

**COUNTY OF SANTA CLARA
JUVENILE JUSTICE COMMISSION
Meeting Minutes – November 2, 2021
Via Zoom**

Commissioners Present: Victoria BurtonBurke, Chair
Stephen Betts, Vice Chair
Carol Rhoads, Secretary
Heather Angove
Jean Pennypacker
Lionel Allan
Lisa Macias
Lissa Thiele
Nora Manchester
Penny Blake
Ron Hansen

Commissioners Absent: Paula Escobar
Diana Traub
Vaishali “Shali” Sirkay
Darius Parakh

Also Present: Honorable Franklin Bondonno, Superior Court
Honorable Maureen Folan, Superior Court
Honorable Frederick Chung, Superior Court
Anjelica Hayden, Superior Court
Graciela Gonzalez, Behavioral Health
Vanessa Cornejo, Behavioral Health
Margaret Ledesma, Behavioral Health
Morena Cruz, Probation Department
Ashanti Hayes, Probation Department
Holly Child, Probation Department
Paul Jhin, District Attorney’s Office
Nisreen Baroudi, Public Defender’s Office
Damon Silver, Public Defender’s Office
David Epps, Alternate Defenders Office
Preeti Mishra, Dependency Advocacy Center
Joann Vaars, SCCOE
Jessica Bonduris, SCCOE
Dane Caldwell-Holden, SCCOE
Lanphuong Le, Valley Medical Center
Ruth Maurice, OMOS
Damon Wright, DFCS
Marie Mauboussin, DFCS
Julia Souza, LACY
Karen Steiber, IDO
Dana Bunnett, Kids in Common
Manny Cardenas, Fresh Lifelines for Youth
Ravi Rajendra, Office of the County Counsel
Shelley Aggarwal, Juvenile Facilities Medical Clinics
Allie Hughes, Supervisor Otto Lee’s Office

Lt. Rob Lang, San Jose Police Department
Melissa Wilson, San Mateo County JJDC
Jim Elliott, San Andreas Regional Center
Patrick Tondreau, Chair of Dependency Advocacy Center
Marcie Bellicitti, Citizen

Call to Order & Introductions: Chair BurtonBurke called the meeting to order at 12:16 p.m.

Agenda Approval: The agenda was approved by all Commissioners present.

Public Comments/Oral Petitions: None.

Approval of Minutes: October 5, 2021 Minutes approved by all Commissioners present.

- Commissioner Rhoads notes a necessary amendment: Lanphuong Le asks for the following amendments in the Medical Services report:
 - All the figures on Vaccination refer to youth at both Juvenile Hall and the Ranch
 - In the fourth bullet point, statistics should read: 92.3% of youth have been offered vaccinations.

REPORTS

Presentation: Juvenile Justice Annual Report 2020 presented by Morena Cruz, RaD, Probation Dept.

Report Link:

https://probation.sccgov.org/sites/g/files/exjcpb721/files/documents/2021_09_17_Juvenile%20Justice%20Annual%20Report_2020_Final.pdf

- This is a collaborative report that was put together with DFCS, Probation, Behavioral Health, and the District Attorney's Office and other system partners.
- As a reminder, 2020 was a unique year in terms of the numbers reported. Morena cautions against making assumptions with the reported numbers from this past year as the pandemic can directly and indirectly affect the systems we were able to provide for youth in our county.
- For 2020 we had a total of 2,246 arrests and citations. These numbers are lower compared to 2019 which was expected.
- This COVID-19 year we included the Juvenile Justice Crime Prevention Act JJCPA Evaluation survey with the stakeholders and with the youth. This was a good way to gauge which services worked and which services did not work during the pandemic.
 - From staff:
 - Referrals were reported being low, being less than previous years.
 - Staff hours and staff funding remained unchanged when compared year over year.
 - Some staff reported that it was hard to interpret body language when engaging in virtual services, feeling like they had little time to make virtual services work well for the youth.
 - From youth:
 - The youth appreciated the change to virtual services.
 - Youth reported positive peer relationships.
 - A direct quote from the survey: "Some people are more open when the pressure of face-to-face conversation isn't there. From what I have noticed, I feel more comfortable and open talking over a computer."
- For 2020, the numbers were lower for total number of referrals and total number of duplicated referrals. The number of duplicated referrals were down when compared with last year's figures.

- In arrests and citations, most common offenses were property crimes such as grand theft and burglary, followed by obstructions and resisting arrest, and felony crimes against other individuals, robbery, and assault with a deadly weapon. These were the same top three charges that were seen in the 2019 annual report.
 - 42% of offenses for 2020 were felonies compared to 2019, when 39% of offenses were felonies.
- In terms of disparity, we still see that Black and LatinX, youth were 5 times more likely than white youth to be arrested and cited.
 - Most of the youth referred to probation tend to be Latino male between 15-16 years old.
 - 53% of youth referred to probation also have at least one referral to child welfare system.
- The following information was gathered based on the Juvenile Assessment Intervention System self-reported by youth:
 - 1/3 of youth reported that they are in need of extra support to succeed in school.
 - 1/4 of youth reported lack of engagement issues, truancy, and lack of interest, making it more difficult to succeed in school.
 - 3/4 of youth reported antisocial peers (peers in legal trouble, gangs, or both).
- In 2020 92% of the youth that were referred were detained.
 - 606 youth were referred to Juvenile Hall, of those youth, 560 youth were detained, and of those 466 youth were detained until their hearing.
- The District Attorney's Office reported that in 2020 776 petitions were filed, an 8% decrease compared to 2019.
 - Most frequent reasons for petitions being filed were robbery, auto theft and residential burglary.
- Judge Bondonno asks about screen/virtual communication reports, do you attribute that to a generational difference? Morena answers yes, much of it is a generational difference; youth preferring to communicate over the computer and staff preferring to gauge their students in person, feeling like they can serve their youth better in person. The youth also noted that they feel like with online services, they were able to manage their time better, feeling like they had time to attend all their time commitments without worrying about transportation.
- Commissioner Rhoads asks for more information about the disparity and how does it compare to the adults? Morena answers that they do not have the statistics for the adults, but it would be interesting to compare the two. Judge Bondonno comments on crime in Los Gatos, stating that there has been one youth from Los Gatos in the system in the last two years, which suggests that the Police in Los Gatos handle things differently than the police on the East Side. Commissioner Rhoads agrees and states that the same thing can be said for Mountain View and Palo Alto.
- Nisreen comments that the high Gilroy numbers are disturbing as they always are, and that Probation has been told that the citations are not happening on campus and happening within the community. It would be helpful to have a representative of South County attend these meetings because year after year numbers are high, noting the success of the 95122 project in the past.
- Commissioner Rhoads asks, do you keep statistics on where arrests and citations occur? Morena answers that the data that was tracked was not very clear. Probation is waiting on the new case management system to be able to track that data in the future. Commissioner Blake adds that a lot of crime is committed in groups and with COVID, groups are not happening as often.

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

- The law enforcement agency inspection is completed, published, and distributed.
- The James Ranch inspection report is ready to be approved during the executive session today and will be on the website shortly after.

- The Juvenile Hall inspection is scheduled to take place after the upcoming holiday season. Commissioner Pennypacker and Commissioner Betts will be requesting documents this month for the team to review for the inspection.
- Continuum of Care Committee continues to meet bi-monthly dealing with issues that face the dependency partners including the Welcoming Center, and issues of youth housed in scattered sites, lack of short-term residential treatment programs, and appropriate foster homes.
- The Commission has continued meetings with persons in charge of policy and Probation and DFCS and try to facilitate better outcomes for youth overseen by our county by meeting with outside agencies and legislation-makers in our community.
- Our Equity and Justice Committee continues its concern for school safety and the potential for criminalization of our youth through the use of school resource officers.
- Funds spent on SRO's would be better used to provide mental health and counseling services to the youth with the redeployment of funds to support a safe and healthy learning environments.
- JJC continues its concern regarding housing and development in programing for the SB 823 secure track youth and is trying to assist in any way possible to see that this transition benefits the youth and the community.
- Video conferences will continue, the commission appreciates that the virtual format allows more individuals to attend.
- When giving reports, please report on signs of emotional stress you may be seeing in youth reintegrating into in-person school (and, if applicable to your organization, how you are measuring and addressing an increased learning gap).

Juvenile Justice Court: Judge Folan & Judge Bondonno reported on the following:

- Upcoming training: 1/12/22 - Legal Updates presented by the District Attorney's Office, Police Department, and County Council's Office.
- The Court will be collecting ideas for training opportunities in 2022. Please contact Judge Lucero to make your suggestions.
- The Court continues to meet as a sub-committee to make sure we are meeting the mandates of SB 823 and SB 92
 - During this meeting, the idea came up to informally call Secure Track, the Transformational Track, to send more of a positive message.
- The Court is still pursuing a grant to get tutoring for the youth. The county funded a \$250,000 pilot program for tutoring, but only two individuals have applied to participate when the program can accommodate up to 20 individuals. Judge Bondonno is hoping that the success of the program will attract potential future investments to fund the program.

Dependency Court: Judge Chung reported on the following:

- In person morning calendars have resumed as of yesterday.
- Commissioner Blake asked about any potential pushback about checking vaccine status? Judge Chung responded that so far things have gone smoothly, attorneys are able to communicate with their clients and guests to address the Courts policy.

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

- DFCS is continuing the conversation with JJC, informing them about our practices as well as our operations in the Welcoming Center as well as the scattered sites.
 - Connecting with partners to limit the number of youth that go into scattered sites, limiting the removal of youth from sites, and working on relative placement and supports for youth. Averaging one youth a week at a scattered site

- Commissioner Rhoads notes the dramatic decline in petitions over the last few months and that JJC will be meeting with DFCS next week to better understand that. Damion adds that there has been a steady decline in youth admitted into care over the last 7 years.
- Judge Bondonno adds that from the Court's perspective, there have been youth with up to 18 referrals.

Behavioral Health: Grace Gonzalez reported on the following:

- The Board of Supervisors approved more positions for the Secure Youth (Track) treatment facility, Behavioral Health has been approved for 2 Psychosocial Occupational Therapists, 1 Social Worker and 1 Rehab Counselor. Recruitment will begin upon a second unit opening in the future.

Medical Services: Lanphuong Le reported on the following:

- Juvenile Services COVID Vaccination status:
 - 61 youth: 42 at Juvenile Hall, 19 at James Ranch
 - 93.4% of youth were offered vaccines
 - 17.2% of the youth are vaccinated
 - 28.1% of youth declined
 - 1.8% youth received consent and will be vaccinated in the coming days
 - 6.6% unable to ask
- COVID vaccines are being offered once a week on Wednesdays at Juvenile Hall and Juvenile Medical Center.
- Flu vaccines are being distributed at James Ranch and Juvenile Hall.
 - Majority of the youth have been vaccinated.

Law Enforcement Agencies: Lt. Rob Lang has nothing new to report.

District Attorney's Office: Paul Jhin has nothing new to report.

Public Defender's Office: Nisreen Baroudi and Damon Silver have nothing new to report.

- Commissioner Pennypacker asks Nisreen, if she has noticed signs of emotional stress with youth reintegrating into in-person school? Nisreen answers, some of the students have been having a hard time adjusting to in person schools. There have been some fights on campus in Gilroy and East Side Union District. Though it's hard to know what these fights can be attributed to, it can be a combination of tensions on social media, not being in a social setting on campus, stress in a tense environment, and students not being on campus for 17 months trying to navigate a new school and new environment. Nisreen also notes that there have been patterns of rebelliousness when responding to authority figures which can be a result of youth growing up online during these formative years.

Alternate Defender's Office: David Epps has nothing new to report.

- In response to the question of the day, David notes that everything he has been hearing echoes what Nisreen has mentioned. A lot of youth who are entering their sophomore year in high school have never set foot on their school campus before. This can create a stressful environment for the youth.

Independent Defense Office: Karen Steiber has nothing new to report.

- In regard to the question of the day, Karen comments, the numbers for the IDO attorneys have gone down, not having as many cases as they did pre-COVID. Karen also thinks that interactions

with youth have been somewhat different, navigating virtual conversations and interactions rather than in person interactions.

Legal Advocates for Children & Youth (LACY): Julia Souza reported on the following:

- To address the question, Julia notes that there has been a significant increase in expulsions, averaging from 2 a month pre-COVID to 5 times that amount just in the beginning of this school year.
- LACY is still able to represent every case that comes to them, or at least reach a settlement so the student is able to return to school.
- LACY notes a complete lack of mental health services being offered on campus, noting that in one school district, counselors are being used as substitute teachers because of staffing issues. With students returning back to campus, they are in need of healthy coping mechanisms after COVID.
- Commissioner Pennypacker asks do you know the reason why these youth are being expelled? Are the reasons students are being expelled different from the reasons in the past? Julia answers that there are top 5 zero tolerance offences, such as having a gun on campus, threatening someone with a knife, and there have not been any of those cases. Expulsions now are more “run of the mill” and some “sympathetic stories” that we are hearing.
- Commissioner Blake asks about LACY’s fundraiser coming up. Julia reports that 11/5/2021 at 12:00 PM LACY is having their virtual Honors Fundraiser.
- Commissioner Hansen asks about learning loss, are individuals falling further behind than they should be? Julia answers, that students are frustrated with school in general, and that is coming out in different ways.
- Nisreen asks aside from reasons for mandatory expulsions, it sounds like the rest of the expulsions are discretionary? Does LACY keep data on all of these expulsions? Knowing what the exact issues are is the best way to support the students. Julia answers, with zero tolerance cases, LACY wants to be involved in those cases and see if there can be any technicalities in the expulsion based on the offences. LACY does not have school or State data, but they are collecting client data.

San Andreas Regional Center: Jim Elliott reported on the following:

- SARC is continuing to work with other departments in the AB2083 process.
- Jim notes, that he is seeing the same agitated transitions and return to school process that special education is seeing.

Dependency Advocacy Center: Preeti Mishra reported on the following:

- DAC is navigating the return to court and has been able to add two new staff members who will start training later this week.
- 11/18/2021 DFCS Prevention Based Training, contact Preeti for further information. Training also to be added to the JJC calendar.

The Office of Mediation and Ombuds Services: Ruth Maurice had nothing new to report.

- Ruth notes, that to address the question posed in the previous meeting, during the pandemic and virtual conversations, it was easier to get the youth to speak and open up during conversations whereas now students are back in school, sports, and outside activities and are less interested in these interactions with mediation.

Alternative Schools Department: Dane Caldwell-Holden and Jessica Bonduris reported on the following:

- Jessica comments, in regard to the question of the day, she has noticed a change in students reentering campus after COVID, and hearing from the different districts about the school fights and trauma.
- Alternative Schools have seen a decline in referrals in the recent past.
- Dane comments that as students reenter the campus, they are not stressed and tired, but happy to have schools open again, as schools can be a refuge for some youth.
- South County has started a new culinary arts program this year, with a positive review from the students involved so far.
- Dane notes that he has been hearing a lot from partner districts, but not seeing a lot of referrals as schools are making an effort to hang onto their students.
- Dane mentions that Alternative Schools are asking districts for pre-referrals, hoping to capture students that might learn better in a different environment
- Commissioner Rhoads asks if they have any new information on the learning gap, and whether that has increased during the course of COVID? Dane answers that it's hard to measure the learning gap in the alternative schools program, though he does not think that the COVID years have made it any better or worse for students. Dane notes that students that were off track last year are still off this year, and students that were on track last year are still on track this year.

Probation Department Juvenile Program: Ashanti Hayes reported on the following:

- **Juvenile Hall:**
 - Juvenile Correctional Officer graduation from core is taking place today in Morgan Hill.
 - Population today: 42 youth
 - Completed and passed Board of State Community Corrections inspection.
 - In partnership with County Education, Juvenile Hall has started a new musical program and the youth are enjoying the program so far.
 - The Hall has started the renewal of the sewing program, again with positive comments from the youth so far.

Announcements/Correspondence: None.

Adjourn to Executive Session: Chair BurtonBurke adjourned to Executive Session at 1:20 p.m. The next meeting will take place on Zoom on December 7, 2021.

Respectfully submitted,

Anjelica Hayden