

**Juvenile Justice Commission
Meeting Minutes – November 5, 2019**

Call to Order and Introductions: Chair Hansen called the meeting to order at 12:15 p.m. All who were in attendance stated their names and organizations.

Agenda Approval:

Moved by Commissioner BurtonBurke and seconded by Commissioner Montano, the agenda was approved unanimously.

Public Comments/Oral Petitions: None.

Review & Approval of Minutes

Moved by Commissioner BurtonBurke and seconded by Commissioner Manchester, the minutes of September 3, 2019 was approved unanimously.

Moved by Commissioner Montano and seconded by Commissioner Rhoads, the minutes of October 1, 2019 was approved unanimously.

Presentation 1: SB 439 – 11 and Under Protocol, Chris Bijoux, Judge Alloggiamento, and Nisreen Younis – Judge Alloggiamento reported that the new law mandates that youth 11 and under will not fall under Juvenile Justice Court jurisdiction and cannot be arrested for a crime unless it is a crime of murder or certain sex crimes. She further reported that part of the change in the law was that the County was to develop a protocol for what would happen if there was a situation where the youth would have previously fallen under the jurisdiction of the court. Judge Alloggiamento expressed appreciation to Nisreen Younis, Darya Larizadeh, Laura Ridolfi and Chris Bijoux for taking the lead in developing the protocol. In addition, she thanked Carolyn Powell for reaching out to law enforcement and getting feedback from them. Procedurally, the Under 14 Subcommittee created a draft protocol and presented it to the Chiefs of Police meeting to get their feedback. The Subcommittee subsequently came up with a protocol that addresses what will happen when law enforcement comes in contact with a minor. The protocol states they cannot bring them to Juvenile Hall, they must use the least restrictive means and use already existing community based and school based resources to redirect that youth to get the resources to the family to get them to move forward. Law enforcement already had in place a policy in terms of how they handle juveniles. With the change in the law, the policy had to be revised and the team worked with the Chiefs of Police what that revision looks like.

Judge Alloggiamento reported that the protocol is restricted for children 11 and under who engage in truant or delinquent behavior that otherwise would have brought them into the court system. The team has been working with County partners, the Bill Wilson Center and Community Solutions. The protocol includes how youth should not be transported in a police vehicle unless for safety or their parents are not available. There is also a clause about training procedures. The next tactical step in moving forward is getting resources to families and helping them move forward. In addition, the County will be looking at their protocol to see if there are changes in terms of how the Bill Wilson Center might provide resources.

**Juvenile Justice Commission
Meeting Minutes – November 5, 2019**

Commissioner Pennypacker stated that she understands the purpose of filling out a JCR for statistical purposes. She asked what happens to those JCRs after they are filed. Judge Alloggiamento advised there are scenarios where it probably would not get documented. The question becomes can any documentation be used against you. All arguments would need to be heard and decided in court. She spoke of the challenges in creating a policy or procedure that encompasses all scenarios without potentially creating more issues. Nisreen Younis reported there is a mechanism for youth to seal an arrest record. The youth is encouraged to do that in the Public Defender's Office.

In response to an inquiry by Commissioner Montano, Judge Alloggiamento clarified that the law does mandate that law enforcement agencies are to use existing behavioral health, school based and community based organizations.

Commissioner Montano asked if the children will be taken in a police vehicle. Judge Alloggiamento advised that the first goal is to have the parents pick them up. If a parent is not available, then they would be transported in a police vehicle to a safe place.

Moved by Commissioner Blake and seconded by Commissioner Montano, the SB 439 – 11 and Under Protocol was approved unanimously.

Presentation 2: CANS Cross-Systems Perspective –

Amanda Vierra, Behavioral Health CANS Lead, provided a brief overview of the Child & Adolescent Needs & Strengths (CANS), a multi-purpose assessment tool that supports decision making, service planning, facilitates quality improvement initiatives and monitors the outcomes of services. She reported that the CANS results are intended to inform the CFT in several key areas, including but not limited to determining if the child, youth or non-minor dependent has unmet behavioral health or substance use needs, making placement decisions, informing the level of care protocol, determining educational needs, identifying any immediate support needs of the family or care provider and developing a comprehensive plan to support safety, permanency and well-being.

If a youth is having struggles in several domains but their education is a center of strength, that is important information because it may impact a decision on placement. Similarly, if you have a youth that has a lot of significant items in risk behavioral and emotional domains that speaks of a more intense level of need. One of the core practices at the Department of Family and Children's Services (DFCS) is to engage families in case planning. The CANS tool provides a structure to engage the family.

In response to an inquiry by Judge Lucero, Ms. Vierra stated that CANS is implemented within 24 hours of protective custody. The CANS begins outreach with the family through a social worker. The goal is to have it completed within 10 days so there is time for case planning.

Judge Lucero asked if there is any thought in expanding the use of CANS in Juvenile Probation to more reflect how it is used at DFCS. Ms. Vierra advised that there is a community working with Behavioral Health and DFCS to work on that goal to use CANS in all programs.

**Juvenile Justice Commission
Meeting Minutes – November 5, 2019**

Carl Tadamaru reported that currently Probation is utilizing CANS through community based programs (CBOs). Probation does not administer CANS, but depends on CBOs to do that.

REPORTS

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

- The Commission received a letter of resignation from Youth Commissioner Manasa Kumarappan. She graduated from high school in the spring and is enrolled at Stanford University. The Commission is grateful for her involvement and contributions for the past one-and-a-half years. The Commission will be looking for a replacement.
- Commissioner Stephen Betts is attending the Board of Supervisors’ meeting this date in order to provide comments advising against establishing a moratorium on placing children at the Receiving, Assessment, and Intake Center.

Presiding Judge’s Report: Judge Lucero reported on the following:

- The Young Women’s Freedom Center is officially launching tomorrow night at the Mexican Heritage Plaza from 6:00 p.m. to 8:00 p.m. Everyone is invited to attend. Judge Lucero expressed appreciation to all stakeholder groups and partners for supporting the development of the Center, including a \$1 million grant from state agencies.
- National Adoption Day is Saturday, November 23, 2019. The Santa Clara County Superior Court will be observing the event on Friday, November 22, 2019, on the 8th Floor at the Family Justice Center Courthouse. The event is open to the public. There are 33 families lined up for adoption, 24 are from DFCS and 9 are from Probate Court.

Juvenile Justice Court: There was no report.

Dependency Court: There was no report.

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

- Alternative schools are now in session.

Probation Department – Juvenile Program: No report.

Department of Family and Children’s Service/Children’s Receiving Center:

Commissioner Blake reported that the Commission held a meeting to discuss changes in the operation of the RAIC and will further discuss the matter in executive session.

Behavioral Health – Mental Health Services: Veronica Robles reported on the following:

- Behavioral Health met with the Executive Advisory Team regarding sharing information among Behavioral Health, Probation, and the Superior Court. A plan has been developed in terms of sharing information regarding court ordered assessments. They will be sealed

**Juvenile Justice Commission
Meeting Minutes – November 5, 2019**

first, then provided to the defense counsel and then moved forward based on the attorney's discretion.

- There is also a change of practice in Juvenile Hall. Behavioral Health will be completing the integrated assessment summary for the number of days that the youth is in custody.
- Behavioral Health is working with a contract team to amend the contract for 602 violations regarding the panel of psychologists. Currently, the process involves soliciting the evaluator's availability; the amendment involves assigning them instead. Behavioral Health is working on the contract language and will collaborate with the VMC and DFCS to align the timeliness of the contracts. Nisreen Younis commented that Behavioral Health will provide input as to whether they recommend that a 602 be ordered or if the integrated assessment is sufficient.

Behavioral Health – Alcohol and Drug Services: No report.

Law Enforcement Agencies:

- A grant was received from the State to conduct a study on the opioid epidemic. A campaign will be launched by the first of the new year.
- Law enforcement agencies are trying to facilitate a work group to address issues regarding vaping. They will work with the Public Health Department to send out invitations to meet and discuss the various gaps and challenges concerning this issue.

District Attorney's Office – Juvenile Justice: None

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

- An invitation was sent out regarding a court training on November 13, 2019 from noon to 2:00 p.m. in the District Attorney's Crime Lab Conference Room on Ranch and DJJ Programs.

Alternate Defender's Office: No report.

Independent Defender's Office: No report.

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

Medical Services: No report.

Office of Mediation and Ombuds Services:

- The Office of Mediation will provide a presentation next month regarding victim mediations.

Announcements/Correspondence: None.

Old Business: None.

**Juvenile Justice Commission
Meeting Minutes – November 5, 2019**

New Business: None.

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

Next Meeting: December 3, 2019, District Attorney's Crime Lab Conference Room, 250 W. Hedding Street, San Jose, California.

Respectfully submitted,
Stephanie Wong