

**COUNTY OF SANTA CLARA
JUVELINE JUSTICE COMMISSION
DRAFT Meeting Minutes-March 4, 2014
Juvenile Probation
4th Floor Training Room
840 Guadalupe Parkway
San Jose, CA 95110**

Commissioners Present: Penelope Blake, Chair
Raul Colunga, Vice Chair
Stephen Betts, Secretary
Raymond Blockie
Dana Bunnett
Bonnie Charvez
Kimberly Dong
Tracy Lauth
Calixto Manriquez
Nora Manchester
Jean Pennypacker
Anita Sunseri
Pamela Serrano
Vincent Tarpey

Commissioners Absent: None

Also Present: Honorable Patrick Tondreau, Superior Court, Dept. 77
Honorable Jesus Valencia, Superior Court, Dept. 79
Honorable Michael Clark, Superior Court, Dept. 67
Honorable Margaret Johnson, Superior Court, Dept 79a
Pinaki Chakravorty, District Attorney's Office
Robert De Jesus, Probation Department
David Epps, Alternate Defender's Office
Kevin Rudich, Alternate Defender's Office
Jose Franco, Public Defender's Office
Karen Steiber, Independent Defense Office
Rita Loncarich, Probation Department
E. Parsons, Probation Department
Elsa Jennings, Probation Department
Laura Garnette, Probation Department
Christy Smith, Probation Department
Yvette Irving
Dana Cortez, Probation Department
Patricia Trammel, Probation Department
Elsa Jennings, Acting Probation Manager, Juvenile Hall
Robert DeJesus, Deputy Chief Probation Officer, Probation Department
Sgt. Michael Wharton, San Jose Police Department
Dan Lloyd, Department of Alcohol & Drug Services (DADS)
Jenny Lam, County Counsel
Angela Haick, Principal Osborne School, SCCOE
Chia-Chen Lee, VMC
Jennifer Hubbs, Department of Family & Children's Services (DFCS)/Receiving Center
Steve Monte, Mental Health Department
Jennifer Kellerher, Legal Advocates for Children & Youth (LACY)
Daniel Cordet, SGC

Guests Present: Baljit Nagi, Private Citizen
Ron Hansen, Private Citizen
Lyn Johnson, Private Citizen

Steven McPherson, Private Citizen
Sylvester Gaston, Student Gavlin

Call to Order & Introductions: Chair Blake called the meeting to order at 12:21 p.m. All who were in attendance stated their names and organization.

Agenda Approval: The following changes were made to the agenda:

1. DDA Chris Ariolla was unable to attend, presentation on yearly report will be postponed until a future meeting.
2. Laura Garnette offered to present the "Report out to JJC" for February 2013-January 2014.
3. The date of the next meeting is listed as April 4, 2014 and the correct date is April 1, 2014.

Moved by Commissioner Tarpey and seconded by Commissioner Manchester, the agenda was approved as amended which passed unanimously.

Public Comments/Oral Petitions: Dana Bunnett reported on the following:

1. "Kids In Common" 2014 data book is available for pick-up by the front door.
2. Workshops scheduled for this spring:
 - a. Breathing Life into Education
 - b. Building Culture of Respect
 - c. Implicit Social Cognition and the Justice System: The Pros & Cons of Auto pilot, with present Shawn Marsh
 - d. Helping Youth Develop a Growth Mindset

Review & Approval of Minutes: The following change was made to the February 4, 2014:

Under Guests Present, Victoria *Bustan* Burke should be listed as Victoria BurtonBurke.

Moved by Commissioner Manchester & seconded by Commissioner Sunseri, the minutes of February 4, 2014 were approved unanimously as amended.

REPORTS

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

- Inspection is complete at Juvenile Hall with report approval and publishing after today's meeting
- Law enforcement agency (LEA) inspections continue.
- Inspection begin on Friday, March 7, 2014 with RAIC.
- Inspection at the Ranch will begin later in March.
- User survey of Juvenile Courts work continues.

Juvenile Justice Court: Judge Tondreau reported on the following:

- Training scheduled for Wednesday, March 5, 2014 at 3:30 pm on the 4th Floor of Juvenile Probation. Mary Michael Miataovich, Administration Office of the Courts (AOC) will provide a power point presentation on psychotropic medication, education rights and restraining orders. All have new court rules & new forms. Everyone is encouraged to attend.

- Along with Steve Monte there will be a presentation on Juvenile competency on May 7, 2014 at 3:30. Outcomes for our program.
- May 12, 2014 1:30 Presentation on immigration law as it applies to Juvenile Justice Court. Special juvenile immigration status and how it applies to our kids.
- April 2, 2014, LGBTQ Fairness and Equity training will be repeated.
- Standing Order on website signed by the Presiding Judge addressing that any monies collected in Juvenile and Adult Courts will go to make restitution to victims first, before paying any fees or fines are paid off.
- Moving forward with COJERS Court and will report back next meeting.

Judge Valencia reported on the following:

- SAMHSA is providing a \$1,000,000 grant opportunity for three (3) years to expand treatment courts & services for improving co-occurring mental health & substance dependency.
- In honor of Dr. Seuss' birthday on March 3, 2014 the judges participated in "Read Across America."
- Compliments to Probation for the great job on the Martin Luther King, Jr birthday celebration.

Judge Johnson reported on the following:

- Domestic/Family Violence court held its first meeting in February with the next meeting scheduled for Tuesday, April 8, 2014 at Juvenile Probation, in Judge Johnsons chambers.

Dependency Court: Judge Clark reported on the following:

- Juvenile Dependency Court on Terraine Street provides a drug court program for parents who have lost custody of their children. The Drug Court Team will receive special training in trauma and foreign services and will be taught by Steve Baron and Nancy Marshall on Friday, March 7, 2014 at 9am in Room 950.

Presentation by Laura Garnette from Probation:

Ms. Garnette distributed a 12 month summary report (February 2013 to January 2014) on how many youths have been served on the Electronic Monitoring Program and Community Release Program. Ms. Garnette discussed the contents of the report and expanded on the charts.

Commissioner Bunnett asked about the best practice for EMP, what failures occurred and what kind of support is received from the Community Release Program. Ms. Garnette talked about the utilization of the program, the mismatch of pre-position and post-position and how it's used.

Commissioner Tarpey asked what percentage of issues were related to failure of the device itself and on the Community Release what does 27 percent upgrade mean. Mr. DeJesus responded that he will look into it and will report back. Ms. Garnette added that any youth released say on any of the programs is treated as an in-custody youth.

Judge Tondreau asked about the accumulative number of days a minor is on and does it means that the youth was on the program multiple times. Ms. Garnette indicated she will report back.

Judge Valencia asked if the EMP hinders the youth from engaging in family activities. Ms. Bunnett asked if the home is assessed before the EMP is implemented is shorter use is better

served. Ms. Garnette responded that it used to be 30 days and then after 30 days you would get diminishing returns.

Judge Tondreau asked if the times listed were the actual time in the hall or is it the stated time of order and a lot are on the EMP are receiving wrap around services. Ms. Garnette responded that it was actual time and that some are receiving services.

Commissioner Pennypacker asked if the 69% rate of success is good. Ms. Garnette responded that there was a huge re-design adding that centralizing all EMP officers would be helpful.

Commissioner Manchester asked if there are enough monitors. Mr. Simms responded that there are over 240 telephonic and 25 are cellular. Cellular units are costly.

Commissioner Serrano asked what is done when there are not enough monitors. Judge Valencia responded that the default is to place them on the CRP program, adding that there are occasions when we do not have enough but we generally have enough on hand.

Judge Valencia would like to know on the failures and how many are absconding.

Probation Department Juvenile Program: Ms. Rita Loncarich reported on the following:

- Distributed the population report and noted population at Juvenile Hall is 138, with the Ranch population at 45.
- Thanks to Judges for their participation in the Black History Month program. Positive feedback was received from the youth.
- Ms. Loncarich thanked Commissioner Charvez for passing along a parental complaint.

Judge Johnson asked if programs at the Hall could fall into their normal 12:00-1:30 lunch hour so they could attend for a longer period of time.

Mental Health: Mr. Steve Monte reported on the following:

- Juvenile Competency Restoration Program currently serving ten (10) youths with four (4) on the waiting list adding that all are out-of-custody. The longest wait of any youth is 5 ½ months.
- Recruiting for the new Rehab Counselor position has taken a long time to get through HR. HR has provided a list and hopefully an offer may be made at the end of March.
- Mr. Montes will using 17 days of paternity leave spread out over time. Anita Kong will be working out of class when Mr. Monte is out of the office.
- Competency Restoration Program report will be presented in May with a PowerPoint Presentation for 2012-13. The PowerPoint is available for review.

Department of Children & Family Service/Children's Receiving Center: Jennifer Hubbs reported on the following:

- Twenty-three (23) to twenty-five (25) new social workers are in induction training.
- New codes to help with Cam center getting phone calls answered.
- Gearing up for full implementation with KEA program with medical and mental health assessments.
- Trying to be more pro-active by getting the Receiving Center more involved in prevention.

- Getting close to implementing a seven (7) day-a-week live scan opportunities evenings and weekends in placing kids with relatives.

Judge Tondreau asked for an update at the next meeting on the Receiving Center progress.

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

- On February 20 & 21, 2014, a Department of Healthcare Services audit for the program and Administration review was completed successfully.
- Still waiting to hear back from DHCS on the re-certification process for all Medical sites.
- DADS is part of enhanced juvenile treatment grant.
- Integration of services between Mental Health and DADS at Juvenile Hall continues.
- Position was filled to provide services at Christopher High School and Central High Continuation School in Morgan Hill.

Commissioner Tarpey asked about the re-certification process and does it required someone to look at group homes. Mr. Lloyd responded that it's strictly out-patient services and there is no residential.

Law Enforcement Agencies: Sgt. Michael Wharton, from San Jose Police Department reported the following:

- Kyle Okie has proposed a way of staffing three to five detectives for TABS.

District Attorney's Office, Juvenile Justice: DDA Pinaki Chakravorty reported on the following:

- Three (3) new DA's are forthcoming.

Independent Defender's Office: No report.

Alternate Defender Office: No report.

Public Defender's Office: Mr. Jose Franco reported on the following:

- Training for the Juvenile team was geared towards enhancing our practice.
- In February fourteen (14) we went to DJJ and were able to see one (1) of the five (5) minors.
- A tour of Juvenile Hall, including the booking process was accomplished.
- An EDGE-PEAK and Ranch visit is planned for March.
- Requested additional reach out and trainings with agencies like LACY and Community Solutions.

Judge Tondreau asked if ADO and IDO are part of the training. Both were invited with IDO attending.

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

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

- Commissioners have an open invite to give their perspective, concerns and ideas regarding the \$100,000 grant received for the pilot program that will help youth enter medical information into a website.

Judge Tondreau asked if the child entering the information will be given a password and authorize who can access the information. Ms. Lee responded yes they will be able to.

Alternative Schools Department, COE: Yvette Irving reported on the following:

- Additional funds are coming in by virtue of the new education funding model for the State of California for community and court school students as well as foster youth. The department will identify priorities and draft a plan that will go to a public hearing before an adoption on June 30, 2014. A committee will look at middle school program and redesign which in part was prompted by that fact that over 50% of the current population are on probation. Also looking at the academic program going into 2014/15 as well as the community based organization partners we work with to enhance the program that we enter with in August of 2014.
- As of February 24, 2014 a special day class has been attached to the EDGE and PEAK programs in collaboration with Probation. With additional funding, three (3) special day classes: one (1) attached to the middle school program; one (1) attached to Terra Bella and one (1) remaining class to be identified.

Victim Witness Assistance Center: No report.

YWCA Rape Crisis Center: No report.

Chaplaincy Program: None.

Pathways Society, Inc.: No report.

Announcements/Correspondence: None.

Old Business: None.

New Business: None.

Adjourn to Executive Session: Chair Blake adjourned the meeting to Executive Session at 1:19 p.m.

Next Meeting: April 1, 2014 at 12:15 pm.

Respectfully submitted,

Barbara Crump