

**COUNTY OF SANTA CLARA
JUVENILE JUSTICE COMMISSION
DRAFT Meeting Minutes-October 1, 2019
Santa Clara County DA Crime Lab Conference Room, 1st Floor
250 W. Hedding Street
San Jose, CA 95110**

Commissioners Present: Stephen Betts, Secretary
Penelope Blake
Victoria BurtonBurke, Vice Chair
Ron Hansen, Chair
Nora Manchester
Carmen Montano
Jean Pennypacker
Carol Rhoads
Vincent Tarpey
Lissa Thiele

Commissioners Absent: Brian Walton, Darius Parakh, Manasa Kumarappan, Raymond Blockie

Also Present: Honorable Franklin Bondonno, Superior Court
Honorable Katherine Lucero, Superior Court
Honorable Shawna Schwarz, Superior Court
Honorable Frederick Chung, Superior Court
Lindsey Cherpes, Law Clerk
David Epps, Alternate Defender Office
Mario Estrada, City of San Jose
Veronica Robles, Behavioral Health Clinic, Juvenile Hall
David Putney, Santa Clara County of Education (COE)
Francisco Hernandez, OMOS
Elizabeth Williams, OMOS
Katja Degroot, OMOS
Danielle Olmos, FLY
Vanessa Cornejo, Behavioral Health
Karen Steiber, Independent Defender Office
Britney Carnahan, Probation Department
Andrew Cain, LACY
Nick Birchard, Probation Department
Maureen Wheatley, Probation Department
Alex Villa, Probation Department
Holly Child, Probation Department
Sean Rooney, Probation Department, Juvenile Hall
Carl Tademaru, Probation Department
Robert Young, Probation Department
Nisreen Younis, Office of the Public Defender
Marty Estrada, Midtown Family Services
Jerry Amaro, Midtown Family Services
Chia-Chen Lee, Valley Medical Center
Dr. Shelley Aggarwal, Valley Medical Center
Stanford Medical Student

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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 Betts, the agenda was approved unanimously.

Public Comments/Oral Petitions: None.

Approval of Minutes:

The approval of the minutes has been tabled until the next meeting.

Presentation Annual Juvenile Justice Report: Morena Cruz, Probation Department. – Ms. Cruz provided an overview of the Annual report. Although Probation supports and coordinates the efforts to create the report, it is an all System Partner’s collaboration. The report started in 2011 as a PowerPoint and became a full report in 2013. The 2018 Annual Report is a report that looks at what Santa Clara County youth are actually experiencing. Some of the data from the report comes from Probation and others come from System Partners, i.e. District Attorney’s Office (DA), Public Defenders Office (PD), DFCS and Education. This collaboration gives an overall picture of what youth are experiencing in Santa Clara County. The report takes between 6 (six) to 7 (seven) months to finalize.

The report reflected the number of youth detained and released in the last 5 (five) years has been pretty consistent. The report focused on trends, **Risk & Citation Data, Youth Referred to Juvenile Hall, Admissions to Juvenile Hall and Petitions Filed.** There has been an increase of 2% from years 2017 to 2018 in youth being detained. Property Crimes and Crimes Against People are the most seen. The report shows that youth of color are 17% more likely to be arrested. In 2018 there were 3,668 citations. The top reasons for those citations are **Property Crimes** at 33% followed by Felony Crimes Against People- *which include felony assault, felony domestic violence and homicide. Other crimes are traffic violations, obstructions and resisting arrest.* There has also been a 10% increase in petitions filed. The most frequent reasons are *Burglary, Robbery & Car Theft.* Over the course of 3 (three) years, 2016, 2017 and 2018 the numbers have increased.

The take away is that the number of arrests/citations has gone down 3% however kids detained and waiting for a hearing has gone up. With fewer kids coming into the system and getting cited nonetheless, the same youth are penetrating the system deeper. In 2018 Black/Latino youth were 5 (five) times more likely to be arrested than White youth. Those numbers are higher than what was reported in 2017. Black and Latino youth are 15 (fifteen) times more likely than White youth to be detained. From all youth who were arrested, detained, or had petitions filed, Latino/Black youth have increased those numbers. Services in the County are looking at what is happening and why they are higher in serious nature in comparison to other ethnicities.

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Ms. Cruz stated there are 3 (three) zip codes with the most crimes.

- 95116- Mayfair
- 95122- Valley Palms
- 95127-AlumRock/Story Rd.

Gilroy and Morgan Hill lead in Misdemeanor/Status Offenses. All the zip codes where Felonies are happening are all occurring in San Jose, with the exception of Gilroy. This report did not include out-of-county youth because there is no specific zip code. The JAIS Assessment tool looks at the likelihood of youth recidivating as well as cross checking with the Child Welfare System to look at reports to see if any of those youth were victims of abuse and or neglect. Data has demonstrated that 48% of youth have had at least 1 (one) referral where they were the victim of abuse/neglect. In terms of who is entering into the system 78% are male and 45% are between the ages of 15-16 years old, with only 3% of youth being under the age of 12 (twelve). In regards to *home life*, girls are more likely to have a history of family problems.

When looking at **school function**, both males and females had similarities. In regards to school and intellectual capacity, 40% of boys and girls are having anti-social peers which oftentimes lead to them committing crimes with those friends. And when looking at **Behavioral Health**, 33% of girls attempted or thought about committing suicide in comparison to 10% of boys. 81% of girls have depression and or anxiety vs 63% of boys. The report found there are a lot of underlying issues.

Commissioner Rhoads asked if there are changes in the demographic populations. Ms. Cruz stated the report does account for demographic changes. Commissioner Thiele thanked Ms. Cruz for the report and stated she had two questions. The first was regarding “Intellectual Deficiencies” and asked for clarification as to what it meant. Ms. Cruz said it meant the youth lack cognitive ability, succeeding in school without proper support and lack of interest or having dyslexia. Commissioner Thiele then posed the question if a better term could be “Special Education” vs Intellectual Deficiencies.

Commissioner Montano asked, if the zip codes indicated were where the youth reside or where the crime was committed. Ms. Cruz responded the zip codes were where the youth resided. Commissioner Montano thanked Probation for the data and asked a follow-up question regarding suicide. Commissioner Montano wanted to know where the information originated. Ms. Cruz stated the stats came from the JAIS Assessment tool and what the youth reported back in those assessments. Commissioner Montano also wanted to know why is there no comparison to Asian youth who seem to be the greater population in the valley. Ms. Cruz responded in regards to arrests and citations for Asian youth, the data was minimal, white youth, although low in numbers compared to other youth did have some data.

Dr. Shelly Aggarwal asked 2 (two) questions; How many youth are homeless and how many are involved in the foster system. Ms. Cruz responded they do not yet know the percentages. Ms. Cruz responded DIY numbers are at a minimum, a more interesting trend to look at was whether the youth had received a referral to the child welfare system as a child. The second question asked by Dr. Shelly Aggarwal was how they assign zip codes to those homeless youth. Ms. Cruz stated the youth are put in a different category.

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Commissioner Hansen thanked Ms. Cruz for informative presentation.

REPORTS

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

- The Ranch Inspection committee is continuing on with phase II of their report.
- RAIC Committee is on hold due to uncertainties regarding the RAIC's location. However, expect a final report before the end of the year.
- Commissioner Blockie is recovering from back surgery and should be back within the next couple of months.
- The Commissioner Vacancy- The membership committee has interviewed many strong candidates.

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

- The court continues to work collaboratively with all System Partners.
- The Report from VERA will be discussed this month at the REJS and JJSC meetings.
- Poor outcomes for DEJ for 2018 for girls are due to family problems. Girls that do complete the program do not do well with 6 (six) out of 18 (eighteen) girls completing DEJ in 2018.
- Probation has stepped up in getting CAFAS for all girls.
- Beyond the Bench Statewide Conference to be held in December, 2019. Judge Lucero is getting a team together. Judge Schwarz will be there to also attend the conference.
- October 18th 2019 there will be a Domestic Violence Conference at the Mexican Heritage Plaza.
- There is a Court Training in November 2019: *Ranch Services & DJJ Programs*.

Judge Bondonno reported on the following:

- Nothing is as smooth and easy as he had hoped regarding information shared from Behavioral Health. He reports the Court is still struggling to get the reports and he will defer the topic to Behavioral Health.

Dependency Court: Judge Schwarz reported on the following:

- There are now 3 Judges in dependency court.
- The numbers of cases has decreased which have posed problems for keeping the South County Courthouse open.
- Monthly meetings with DFCS at the Systems level continue in hopes to keep it open.

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- There is an interesting trend which shows 10% out of custody cases are in the custody of their parents. This year the percentage is 18% which means the department is not removing kids but rather offering services.

Judge Chung- Nothing to add.

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

- COE is busy this fall with hall renovations.
- Massive purchasing going on. Upgraded the kitchen, dishwasher, student stations, expanding building trades and work study.
- Dr. Putney will be going down to Blue Ridge on October 28, 29 and 30th of 2019.
- From October until December 2019, they will be working on expanding the Learning Stations, Expressive Arts Studio.
- COE is working together with the Mayor's Gang Prevention Task Force.
- COE is looking at other schools to see what they are using for their development assessments.
- In the Fall/Winter of 2020 they will implement a new learning assessment system intended for better outcomes and easier for teachers/Probation Officers to understand results.
- A visit to L.A. County's Culinary Arts Program is planned on October 25 & 26th, 2019.
- COE also has upcoming visits to San Diego Juvenile Hall. Sacramento, L.A. County and Ventura to see their best practices and are working in partnership throughout the State.

Commissioner Montano stated she was glad the recommendations made by the Commission were being followed.

Probation Department – Juvenile Program: Alex Villa reported on the following:

- The new DPO's in court are currently in the academy.
- Gilroy's National Night Out will be held tonight, with lots of activities planned.
- There will be a Community Based Probation Unit part of the new MOU, who will work closely with the Morgan Hill Police Department. Intention is to work with Gilroy next.
- This month a Cross Systems Team Training will be held in Monterey. Focusing on being more Trauma Informed and healing.
- Imagining Juvenile Justice. They have completed 3 (three) out of 5 (five) with positive feedback. Will present to the JJC upon completion.

Carl Tademura reported on the following:

- Bad rat infestation in the Hall was discovered in September 2019 due to ongoing construction at County Jail.

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- FAF is doing a wonderful job with clean up and removal of all planters. New trees have been planted. FAF is also working on the front of the main entrance of Juvenile Probation.
- Kevin Cooper was able to purchase new automated dumpster trash container which will streamline the removal of trash similar to that of 70 W. Hedding.
- Bins will be distributed in Juvenile Hall on Monday, October 7, 2019.
- With the construction at Main Jail South there will be a disruption to Juvenile Hall's power and may be on backup generators.

Commissioner Rhoades asked if the generator supplies all normal power. Mr. Rooney said that the generators supply up to 80% of power.

Sean Rooney reported on the following:

- Juvenile Hall is integrating new cameras with old cameras as well as locked systems and microphones.
- Staff is working 12-13 hours a day to see a smooth transition. Youth have been patient.
- Staff will get trained on new system: Cameras will be done by the end of December 2019.
- Trying to not move kids out of BETA Wing and trying to work around school schedules.

Commissioner BurtonBurke asked if the girls are back in G-1 and if not when would they return. Mr. Rooney said no as numbers have dropped and there have been plumbing issues.

Robert Young reported on the following:

- All youth received C.B.T. (Cognitive Behavioral Therapy) Services and have received positive feedback.
- Some of the service providers working at the Ranch are, NewHope, FLY, Support Services, Medical-Starlight.
- They are still working on the Program Resource Guide for the Ranch I.E. providing CBT, Positive Reward System.
- With the goal to distribute to all System partners.

Department of Family and Children's Service/Children's Receiving Center (DFCS): Chair Hansen read the following report from Francesca LeRúe:

"Hello DFCS staff,

As most of you are aware, the RAIC serves some our most vulnerable youth. Legislative changes by the state, specifically Community Care Reform (CCR), have changed the landscape of available interventions and placement options and created more challenges. The County

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Executive recognizes that this environment presents challenges for staff and youth and we have been given an opportunity to practice the “no wrong door” philosophy that the County and our three departments embrace. As a response, Probation and Behavioral Health staff will team with DFCS staff at the RAIC to provide immediate stabilization and hands-on modeling based on lessons-learned. The RAIC continues to be operated by DFCS and the responsibility of DFCS, but with support from Probation and Behavioral Health. The intent is to “staff to acuity” and for whatever duration it takes to advance the program to address the existing challenges. Probation will have two staff assigned during waking hours and possibly graveyard shifts. The three departments are working together to design a master schedule that includes staff from DFCS, Probation, and Behavioral Health. The intent is to begin this on Monday, October 7, 2019.

As informed earlier this week, with the completion of the 353 Julian building, Parent-Child Visitations have resumed at 373 Julian and we have re-purposed Keiki Center at 725 Santa Clara. The Keiki Center will serve children newly removed and other children whose needs are best suited to be tended to at the Keiki Center. Please be sure to consult with the Assessment & Placement Manager at 408-605-7287 prior to taking any child to Keiki or the RAIC.

We are very excited to be partnering with Probation and Behavioral Health in this new “no wrong door” approach.”

Chair Hansen added that the JJC will be monitoring changes in the operation of the RAIC.

Commissioner Manchester asked what the meaning of KEIKI Center?

Chair Hansen said it is a visitation center. Judge Schwarz indicated that “Keiki” is Hawaiian word for Child. Judge Schwarz explains the history of this center and the goals of this moving forward. Judge Schwarz stated the idea is to not mix these kids with kids that are already at the center who may have more challenging behaviors. In the past children were taken to the receiving center but will now go to the KEIKI center in order to provide new kids with 1:1 support. Judge Lucero asked how many kids are at the center now. Mr. Birchard said there are between 6 (six) to 7 (seven) kids all ranging in ages. Mr. Birchard said that this is a temporary arrangement.

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

- There are ongoing discussions regarding the sharing of Behavioral Health information. Everyone has the youth’s best interest in mind. There will be a follow-up AD HOC Committee meeting and an update will be provided once a resolution has been reached.
- Judge Lucero invited Behavioral Health to be a part of the Executive Advisory Committee where they are working on the best way of reporting back to Judges, Attorneys and Probation.
- In terms of Behavioral Health stats in Juvenile Hall, they are working on recruitment as they are down 1 clinician.

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Behavioral Health – Alcohol and Drug Services: No report.

Law Enforcement Agencies: None

Mario Maciel with the City of San Jose, Mayors Gang Task Force Will be presenting to the JJC in December 2019.

District Attorney’s Office – Juvenile Justice: None

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

- On November 13th, 2019 from 12-2pm at the DA’s Crime Lab there will be a court training on Ranch & DJJ Programs.
 - 12:30-1pm- Dr. Chris Hunter/Chief Psychologist- Will speak on Sex Behavior Programs
 - 1:00-2:00pm – General DJJ acceptance criteria and programing.
- DDA Carolyn Powell has emailed a draft to the Law Enforcements Chief’s Association regarding protocol for SB439 and a response will be provided by the Association on October 11th, 2019.

Alternate Defender’s Office: David Epps reported on the following:

- There is one staffing change with Amanda Parks now working in Juvenile Hall.

Independent Defender’s Office: No report.

Legal Advocates for Children and Youth (LACY): Andrew Cain reported on the following:

- November 6th, 2019 the Law Foundation is hosting a 3rd Clinic for both youth and adults regarding name, gender marker change.

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

- They have received 100 doses of flu vaccines and are in the process of getting parental consents.
- There are no shortages, all kids will receive vaccines.

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A question was asked by Commissioner Montano regarding the Vaping deaths and if any further information was available. Chia-Chen Lee stated a large percentage of kids are vaping and for every encounter with youth who vape, there is education provided and youth are being discouraged as it has a negative impact.

Office of Mediation and Omsbuds Services: No report.

Announcements/Correspondence:

Old Business: None.

New Business: None.

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

Next Meeting: November 5, 2019, DA Crime Lab Conference Room, 250 W. Hedding Street, San Jose, California.

Respectfully submitted,

Joanne Arranaga