

**COUNTY OF SANTA CLARA  
JUVELINE JUSTICE COMMISSION  
Meeting Minutes-November 3, 2013  
Crime Lab  
First Floor Conference Room  
250 West Hedding Street  
San Jose, CA 95110**

**Commissioners Present:**

|                          |                   |
|--------------------------|-------------------|
| Penelope Blake, Chair    | Calixto Manriquez |
| Raul Colunga, Vice Chair | Jean Pennypacker  |
| Stephen Betts, Secretary | Pamela Serrano    |
| Bonnie Charvez           | Anita Sunseri     |
| Kimberly Dong            | Vincent Tarpey    |
| Nora Manchester          |                   |

**Commissioners Absent:**

Raymond Blockie, Dana Bunneth and Tracy Lauth

**Also Present:**

Honorable Patrick Tondreau, Superior Court, Dept. 77  
Honorable Jesus Valencia, Superior Court, Dept. 79  
Honorable Katherine Lucero, Superior Court, Dept. 78  
Chris Arriola, District Attorney's Office  
Robert De Jesus, Probation Department  
David Epps, Alternate Defender's Office  
Jose Franco, Public Defender's Office  
David Herrera, Probation Department  
Jermaine Hardy, Probation Department  
Rita Loncarich, Probation Department  
Diana Teves, Probation Department  
Terrance Ugalde, Probation Department  
Jason Herr, San Jose Police Department  
Yvette Irving, Office of Education (AED) SCC COE  
Alvaro Viramontes, Legal Advocacy Manager, YWCA  
Yon Kim, Valley Medical Center (VMC)  
Dan Lloyd, Department of Alcohol & Drugs Services (DADS)  
Jenny Lam, County Counsel  
Cybele Lo Vuolo Bhusman, Board Secretary, ACLU-Mid Peninsula  
Jaime Lopez, Department of Family & Children's Services (DFCS)/Receiving Center  
Anita Kong, Mental Health Department  
Steve Monte, Mental Health Department  
Sue Nelson, Department of Alcohol & Drug Services (DADS)  
Ra Amen, Chaplain

**Guests Present:**

Debbie Pell, Bill Wilson Center  
Victoria Bustan-Burke, Private Citizen  
Angela Haick, Osborne School SCCOE  
Paul Alvarado, Citizen  
Irene Alvarado, Citizen

**Call to Order & Introductions:** Chair Blake called the meeting to order at 12:18 p.m. All who were in attendance stated their names and organization.

**Agenda Approval:** The Agenda was approved unanimously.

**Public Comments/Oral Petitions:** None.

**Review & Approval of Minutes:** Moved by Commissioner Manchester & seconded by Commissioner Betts, the minutes of October 1, 2013 were approved unanimously.

## REPORTS

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

- With the Ranch Report being completed we now have received the Stake Holders responses to our recommendations which will go before the Board of Supervisors on Thursday, November 7, 2013 before the Public Safety & Justice Commission.
- Starting first meeting with Probation about Juvenile Hall with a report aimed for completion by year's end.
- Law enforcement agency inspections have begun with approximately ten (10) monthly inspections planned.
- Participation continues with the RAIC process, which is the Receiving Center Stake Holders Group, to review plans for the new Receiving Center for dependent children.
- Beginning to survey court users with a meeting with FLY.
- JJC would like to present Chief Mitchell with a certificate of appreciation for all her hard work at the December JJC meeting. Mr. Robert DeJesus said he will help facilitate the request.

Commissioner Manriquez reported on the following:

- He and Commissioner Dong attended Peer Court and were very impressed with the system and especially by the juveniles who run the court. Mentors from the Lincoln Law School guide the youth through the process. Supervisor David Cortese, Probation Officer Laura Garnette and Justin Morrow, defender for the San Jose Earthquakes were in attendance. Commissioner Dong added that Justin Morrow presented Supervisor Cortese with a plaque of appreciation.

**Juvenile Justice Court:** Judge Tondreau reported on the following:

- Judge Beth McGowan will be leaving in January and Judge Margaret Johnson will be returning to the court. The change will occur around January 18, 2014.
- Competency training on December 4, 2013 at 3:30 p.m. on the 4<sup>th</sup> floor training room at Juvenile Probation will be postponed one (1) month. Instead, there will be a presentation by the Office of Human Relations on the new victim mediation process. Dolores Morales is putting together a team to address the process, referrals, confidentiality & evaluation with outcomes.
- Input and suggestions are needed for the Beyond the Bench Conference. The group will meet later this month to set the date for the next conference which will be held in about 18 months. Any comments or suggestions can be emailed to Judge Tondreau.
- LACY's Honors Luncheon will be held on Friday, November 8, 2013 at 1130 at the Hyatt Cabana in Palo Alto.
- FLY program is having their annual breakfast on Friday, December 6, 2013 at 7:30 a.m. at the Hyatt Regency in Santa Clara and will showcase our kids who are a success. It's an inspiration to see these kids in such a positive way. All are invited.

- Chief Mitchell's retirement party will be Thursday, November 14, 2013 at 5:30 p.m. at the Sonoma Chicken Coop located on Skyport Drive in San Jose.
- Foster Vision Database has been in the works for 8 years with meeting on Thursday, December 12, 2013 with superintendents from Campbell, Morgan Hill, Franklin McKinley & Oak Grove school districts. These districts have agreed to sign an MOA and be the pilot districts. We hope this will be a 32-district database which Probation and DFCS will have access to so they can retrieve necessary information on minors.
- Judge Lucero will be heading up a team on education rights.
- Still looking for recruits for the Education Rights Program.

Judge Valencia had no report.

Judge Lucero reported on the following:

- Judge Lucero toured Juvenile Hall and was impressed with the facility, hall counselors and staff. Judge Lucero praised Daniel Cortez, Senior Counselor for his hard work on the treatment of these kids and for the implementation of programs.
- Juvenile Treatment Court has 24 kids in program with the hopes of doubling that amount. Judge Lucero expressed concern that there is only one (1) designated bed and will be speaking to the BOS about bringing the count up to three (3) beds. Chair Blake added that DADS said they have money coming in from the State and will be expanding the capacity.

**Dependency Court:** No report

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

- Jeannie Lee has been promoted to Training Coordinator for the Learning Partnership Division.
- Anita Kong is on board as a second Team Lead.
- Department is shorthanded with two (2) out on maternity leave. Extra help staff has been brought on-board.
- Juvenile Competency Restoration Program waiting list as of November 1, 2013 is five (5) with the longest wait of any youth is down to 102 days. Two (2) youths have successfully completed the program.
- Interviewing for a Restoration Counselor position & hope to fill by early December 2013.
- Competency Statistics for the last year and 9 months with 29 referrals thru end of September. Sixteen (16) youths have successfully gone through the program.

Judge Tondreau asked if the new counselor will be going to Virginia for training, how long the training will take and would the new person be able to absorb the five (5) that are still on the waiting list. Mr. Monte said training will be here but coming from Virginia which should shorten the training time. Aiming for first couple of weeks of January for training to be complete adding that by mid-spring the five (5) still all the waiting list will be addressed assuming referrals continue at the same pace.

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

- Distributed the population report and noted population is on the lower end at 134.
- Commissioners Lauth & Bunnett were at Juvenile Hall last week reviewing the grievances for 2013 and were able to participate in the Halloween decorating contest. Gang tension was put aside and all the kids enjoyed story-telling, doing the monster mash dressed as the Hunchback of Notre Dame and dancing to Thriller.
- All are invited to the Christmas decorating event in December.

Ms. Diana Teves reported on the following:

- Terrance Ugalde and David Herrera, supervisors in charge of QA and Policy & Procedures were introduced.
- All Policies & Procedures are accessible on-line.

Commissioner Pennypacker thanked Mr. DeJesus and staff for their cordial reception.

Mr. Robert DeJesus complimented & thanked the Transgender Policy committee for their arduous work over the last 18-24 months, adding that they did fantastic work and have much to be proud of. The committee consisted of Judge Tondreau, Kevin Rudich, Nancy Clark, Ray Blockie, Steve Monte, Chia-Chen Lee, David Wong, Suzie Rivera, Laura Garnette, Diana Teves, Ann Elworth & Germaine Hardy. Because of this policy, there is a new-found understanding, awareness and sensitivity to the issues these youth face in the system. Santa Clara County Probation is known to be a department that is progressive. Two (2) years ago the Probation department created the first in the State, a transgender policy that looks at transgender youth and how we house them according to best practices. This policy is shared up and down the State of California with all probation departments and is making its way across the United States and is being used as a training tool in other jurisdictions. The District Attorney as also requesting a copy of the policy. The work that the Equity Police Committee just completed is a general an overview of Juvenile LGBT policy for the Santa Clara County Probation Department. That policy LGBT policy will also travel across the nation as a model policy as Santa Clara County is a model site for understanding how to serve LGBT youth and the Juvenile Justice System.

**Department of Children & Family Service/Children's Receiving Center:** Mr. Jaime Lopez reported on the following:

- Mr. Lopez distributed and discussed the October 2013 Monthly Statistical Summary, adding that a full report will be forwarded to the commission once it's complete.

Commissioner Tarpey asked about runaways and if DFCS can determine the outcome of their leaving and if they have been recovered. Mr. Lopez said yes but, it is difficult to track as these youth have a long history of running away adding that staff has tried to convince them to stay and decide what would be an acceptable placement.

Commissioner Manchester asked if runaways traditional run from the car. Mr. Lopez said usually once they get out of the car they will run from the parking lot or once there are inside, perhaps they eat, shower and then they run.

Chair Blake expressed concerned about kids that have been busy for months in other parts of the country. Mr. Lopez says that probation officers make every effort to locate these youth.

Commissioner Serrano asked if another agency brings in a minor in and that minor runs away, does SJPD take the report. Officer Herr responded that yes, SJPD takes the initial report and then transfers the case to the jurisdiction where that minor resides.

Commissioner Serrano asked for clarification on the separation of youth; how many groups were separated. Mr. Lopez apologized for not having the information and will forward when it is complete.

- No children stayed over 24 hours.

- The large Stake Holder meeting is being held today at 2:00 p.m. at the Social Services auditorium.

**Department of Alcohol & Drug Services (DADS):** Dr. Sue Nelson reported on the following:

- Launched Too Good for Drugs Program is for at-risk youth to prevent further substance abuse.
- Also launched a parent workshop with a 90 minute presentation in English & Spanish.
- Friday Night Live will be expanded to include middle schools where kids have activities such as leadership classes. Lincoln High School youth put together a study on marijuana dispensaries outside the school complete with a PowerPoint presentation for the council addressing underage drinking, Ecstasy and marijuana dispensary issues.

Mr. Dan Lloyd reported on the following:

- The Bilingual/Bi-Cultural Spanish speaking therapist position was filled on October 28, 2013 for treatment side within Juvenile Hall.
- In the process of filling school based positions with interviews tomorrow for Christopher High in Gilroy and Central High in Morgan Hill.
- There are seven (7) residential beds for Santa Clara County which serve our Juvenile Treatment Court as well as community beds that are funded by DADS. Although these beds are sometimes vacant we fill them and sometimes we will place a community person in that bed so the bed is not vacant. The State Department of Health Care Services (DHCS) has announced that effective January 2014 residential treatment would be available for individuals covered by Medi-Cal. Further details will follow.

**Law Enforcement Agencies:** Officer Jason Herr, from San Jose Police Department reported the following:

- The letter received from the Commission, requesting information on the use of K-9's and the use of K-9's on juveniles was forwarded to Research & Development.
- Truancy Abatement Burglary Suppression (TABS) demographical information is conducted and will be forthcoming.

Commissioner Pennypacker asked about what kind of connection you have with the family. Officer Herr said the truant is brought back to the school and parents are called.

**Medical Services:** Ms. Yon Kim reported on the following:

- All children with parental consent have received a flu shot. Refusals are documented.
- Chia-Chen Lee in on medical leave, returning on December 2, 2013.
- Experiencing issues with some personnel being out sick which resulted in shifts being moved.

Commissioner Manriquez asked if nursing interns are used. Ms. Kim responded that nursing students from SJSU are there on a weekly basis adding that they just hire two (2) and within a few days they were on their own with a registered nurse.

**District Attorney's Office, Juvenile Justice:** DDA Chris Arriola reported on the following:

- 707b and Direct File case study is complete, with The Burns Institute looking at this study.
- Re-examining activity in the 95112 area (Overfelt High School) with Juvenile Justice Systems Collaborative Systems Sub-Committee. DDA Johnny Gogo is now assigned as the Community Prosecutor for the 95122 area.

- Johnny Gogo is being honored by the Santa Clara County Bar Association tonight, receiving the Diversity Award at Judges Night. In addition he's receiving the George W. Kennedy of the San Jose Police Chief on Thursday, November 14, 2013 for his service to the SJPD.
- Down one DDA position but, will be filled after Thanksgiving.
- Six (6) serious Direct file cases with three (3) being older cases.
- Trying to do more with East side regarding truancy adding the numbers are down. The TABS program will make a huge difference commending the SJPD for re-implementing the program.

**Independent Defense Office:** No report.

**Alternate Defender Office:** No report.

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

- We were down seven (7) lawyers and are now back up to eight (8). Collins started on Monday.
- Prevention & Programs Work Group meeting is Friday, November 15, 2013 with a report from Dr. Morache from San Jose State on work she's done so far with 4 of the 5 pilot schools.
- Schedule to meet with Overfelt High School the week of November 18, 2013 to see work needs to be done, which is in conjunction with the 95122 sub-committee work that DDA Marc Bueller is leading.
- As part of 95122 sub-committee work, Leon Beachman from Black Leadership Kitchen Cabinet spoke with African-American students at Overfelt High School about the possibility of getting some community advisory members to help navigate the whole process. Two (2) DDA's and one (1) DPD met with 25 students with the idea that efforts continue so that African American student are able to voice their concerns.
- Last Saturday at Live Oak High, a conference was held which was geared at at-risk youth and their parents. The conference was both in English and Spanish. Presentations were made by FLY & Probation addressing the legal process in the juvenile system and gang trends. DDA Troy Benson, Jessica Delgado & Jose Franco will attend the Gilroy High School conference on November 16, 2013 about gangs, gang enhancements, direct files & sexting.

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

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

- The Alternate Education Department presented their pilot on providing mental health services which started at Odyssey last year and is now expanding to other community school sites, with drop-in services for students and their families on Saturdays.
- Attendance continues to grow at the community schools.
- Staff continues their training around the common core smarter balance assessments.
- Probation provided excellent LGBTQ training.
- CASEY & GED testing continues today at Juvenile Hall.
- Met with Michael Santos last week on a life's skills pilot program he's implementing, which is designed to teach youth how to utilize mentors, persevere in their education and rehabilitative restorative justice approach to their life.

**Victim Witness Assistance Center:** No report.

**YWCA Rape Crisis Center:** Alvaro Viramontes reported on the following:

- Had two (2) juvenile cases at the YWCA.

**Chaplaincy:** Pastor Ra Amen reported on the following:

- Working on a Christmas worship services for Juvenile Hall and James Ranch.
- The Youth from Calvary Baptist Church of Los Gatos sent Christmas cards to all the kids at the James Ranch and Juvenile Hall last year with words of encouragement and will continue that program this year to include staff.
- Thanks to Mr. Robert DeJesus, Diana Teves & Rita Loncarich for all their assistance, encouragement and feedback this year with Assessment & Orientation. Met with all the boys and established a relationship. With The Boys to Men Mentoring unit a volunteer from Google brought in the Google Glass and provided a demonstration and talked about what it is like to be an engineer which was well received. Kids sent letters to God using the Google Glass.
- Beginning a mentoring program for the women at the Elwood Correctional Facility.

**Pathways Society, Inc.:** No report.

**Announcements/Correspondence:**

**Old Business:** None.

**New Business:** None

**Adjourn to Executive Session:** On order of Chair Blake, the meeting was adjourned to Executive Session at 1:09 p.m.

**Next Meeting:** December 3, 2013.

Respectfully submitted,

Barbara Crump