

**COUNTY OF SANTA CLARA
JUVENILE JUSTICE COMMISSION
DRAFT Meeting Minutes-March 3, 2020
Santa Clara County Crime Lab
250 W Hedding St
San Jose, CA 95110**

Commissioners Present: Stephen Betts-Secretary
Penny Blake
Mila Eliashberg
Ron Hansen, Chair
Nora Manchester
Darius Parakh
Jean Pennypacker
Carol Rhoads
Vaishali "Shali" Sirkay
Lissa Thiele
Brian Walton

Commissioners Absent: Jasvinder Sohol and Victoria BurtonBurke, Vice Chair

Also Present: Honorable Alloggiamento, Superior Court
Honorable Frank Bondonno, Superior Court
Honorable Frederick Chung, Superior Court
Shannon Hanna, Superior Court
Jenny Lam, County Counsel Office
Nick Birchard, Probation Department
Vone Kegarice, Probation Department
David Mitnick, Probation Department
Sean Rooney, Probation Department
Mike Simms, Probation Department
Carl Tademaru, Probation Department
Alex Villa, Probation Department
Vanessa Cornejo, Behavioral Health, Alcohol and Drug Services
Grace Gonzalez, Behavioral Health, Alcohol and Drug Services
Edith Sona, Behavioral Health, Alcohol and Drug Services
Damon Silver, Public Defender's Office
Nisreen Younis, Public Defender's Office
David Epps, Alternate Defender's Office
Michelle Todus, Alternate Defender's Office
Karen Steiber, Independent Defender's Office
Wendy Kinnear-Rausch, Department of Family and Children Services (DFCS)
David Putney, Santa Clara County Office of Education (COE)
Joann Vaars, Santa Clara County Office of Education (COE)
Andrew Cain, Law Foundation
Barbara Martinez, FLY
Tina Tellez, FLY
Francisco Hernandez, OMOS
Ruth Maurice, OMOS
Chai-Chen Lee, Valley Medical Center
Shelley Aggarwal, Valley Medical Center
Dana Bunnett, Kids in Common
Jessica Neideffer, Citizen
Ricardo Mata, Citizen

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

Swearing in of New Commissioner: Jasvinder Sohal

The swearing in of new commissioner Jasvinder Sohal is postponed until the April 7, 2020 meeting.

Agenda Approval: Moved by Commissioner Manchester and seconded by Commissioner Rhoads the agenda was approved unanimously.

Public Comments/Oral Petitions: None.

Approval of Minutes: Chair Hansen said there are only typographical changes, which do not change the content or substance of the minutes. Moved by Commissioner Walton and seconded by Commissioner Pennypacker to approve the February 4, 2020 Minutes was approved unanimously.

REPORTS

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

- Carmen Montano has resigned as Commissioner of JJC to run for a seat in the California State Assembly.
- There are two (2) open seats on the JJC. Several applications have been received and the Membership Committee will be reviewing and interviewing those applicants.
- The annual Juvenile Hall Inspection Report Committee is proceeding with assembling the final report which is expected to be reviewed by the Commission in April 2020.

Juvenile Justice Court: Judge Alloggiamento reported on the following:

- The Court Systems training will be March 11, 2020 from 12:00 pm to 2:00 pm at the Santa Clara County Crime Lab with two (2) different trainings; Color-Blind Contradictions and Black/White Binaries, presented by Professor Susan Murray and Dr. Demarris Brooks-Immel and Youth and Education Law Project, advocating for the educational rights of youth involved in the juvenile justice system, presented by Stanford Law Professor William S. Koski and Clinical Supervising Attorney Tara Ford. MCLE and WRE credits will be provided.

Judge Bondonno reported on the following:

- The Bench voted at their last meeting to increase the amount paid to Evaluators to \$750, to grant those evaluators two (2) hours of extra time and allow them to ask for additional money. Judge Bondonno asked those present to talk to and encourage people to apply and refer them to him. Applicants need to be a licensed psychologist or psychiatrist with a certain amount of juvenile experience.

Dependency Court: Judge Chung reported on the following:

- The 10th Annual Family Reunification Day will be Tuesday, June 9, 2020 from 1:00 pm to 3:00 pm at the Social Services Agency Offices at 353 W. Julian St., San Jose, CA in celebration of unified families in Dependency.

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

- COE has been working on the text book adoption program with the Next Generation Science Standards as well as History- Social Science.
- COE will be piloting new text books for Juvenile Hall, Blue Ridge and some of the community schools from late March 2020 through the middle of May 2020. They are anticipating all teachers will try the program and see what works for them.
- The Destiny Library system is up and running and is currently categorizing books and materials, then scanning and organizing them, for more effective and efficient teacher access to materials.
- All students in the Renaissance (Ren-Star) Assessment Program have been assessed, with new students being assessed within the first ten (10) days and then doing summative every ninety (90) days, which are end-of-term assessments in the middle of May 2020. Dr. Putney said he will share with JJC the results on how the new assessment window looks. COE has preliminary data it is bringing to teachers through their professional learning communities and is unpacking specific student results tied to the new strategy of teaching literacy and numeracy.
- COE is approaching the spring assessment cycle, completing ELPAC assessments for students identified as English Language Learners.
- They are preparing for CASSP assessments scheduled for April 2020.
- They are preparing for physical fitness assessments as well as the California Healthy Kids survey.
- Culinary Arts is moving into the cafeteria at James Ranch in March 2020, preparing a teachable wall and a small demo area in anticipation of taking over the entire kitchen for the program.
- The pre-apprenticeship program will be replicated with Nor-Cal Apprenticeship with a planning date in the near future.

Probation Department Juvenile Program: Mike Simms reported on the following:

- In the RFP process for the JAG Grant with hopes of completion by April 2020. The three (3) year, 3.3 million dollar grant will be use to target high-risk offenders who have used weapons during the commission of a crime. JPD will be reviewing potential vendor referrals.

Chair Hansen asked for the expected award time. Mr. Simms said hopes are for April 2020, adding that some of the pieces are leveraging other services so the start date does not necessarily mean these services will be available for youth at that time. However, they will be ramping up their providers on how they will apply this new grant to dealing with youth. Mr. Simms said they are anticipating a discussion to jurisdictional raise to the age of 19 or under 20 which would be a dramatic increase. They are also addressing youth who are committing crimes without using weapons in the commission of a crime.

Von Kegarice reported on the following:

- Last month Ms. Kegarice reported that there were about fifteen (15) Probation Officers from both divisions who are in CORE. These Probation Officers will be graduating from the Academy on March 19, 2020 at 11:00 am at Morgan Hill Community Center.

Sean Rooney reported on the following:

- The population report for February 2020 was distributed. Population at Juvenile Hall is 91, with 79 males and 12 females. Ranch population is at 54, with 47 males and 7 females.
- The PREA inspections for Juvenile Hall and James Ranch are complete and should be posted to the website by the week of March 9, 2020.
- BSCC inspection at Juvenile Hall begins on Wednesday, March 4, 2020. The inspector is currently conducting an inspection at the Ranch.
- Juvenile Hall is working with its partners at Osborne School with the bulk of units involved in the PBIS program, and is going well. The only unit not involved in the PBIS program is the young adults but, they are looking at moving them into the program in the summer of 2020. PBIS seems to be working well as they work out the logistics. Each unit has case plans they teach and schools have their case plans which basically offer rewards for positive behavior.

Commissioner Pennypacker asked how the PBIS program will be monitored and how will it be determined if the kids are learning the modifications. Carl Tademaru said the program is being measured and they have employed their Research and Development team to look at the program. The first unit to go with PBIS was G-1, with much work going into the implementation, adding there was a drop in incidents in G-1. The partnership between Juvenile Hall and COE/Osborne is going well with both speaking the same language, which builds consistency of how youth are treated at Juvenile Hall. Mr. Rooney added that the PBIS model they are trying to bring forward is married with their behavioral model, so as PBIS becomes more enriched within the facility it will probably become their behavioral model program. Mr. Rooney said it is important to track negative behavior and not just positive behavior. Staff and the teachers did an excellent job in G-1. They have a great steering committee with the supervisors and the school staff that meet on a regular basis. Once the Ranch construction is complete they will implement the PBIS program to ensure consistency at both facilities. Dr. Putney added PBIS provides the information and looks at where incidents are occurring at different times of day which helps staff to look at systems of changing routines to enhance routines to decrease situations that would cause disruptive activity. Nick Birchard said at one time there were 4-5 different concurrent programs, and they consolidated into one program based on the foundation of PBIS within the entire program and not just the school program. It is an interaction with youth being able to point out positive reinforcement which has not been the culture at Juvenile Hall.

Dana Bunnett with Kids in Common, asked if PBIS is taught in the classroom or in the unit. Mr. Birchard said it is part of all aspects of Juvenile Hall.

Carl Tademaru reported on the following:

- Von Kegarice, Sean Rooney and Carl Tademaru participated in an interview panel for potential candidates for Supervising Group Counselor with two (2) vacancies to be filled. ESA will be forwarding names to their executive management to conduct the second series of interviews.
- Sean Rooney and Carl Tademaru will be interviewing 120 applicants for the 20 vacant Group Counselor positions the week of March 9, 2020.

Department of Children and Family Service/Children's Receiving Center (DFCS): Wendy Kinnear-Rausch reported on the following:

- The number of Group Homes have decreased and those remaining are Group Homes that are regional center placement or if they specifically placed a youth in a substance abuse treatment time-limited.

- The Daily Dashboard for Kids in Care just launched the beginning of March 2020 and will be going to BOS and JJC.
- There has been an increase in the number of referrals and of kids coming into care. Thirty (30) percent do not actually arrive on site and are going directly to placement with relatives or caregiver homes.
- DFCS appointed Jamila Hankins as Acting Assistant Director effective March 2, 2020.
- Additional appointments to senior level managers will be forthcoming.
- There are forty-nine (49) vacancies with forty-one (41) candidates in the interview process and fifty (50) more candidates being screened for the interview process.
- There are increases in the Hop, Skip and Drive contract to help support kids with transportation needs either to or from their homes to school, appointments or supporting to their visitation as well as increase in respite for caregivers.
- DFCS is looking at adding extra help around Social Worker I's to assist with visitations in Santa Clara County as well as out-of-county.
- DFCS is actively working on what will be a regular annual or bi-annual report, to include content and data and stories behind the content and data, in a published document for release to the community. The report will paint the picture of the work that child welfare does which has not been done before and it will also show trends.
- Buildout for new visitation rooms at the Julian Campus is set to for between April and June of 2020. They are also entering an MOU with First Five for use of space for visitations at all First Five centers.

Behavioral Health - Mental Health Services and Alcohol and Drug Services: Vanessa Cornejo reported on the following:

- There were thirteen (13) 602 evaluations ordered and they have seen a significant improvement in the process with no delays in assigning to a psychologist. Ms. Cornejo said this 602 panel is different that the panel Judge Bondonno mentioned.

Law Enforcement: None.

District Attorney's Office: None.

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

- PDO is applying for an OJJDP three (3) year \$435,000 grant which is due April 6, 2020 for an embedded education rights attorney. Judge Lucero is providing a Letter-of-Support and Ms. Younis asked for support from those present. The position is not a criminal defense attorney position.
- Probation's Ed Services Unit has youth redevelopment programs and has asked PDO for public defenders to share their professional stories about careers with kids asking for a crash course on their legal rights. Krista Henneman from ADO conducted a training on how to de-escalate situations when in contact with law enforcement. It was held on February 25, 2020 at Bridges Middle School and was very well received.
- There has been discussion between the DA and PDO regarding the use of juvenile adjudications being included in Pre-Trial Service reports. The decision by the judge at arraignment, in terms of bail or release, is possibly being impacted. PDO is following up with Judges Lucero and Ryan as

well as the director of Pre-Trial Services to see if they can reach an agreement and clarification on this issue.

Judge Bondonno said he recollected discussion about a year ago on including tutoring in contracts and asked if there is any information from ADO. David Epps said they are looking to add tutoring into as many contracts as they can but there are some limitations in terms of the contracts they have now, simply because at the RFP and the inception of those contracts it was not part of the language. They are looking to put funding aside and look at all the ways of supporting it, but in the interim, the desire is to add tutoring into as many contracts as they can. Judge Bondonno said he supports adding tutoring because when he sends a kid back to school after that kid has been gone for 3-4 months, they have to find some way to make it more practical to work.

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

- Mr. Epps introduced Michelle Todus as the Supervising Attorney who will be overseeing the juvenile attorneys.

Independent Defender's Office: No report.

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

Medical Services: Shelley Aggarwal reported on the following:

- VMC has pre-existing strategies as screening criteria for kids coming into Juvenile Hall in reference to infectious diseases in general, and those criteria are being expanded to be more comprehensive in relation to current practices for kids coming into the JH. Dr. Aggarwal said they are tracking this and are on top of it, to ensure information will be released based on needs. Dr. Aggarwal recommends going to reliable sources for information such as Santa Clara County Department of Public Health or the Centers for Disease Control.

Judge Bondonno asked if VMC has access to Corona Virus testing kits. Dr. Aggarwal said VMC is the testing site and testing kits are available.

Commissioner Thiele asked of Juvenile Hall and the Ranch if there are policies regarding the Corona Virus or any other virus. Nick Birchard said they listened to the experts regarding the virus. They will meet with the medical team as updates become available and the situation warrants change in current practices.

Chair Hansen asked if there had been any protocol changes for staff in reporting illness. Mr. Birchard said they have what the County Executives will send out if you are feeling sick and have a fever.

Commissioner Parakh asked what the best practices are for quarantining juveniles who might have been exposed to the Corona Virus. Dr. Aggarwal said that if there are concerns a kid may have a respiratory illness, or they have signs of a fever, the kid is removed from the general population, monitored for symptoms and offered medical intervention needed, based on symptoms. For each infected kid they will create separate accommodations. Dr. Aggarwal said the majority of people who come in contact with Corona virus do fine. Mr. Simms added institutions have been extremely proactive in policies on illness. The medical staff has always been on the front end of what is happening with kids in custody.

Office of Mediation and Ombuds Services: No report.

Announcements/Correspondence:

Dana Bunnett reported on the following:

- The Children's Summit will be on Friday, March 13, 2020 from 8:00 am to 2:30 pm at the Santa Clara County Office of Education. A group from Oakland will have a workshop about kids who have parents that have been incarcerated.

Joann Vaars reported on the following:

- COE will have a PBIS Summit Symposium on April 17 and 18, 2020 at COE.

Old Business: None.

New Business: None.

Adjourn to Executive Session: Chair Hansen adjourned to Executive Session at 1:01 p.m.

Next Meeting: April 7, 2020, DA Crime Lab Conference Room, 250 W. Hedding St., San Jose, CA.

Respectfully submitted,

Barbara Crump