

COUNTY OF SANTA CLARA
JUVENILE JUSTICE COMMISSION
Meeting Minutes-October 2, 2018
Santa Clara County DA Crime Lab Conference Room, 1st Floor
250 W. Hedding St.
San Jose, CA 95110

Commissioners Present: Penelope Blake
Raymond Blockie
Dana Bunnett
Victoria BurtonBurke, Secretary
Ron Hansen, Vice Chair
Manasa Kumarappan
Nora Manchester
Darius Parakh
Jean Pennypacker, Chair
Carol Rhoads
Vincent Tarpey
Lissa Thiele

Commissioners Absent: Dante Duffel-Steen and Carmen Montano

Also Present: Honorable Franklin Bondonno, Superior Court
Honorable Katherine Lucero, Superior Court
Honorable Julianne Sylva, Superior Court
Honorable Pat Tondreau, Superior Court
Jenny Lam, County Counsel's Office
David Epps, Alternate Defender Office
Kevin Rudich, Alternate Defender Office
Veronica Robles, Behavioral Health Clinic, Juvenile Hall
Debbie Pell, Bill Wilson Center
Enrique Flores, BOS, Dave Cortese's Office
Dan Little, Department of Children and Family Services
Stacey Capps, Office of the District Attorney
Carolyn Powell, Office of the District Attorney
Andrew Cain, LACY
Brittney Carnahan, Probation Department
Morena Cruz, Probation Department
Ashanti Hayes, Probation Department
David Mitnick, Probation Department
Dolores Morales, Probation Department
Sean Rooney, Probation Department, Juvenile Hall
Jill Ugalde, Juvenile Probation Department
Alex Villa, Probation Department
Robert Young, Probation Department
Nisreen Younis, Office of the Public Defender
Stephen Betts, Member of the Public
Jim Davis, Member of the Public
Brian Walton, Member of the Public
Deputy Chief Shawny Williams, San Jose Police Department
Captain Dave Tindall, San Jose Police Department
David Putney, Santa Clara County Office of Education
Kate Flynn, Santa Clara Med. Ombud's Office
Shelley Aggarwal, Valley Medical Center
Chia-Chen Lee, Valley Medical Center

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Call to Order and Introductions: Chair Pennypacker called the meeting to order at 12:14 p.m. All who were in attendance stated their names and organizations.

Commissioner Hansen introduced Youth Commissioner Darius Parakh. Youth Commissioner Parakh took his Oath on September 24, 2018.

Agenda Approval:

Moved by Commissioner Hansen and seconded by Commissioner Tarpey, the agenda was approved unanimously.

Public Comments/Oral Petitions: None.

Approval of Minutes:

Mr. Kevin Rudich corrected the Senate Bill reported on page 5: revised from *SB138 is still waiting for signature to SB 1391* which has now passed.

Commissioner Rhoads corrected a name from *Honorable Julie Silva* to Honorable Julianne Sylva.

Moved by Commissioner Blake and seconded by Commissioner Rhoads to approve the September 4, 2018 minutes as amended was approved unanimously.

Presentation: 2017 Annual Report, Juvenile Justice, Santa Clara County: Morena Cruz, Probation Department, Research and Development Unit Sr. Management Analyst presented a summary of the **2017 Annual Report, Juvenile Justice, Santa Clara County**. The report incorporates information contributed by partner agencies throughout the county including Probation Department, Juvenile Justice Court, District Attorney's Office, Offices of the Public Defender and Alternate Defender, Independent Defense Counsel, Department of Family and Children's Services, Department of Education, Department of Behavioral Health Services, and Valley Health and Hospital Systems. The information presented is based on calendar year (January 1 – December 31).

The report started in 2013 as a PowerPoint Presentation which attempted to summarize trends in the county and has evolved into a full 85-page report. This report tries to tackle many different issues impacting youth, which tends to create more questions and points to other directions to look at. The Unit looked at 2013-2017 trends and counted arrests and citations, Juvenile Hall referrals, Juvenile Hall detentions and petitions filed. The numbers collected reflect per count, not per person. The numbers trended down from 2013 to 2016, then in 2017, rose and matched 2014/2015 data. In 2017, there were 3,792 duplicated arrest (actual arrests, even if youth was arrested more than once). Of the 3,792 duplicated arrest, there were 1,147 duplicated referrals (approximately 30%) of the arrests/citations. 1,013 (duplicated) of the referred youth were detained at Juvenile Hall (88%). 1,390 duplicated petitions were filed from the 3,792 duplicated arrests (37% of arrests/citations). A closer examination of the arrests and citations reveals 35% were diverted into Prevention Early Intervention (PEI) program and 11% into Direct Referral Program (DRP). The diversion programs are offered to first time offenders. Ms. Cruz provided information on the types

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of crimes committed and the large disparities of Black and Latino youth being seven and three times more likely than White youth to be arrested or cited. The report highlights where the arrests and citations took place and distinguished the difference between misdemeanors and felonies. The highest number of felonies (137 felonies) occurred in zip code 95122 (Valley Palms area) and the highest number of misdemeanors (158 misdemeanors) occurred in zip code 95020 (Gilroy).

Juvenile Assessment and Intervention System (JAIS) is used to focus on why youth are committing crimes and how to best assist them. This gender-responsive tool helps predict the likelihood youth will recidivate. Data collected includes sex, age, home life, previous child abuse and/or neglect, education, criminogenic needs, and behavioral health.

Ms. Cruz presented data illustrating the number of detained (duplicated) youth and the number of youth released. Youth must be held for at least eight hours to be considered detained. 879 (duplicate count) youth (77%) were held until detention hearing and most frequently for property crimes, felony crimes against people, and return from other status/courtesy hold/other admits. Still, Black and Latino youth were 13 and six times more likely than White youth to be detained.

1,390 petitions were filed in 2017, reflecting a 16% increase from 2016, with the most frequent reasons being car theft, residential burglary, and robbery. Black and Latino youth were 11 and five times more likely to be petitioned than White youth. Collection of historical/environmental background has not been assess when examining disparities.

Ms. Cruz highlighted Wraparound Services. The data Ms. Cruz presented was collected from January to June 2017 (six months) because youth are given six months to see if they recidivate. 94 unduplicated youth participated in Wraparound services. This information was categorized by age and risk level. Recidivism was at 37% for this group.

Some members of the committee suggested analyzing or collecting data on how each program or service impacts the outcome of youth.

REPORTS

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

- JJC formed an ad hoc committee to review juveniles 12 years old and under. The committee completed an interim report which is posted on the JJC webpage of the Santa Clara County Superior Court website.
- The RAIC committee has visited the facility since the September 4, 2018 meeting and is considering writing an interim report. JJC is concerned because of the pending and unknown relocation of the RAIC building at the end of 2018. Dan Little stated some of the facilities maintenance is being handled by departments outside of DFCS, therefore Mr. Little could not provide specific information including dates or locations.
- JJC has one adult commissioner vacancy. Interviews have been conducted. The Membership Committee will discuss the results at the Executive Committee Meeting.

Commissioner BurtonBurke reported the following regarding the William F. James Ranch Inspection Report, August 2018:

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- Recommendations
- Probation:
 - As in every annual JJC Ranch report since 2014, JJC urgently recommends development and implementation of a systematic program of data collection and analysis of outcomes and publication of the data collected.
 - Update the Policies and Procedures Manual.
- Medical Services:
 - Medical Services should shorten the Vision Screen referral process.
- Education:
 - As a continued recommendation since 2015, a computer instructor should be assigned and include basic keyboard instruction, accelerate the plan to offer certified career technical education at Blue Ridge, and invest a Ranch program involving teachers in implementing EBP for the population.
- Commendations to:
- Probation:
 - Moving towards new programs and facilities.
 - Modifying the Missouri Model to benefit the changing population of Santa Clara County justice-involved youth.
 - Adding probation personnel specifically to expand sports and recreation opportunities for JR youth.
- Behavioral Health Services, Medical Services, and the CBOs Starlight and Pathway Communities
 - Excellent efforts implementing joint case management, information sharing, and collaboration to support integrated and coordinated health care. The JJC is gratified to see this substantive response to its previous recommendation.
 - For continued excellence and leadership in medical services.

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

Dan Little reported on the following:

- DFCS is expecting to hear about the RAIC licensures soon. They have passed necessary tests and inspections but must wait for CCL to provide results of licensing.
- Jonathan Weinberg, Social Services Program Manager, is retiring.

Mr. Little provided an update regarding CCR transitions and the number of youth in each placement at the request of Commissioner Rhoads. There are approximately 42 to 43 youths in group homes and extensions for existing homes have been requested until the end of 2018. DFCS has weekly case reviews to examine how to properly implement transition safely. The Family Permanency Bureau is trying different recruitment techniques. Changes in reimbursement to foster families is halfway rolled out due to the State requesting clarification on scoring definitions. STRTPs are in a holding pattern as well.

Mr. Little stated none of the Group Homes housing DFCS youth have been shut down to answer Chair Pennypacker’s question. Mr. Little does not have exact numbers.

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Presiding Judge’s Report:**

Judge Tondreau reported on the following:

- Judge Tondreau created and shared a list of Assembly and Senate Bills Governor Jerry Brown recently signed. Judge Tondreau specifically talked about AB 1214 regarding juvenile competency and the changes Juvenile Hall will need to consider due to AB 2448 which requires juveniles have access to computer technology and the internet while in confinement to stay connected with family and support people and for education.

Dependency Court:

Judge Tondreau reported on the following:

- Dependency Advocates Council (DAC), who represents the parents in Dependency, is having their tenth annual dinner October 25, 2018 at 6:00 p.m. at Hotel De Anza and will be honoring Chief Probation Officer, Laura Garnette.
- LACY will be having their annual luncheon on November 9, 2018 at 11:30 a.m. at Crowne Plaza in Palo Alto and will be honoring the DAC attorneys and out-going director, Patricia Gardner.

Juvenile Justice Court:

Judge Lucero reported on the following:

- Committees will be forming to assist with the recent changes.
- 12 and 13 year olds in proceedings will be given to Judge Sylva because she is the subject matter expert and runs the DIY calendar.

Judge Bondonno reported on the following:

- Ms. Patricia Gardner has helped Judge Bondonno organize a Community Based Organization Training to take place February 13, 2019.

Alternative Schools Department, COE: No report.

Probation Department – Juvenile Program:

A representative from Juvenile Hall reported on the following:

- Building maintenance is ongoing and should be complete by the end of October 2018.
- 49ers will make their annual visit with the youth. They will talk and run drills.
- Elsa Jennings will be leaving Juvenile Hall and begin training October 8, 2018, to take over for Mike Simms. There will be two vacant positions in the Probation Department (Juvenile Hall and Adult Probation).

Elsa Jennings reported on the following:

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- Ms. Jennings thanked the commissioners for all of the support over the last five years. Ms. Jennings specifically mentioned Commissioner Manchester and Commissioner Blockie for conducting her first inspection and for their guidance.

A representative from the Ranch reported on the following:

- Construction was pushed back. The dorms will possibly open in late January or early February 2019. In response to Commissioner Tarpey’s inquiry, the representative stated he was unsure if the delay will increase the cost of the construction.

A representative from the Ranch addressed Commissioner Rhoads’ request for information regarding the Transitional Age Youth Initiative. An RFP for services was secured and they are receiving independent living skills. Youth have been referred for the past several months to the program. Announcements are made during section meetings about the different monthly modules the youth can take advantage of. The program is for probation and former probation youth up to age 21 with the goal of receiving up to 250 youth referrals which will receive independent living services.

Ms. Jennings responded to Chair Pennypacker’s question stating there are five youth in the Transitional Age Youth program. Judge Lucero stated Judge Yew announced they had their first graduate.

A representative from Probation reported on the following:

- The Board approved the contract for the new case management system for the entire department. The process should take approximately two years.

Behavioral Health – Mental Health Services: No report.

Behavioral Health – Alcohol and Drug Services: No report.

Law Enforcement Agencies:

Captain Tindall reported on the following:

- SJPD would like to provide JJC with information, but would like JJC to clarify what is wanted. The commissioners will review the information SJPD should bring to the meetings.

District Attorney’s Office – Juvenile Justice:

Carolyn Powell reported on the following:

- Ms. Powell and Stacey Capps would like to be included on JJC’s distribution list.

Public Defender’s Office:

Nisreen Younis reported on the following:

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- The first subcommittee meeting for the DIY unit regarding youth under age 14 was held. Commissioner Blake and Commissioner Rhoads are co-chairs on the committee. The first meeting was very successful. The next meeting is not set, but will be mid November 2018 to wait for the incoming DIY specialist.
- SB 439 states with a few specific exceptions youth under 12 years old cannot be prosecuted.
- AB 1214 regarding youth competency indicates competency must be proven for youth under 14 years old.
- The departments and committees will be drafting new protocol due to the Assembly and Senate Bills recently signed.
- Ms. Younis thanked the Probation Department for the Ranch tour which allowed the Public Defender's Office to show a Russian Delegation around.

Alternate Defender's Office: No report.

Independent Defender's Office: No report.

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

Medical Services:

Chia-Chen Lee reported on the following:

- Everyone should get a flu shot. All youth will have a flu shot with parent approval. 95-98% of parents approved in the past.
- The Sick Call process will need a little change. Medical services has been based on regulation or accreditation but it is not the best approach. If regulations are met, the youth may sometimes rate the service low creating a gap. After analysis, the process is missing a critical loop back to the youth in the communication. The issue is being addressed.

Victim Services Unit: No report.

YWCA Support Services: No report.

Announcements/Correspondence: None.

Old Business: None.

New Business: None.

Adjourn to Executive Session: Chair Pennypacker adjourned the meeting to the Executive Session at 1:17 p.m.

Next Meeting: November 6, 2018, Sheriff's Department Auditorium, 55 Younger Ave, San Jose, California.

Respectfully submitted,

Janice Jones