Judge Lucero expressed her concern about the Tiny House saying she was worried about the kids writing letters and voicing their opinions and then being so dramatically shut down because she encourages kids to use their written grievance procedures as opposed to yelling or hitting. There was an error in letting the last names go but she also wishes there was a middle ground so that it did not appear such a drastic consequence for youth asking about what is going to happen to the house they build. Mr. Putney said that some of the perception may not be accurate and added they he will provide an update in the COE report which is in the next paragraph. Mr. Clarke said their grievance process would apply to the school

as well and if a youth had a concern about education or a project or a program they are welcome to complete a grievance form adding that no grievance was received regarding the Tiny House project. Mr. Clarke added that the grievance process applies to the whole institution. Judge Lucero asked if there could be a circling back so that the youth that participated maybe felt that it did not do any good to communicate in writing. Mr. Birchard said when the house is donated the kids will be invited to participate in the process. Mr. Clarke said the kids continue to work on the house adding that the "politics" does not seem to affect the kids.

Mr. Putney said in regards to the Tiny House, the sharing of information was awkward and tough and that dictated a certain level of responding appropriately to ensure COE's relationship with Probation is secure and safe and that the student's identities are respected legally and for the right reasons. The Tiny House is still at Blue Ridge with students continuing to work on it with a retired teacher, who was part of the project since the beginning, worked in the other teacher's absence. That teacher has since returned and they will keep the retired teacher on-board. COE Facilities Team was also brought in to support any challenges that may arise around completion such as electrical or things that are becoming timely to complete. Completion date is set for March 27, 2017. There will be a celebration at Blue Ridge with all students. In addition, the house will be showcased during the first week of April at San Jose State University with the students that will be allowed by Probation to attend. COE is trying to be supportive and collaborative as it is about students and for students to learn those career technical educational building skills. Mr. Putney added they need to complete the project and move forward on how to sustain it economically and tie it to a life skill. Discussions with Probation will talk about moving forward and what funding opportunities might exist. One thought was to partner with the Eastside Union High School District who already has a Tiny House program in place with 2 teachers and 120 students. Eastside Union has faced the same challenges as COE as they are all struggling with the same issues as this done with public funds. Mr. Putney feels they are in a healthy place adding that they need to complete this as a team.

Robert Young reported on the following:

- Numbers are up a slight amount. A lot of young adults are getting arrested for robbery type crimes.
- Cafeteria is up and running.
- Working on RFP for video recording devices for Juvenile Hall.

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

- Newly hired Director Francesca LaRue will be attending various meetings including JJC and its Executive Committee.
- Deputy Director Jan Rickerson has resigned and a search will begin for her replacement.
- The statistical report was sent out before some numbers were available. The report will be re-issued with the numbers that are desired. Ms. LaRue does not find the current statistical report user-friendly so the format may look different in the future. Ms. Hubbs will add the judicial staff of BOS to the distribution list.

Commissioner Blake commented that Ms. LaRue attended the Child Abuse Council and indicated that Ms. LaRue did not find the statistical report useful.

- The lease for the Enborg site has been extended to August 2017. Negotiations are still in progress as to the status of the old building which is not ready to occupy.

- DFCS participated in the Hack-a-thon.
- Discussions continue with Probation and Behavioral Health partners on Continuum of Care Reform. All kids currently in Group Homes will be assessed to start looking at a plan to move forward with transitioning these kids out of Group Homes into the Short Term Residential Treatment/Therapeutic Program (STRTP) process.

Commissioner Blake said as they move forward they want to be sure that the legislation, which did not include it in terms of JJC, does include it. Commissioner Pennypacker added that RAIC letter came out from the State and referred the "T" as Therapeutic.

Mr. Lopez from Supervisor Cortese's Office inquired about there being a new Medical Director. Ms. Hubbs said the new Medical Director is Dr. Marlina Sturm who is the Medical Director for the SPARK Clinic and The Center for Child Protection which is the SART services. She will also liaison to the Child Abuse Assessments. Dr. Sturm comes from the East Valley Campus.

Chair Colunga said he read the transmittal for a BOS Agenda item to be heard on Thursday, March 9, 2017, regarding Family Children's Services and noted there is no reference with regard to the status of whether the youth will remain at the new site rather than return to the First Street site. Also, there is no update on the planned development of the new RAIC facility. Chair Colunga asked if these items could be incorporated into on-going reports so there is a history of those two items. Ms. Hubbs said the meeting was to be held on Wednesday, March 8, 2017 however it was cancelled adding that there is updated information. Mr. Lopez said the file does include updated information. Chair Colunga also asked that the JJC be informed when Stake Holders meetings re-convene.

Behavioral Health - Mental Health Services: Helen Norman reported on the following.

- For FY 2017 Dr. Yang had 6 interns of which 4 will be returning for FY 2018.
- Dr. Yang is currently reviewing 13 applications for other intern positions.
- There are 2 new evaluators and are awaiting applications for 2 more evaluators.
- Looking at a post-doctorate intern being able to do evaluations under Dr. Yang's license for FY18.

Commissioner Pennypacker reported that she attended a meeting this morning and said there was an announcement of the County opening up an 80-bed locked facility for mental health with 20 of those beds designated for kids. Ms. Cloyd from LACY said the facility has been open for some time and they have accepted private paying adolescents and now have an agreement to accept Medical. Ms. Cloyd said that any kid that goes on a 5150 hold that needs an extended bed, could potentially go to that facility instead of going to John Muir or Vallejo or other facilities where they typically have been sent. Ms. Cloyd added this has been a long-standing agenda item for the BOS. Behavioral Health put out an RFP process and were ultimately selected adding that the RFP requested a certain number of adolescent beds. San Jose Behavioral Health, which is owned by Acadia Healthcare, took over the Starlight facility. Mr. Rudich added that the Starlight Behavioral Health is a placement facility for temporary 5150 holds.

Commissioner Pennypacker would like someone to report back at the next JJC meeting and also asked if kids from Probation can be placed there for sure. Judge Lucero asked if these kids are going from VMC to Uplift. Ms. Lloyd said they are probably going from Uplift.

Behavioral Health - Alcohol and Drug Services: Stephanie Kitchen reported on the following.

- Ms. Kitchen said they are currently partnering with COE to put a curriculum together specifically on the impact of youth and marijuana as they have received a lot of calls regarding this issue and Prop 64, with a meeting to be held on March 22, 2017.

- Parents have been asking about the increase use of Zanex on campuses.

Law Enforcement: No report.

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

- There is an increase in more serious offenses and a few more Prop 57 cases.

Public Defender's Office: No report.

Independent Defender's Office: No report.

Alternate Defender Office: Kevin Rudich reported on the following:

- Working with PDO and IDO soliciting letters of support regarding parking fees renewal, adding that it has been a saving grace for the families.

Chair Colunga asked Mr. Lopez to report to Supervisor Cortese that JJC fully supports the request for parking fees renewal.

Commissioner Hansen wanted to clarify that in the Court User's Committee, Jennifer Greer representing the CBO's involved in the court as well as the PDO and DAO soliciting letters in support of the program with the intent to deliver the letters to Mr. Lopez so that this program can be included in the budget process going forward. Judge Bondonno ask Mr. Lopez if a stamping validation machine could be installed in each of the courtrooms. Mr. Lopez said a stamping validation machine would be an inventory item. Chair Colunga said this is a Superior Court issue not a County issue. Mr. Lopez will work on the validation machines.

Legal Advocates for Children & Youth (LACY): Jennifer Kelleher Cloyd reported on the following:

- Ms. Cloyd thanked the JJC for their support for the LACY's of the pursuit of support for Juvenile Dependency funding for counsel. The final draft to Department of Social Services of LACY's request to consider inclusion of funding for counsel in their base budget will be completed by tomorrow. It will go to Bob Metacucci with a cc to the County Executive and JJC.

Commissioner Pennypacker asked if the Department of Social Services is okay with LACY's request. Ms. Cloyd said that DSS is aware of the cut but, is unaware if they are willing to include it in their budget requests and remains to be seen. Judge Lucero asked if precedence has been set in other counties. Ms. Cloyd said it is a State mandate and precedence has been set with other counties who have funded it through the BOS, similar to what LACY has done in prior years. The advice received was to first make the request to the relative agency consider providing the funding. The reason they are talking with SSA is that these kids are in the Social Services system and current funding is through SSA. Ms. Cloyd said they are meeting with Legislators and did attend the Senate Budget Hearing which includes a provision of 22 million in additional funds across the State adding that the 22 million is not enough to help Santa Clara County.

Medical Services: No report.

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

- Mr. Putney expressed his appreciation to Probation on coordination efforts for support of services. He will be applying for a grant on multi-tiered systems support for students to fund some collaboration with PBIS so Probation and COE can speak the same language around behavioral modification for students in and out of classrooms, not just in Juvenile Hall but also in Blue Ridge and Community schools. Mr. Putney said there is a great linkage of these schools if we are using the same language. It is the hope that the students will have a greater level of success as well as the transition back to other districts.
- Mr. Putney thanked Mr. Birchard and Ms. Martinez for their collaboration around adult-based leadership training.
- Still in the process of working on their primary educational mode and will report back at future meetings adding that a lot of good things are happening around strategic planning around the primary instructional program as well as the remediation intervention programs and also extended education for those students who are academically highly capable and able as well as helping with their college planning.

Commissioner Pennypacker asked if there are any changes in the alternate education program specifically the closing of Odyssey in San Martin. Mr. Putney said that they are closing Odyssey due to low enrollment and will be collaborating with Morgan Hill and Gilroy Unified School Districts to bus the students to the Snell or Sunol campus. They will also be looking into streamlining the administration support for the institutional schools under one administration and the community schools through a different administration to alleviate costs and maintain economic stability while improving direct services for students. They are also looking into local control funding formula to purchase support for a Social Worker who will work on-site with the community schools to save some of the costs and funds. They are also collaborating with County Behavioral Health Sciences to provide mental health support with Edge/Peak and Snell schools to save additional funds. Sharing out the costs to try and get these services up would be around \$250,000 a year. COE is looking at other ways to leverage services with other agencies to provide programs and to save economics so they can maintain the educational programs which is the primary responsibility of COE.

Commissioner Macavinta asked if COE will be looking at PBIS regarding Special Education. Mr. Putney said they already started the collaboration of looking at primary qualifications for Special Education within the students and then educating the Probationary staff. It is the goal to make sure everyone speaks the same language. Commissioner Macavinta suggested having students participate in the final language so that they understand the language.

Commissioner Thiele commented that she heard recently that in East Palo Alto a new opportunity based school just opened that does not focus on hours but rather on when a student is available due to their work schedule or other things going on in their lives. Mr. Putney said COE has been looking into starting later and expanding their hours due to truancy issues as well as looking expanding independent study to be more of a blended model. Ms. Nicki Ramos-Beba, Principal of Opportunity Youth Academy, which is a new COE Charter school of approximately 200 students that serve 16-24 year olds who have been disengaged and want to return to school, said they are looking for more Probation referred student because they feel they could serve these kids who are either foster, homeless or pregnant, parenting students. Mr. Putney added that they are working to make sure this is a continuing service and not a competing service.

Victim Witness Assistance Center: None.

YWCA Support Services: None.

Announcements/Correspondence: Ms. Bunnett reminding all that The Santa Clara County Children's Agenda 2017 Data Book is available and can be picked up on their way out.

Old Business: None.

New Business: None.

Adjourn to Executive Session: Chair Colunga adjourned the meeting to Executive Session at 1:24 p.m.

Chair Colunga acknowledged that, for the first time there were fewer than 100 kids both combined at Juvenile Hall and the Ranch. Congratulations to the institutions and to the system's partners.

Next Meeting: April 4, 2017, DA Crime Lab Conference Room, 250 W Hedding St., San Jose, CA.

Respectfully submitted,

Barbara Crump