

**COUNTY OF SANTA CLARA
JUVENILE JUSTICE COMMISSION
Meeting Minutes – October 6, 2020
Via Zoom**

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| Commissioners Present: | Ron Hansen, Chair | Penny Blake |
| | Victoria BurtonBurke, Vice Chair | Carol Rhoads |
| | Jean Pennypacker, Past Chair | Lissa Thiele |
| | Stephen Betts, Secretary | Nora Manchester |
| | Darius Parakh | Lon Allan |
| | Diana Traub | Lisa Macias |
| | Heather Angove | Vaishali “Shali” Sirkay |
| | Paula Escobar | |

Commissioners Absent: None

Also Present:

Honorable Katherine Lucero, Superior Court
Honorable Franklin Bondonno, Superior Court
Honorable Frederick Chung, Superior Court
Shannon Hanna, Superior Court
Rachel Talamantez, Behavioral Health
Alex Villalobos, Behavioral Health
Veronica Robles, Behavioral Health
Vanessa Cornejo, Behavioral Health
Sean Rooney, Probation Department
Carl Tademaru, Probation Department
Dolores Morales, Probation Department
Vone Kegarice, Probation Department
Alex Villa, Probation Department
Morena Cruz, Probation Department
Marc Utsey, Probation Department
Jill Ugalde, Probation Department
Brittney Carnahan, Probation Department
Holly Child, Probation Department
Maureen Wheatley, Probation Department
Elisa Carias, Probation Department
Bettina Martinez, Santa Clara County Office of Education
Steve Olmos, Santa Clara County Office of Education
Jamila Hankins, Department of Family and Children Services (DFCS)
Ann Huntley, District Attorney’s Office
Nisreen Younis, Public Defender’s Office
Damon Silver, Public Defender’s Office
David Epps, Alternate Defender’s Office
Ravi Rajendra, County Counsel
Annalisa Chung, Dependency Advocacy Center
Andrew Cain, Law Foundation of Silicon Valley (LACY)
Shelley Aggarwal, Valley Medical Center
Chia-Chen Lee, Valley Medical Center
Ruth Maurice, OMOS
Francisco Hernandez, OMOS
Darcy Cabral, OMOS
Rafael Cervantes, Jr. – FLY

Matt Cammann, SENECA
Debbie Pell, Bill Wilson Center
Melissa Wilson, San Mateo Juvenile Justice Prevention Commission

Also Present Cont'd: Pat Tondreau, Citizen (Ret. Judge)

Call to Order & Introductions: Chair Hansen called the meeting to order at 12:15 p.m. Due to time constraints there were no formal introductions.

Agenda Approval: The agenda was approved by fifteen (15) Commissioners.

Public Comments/Oral Petitions: None.

Approval of Minutes: Motion by Vice Chair BurtonBurke and seconded by Commissioner Allan to approve the September 1, 2020 Minutes was approved unanimously.

Presentation: Morena Cruz from Santa Clara County Juvenile Probation presents the findings of the 2019 Juvenile Justice Annual report.

-Commissioner Allan points out that based on the findings, Hispanic youth seem to have a higher incarceration rate at the James Ranch than African American youth, while African American youth have a higher arrest rate but not necessarily incarceration rate, he asks Ms. Cruz why she believes there is a disparity with these numbers. Ms. Cruz reminds him that disparity rates are based on the population of each racial group within the county, not overall population. However, she does point out that the majority of the youth at James Ranch are Latino and youth of color in general.

-Judge Franklin Bondonno asked if the reported numbers with respect to DFCS reports were based on substantiated reports, or just issues raised in general. Ms. Cruz said the Probation department reports on every youth that is referred, including youth in diversion programs. They do collect data with respect to whether or not the referrals were substantiated, but they have found that many of the youth have a long history of referrals before they become involved with juvenile probation. In the report itself, the data reflects referrals in general.

REPORTS

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

- Youth commissioner, Darius Parakh, has agreed to continue his service on the commission for the next two (2) years. While he is currently attending UC Berkeley, his residential address remains within the county which allows him to continue to serve on the commission.
- A new youth commissioner, Paula Escobar, has been sworn in. She is a junior at Evergreen Valley High School. Chair Hansen thanks her for being a part of the commission.
- At the executive session following the meeting, the commission will be reviewing and hopefully approving the James Ranch inspection report. Once it has been approved, it will be distributed and posted on the JJC page on the Superior Court website. The commission will also be reviewing the annual law enforcement agency inspection report and assuming it is approved, it will be distributed and posted on the JJC page.

Juvenile Justice Court: Judge Lucero reported on the following:

- Judge Lucero thanks the Probation Department for the annual report.

- Superior Court will have a Court Systems Training on November 18, 2020 on complex cases involving girls, including housing, services and whether or not systems are the best place for our girls.
- Superior Court reports there are a great deal of issues going on in the juvenile justice arena with recent legislation and bills that have been passed. There will be a January legislative update provided collaboratively by the Public Defender and District Attorney.

Dependency Court: Judge Chung reported on the following:

- Superior Court reports that last month, September, was a banner month for detention hearings. The number of detention hearings held were the most they have had in any month over the last few years. It seems that DFCS is ramping up.
- During shelter-in-place, detention hearings were still being held, but between the months of March - July of this year, they only saw about 70% of the cases they heard during this same timeframe in 2019.
- Superior Court reports that due to layoffs, furloughs and voluntary separations, the clerk's office was severely understaffed for many weeks, resulting in a backlog of filed documents. They now have new legal process clerks who have been tasked with getting through the filing backlog and hope to be caught up in the upcoming weeks. A system was created for "urgent requests" in order to make sure they were being addressed.

Alternative Schools Department, COE: Steve Olmos reported on the following:

- COE reports that due to the changing of tier status in our county, their schools are allowed to open and provide in-person instruction. COE has provided the ten-day required notice to their teaching staff and they are already back onsite this week preparing their classrooms. In-person instruction is scheduled to begin next Monday. This is in the works for both their core schools and community schools, as well as some additional programs. A teacher's union representative will be touring the facilities with Carl Tadamaru from Juvenile Probation, in order to make sure everything is ready for staff and students to return.

Commissioner Pennypacker asked what special efforts are going to be made by COE to get the youth up to speed. Mr. Olmos stated they are using the online program, Edgenuity, and are finding that youth are performing better than expected online, as they are able to work at their own pace. They have also switched their assessment tool to Renaissance Star.

Chair Hansen asked if the Renaissance Star assessments will be administered once per quarter, or will it be similar to the old testing schedule which was over 90-day intervals. Mr. Olmos stated that he will have to get back to him on the specifics, but he does know the assessments will become more regular.

Commissioner Rhoads asked when the youth return to the classroom, what would their day look like. Mr. Olmos stated they are coming back on a "phased model" approach. They will be using the outside classrooms, as opposed to the classrooms attached to the living quarters, for the time being. Teachers will be returning two days a week for in-person instruction and three days a week for distance learning. Instruction hours will be 9:00 am to 1:00 pm which will also allow for prep time for the teachers. Commissioner Rhoads asked if this means the youth will be using Edgenuity onsite with the teachers, or, if there will be separate instruction from the teachers. Mr. Olmos stated the youth will continue to use Edgenuity onsite with the teachers present to help assist them. The direct instruction will be a four hour day, with teachers available after hours for extra help.

Shali Sarkay asked how COE plans on measuring/assessing learning loss and if they have a plan for addressing it. Mr. Olmos stated they would be using the Renaissance Star assessment to track their progress over time.

Commissioner Pennypacker asked with respect to the two days that the teachers will be onsite, will they be giving actual instruction, or, are they just helping the youth complete their Edgenuity tasks. Mr. Olmos stated that a teacher will be available to help them with their Edgenuity lessons. All the curriculum is online curriculum. There are not enough onsite classrooms, so the teachers will be splitting the use of the available classrooms.

Commissioner Allan stated that these are youth with special learning needs, so the idea all instruction will be online seems backwards as these youth need more direct contact with teachers and not computer systems.

Chair Hansen stated they will continue this conversation offline with the COE in order to sort out the concerns the commission has. The commission will reach out to Mr. Olmos about setting up a meeting to clear up the concerns.

Probation Department Juvenile Program: Sean Rooney reported on the following:

- In Juvenile Hall, there were forty-three (43) youth in custody as of this morning. Two of the intake units were being used. When youth first arrive, they spend fourteen (14) days in these units and are administered COVID tests on the first day and again on the tenth day. They are then transferred into the general population units. Staff has been doing an excellent job keeping the youth engaged in the programming. Medical clinic staff has been doing a great job keeping everyone healthy. Probation staff are now eligible to be tested every five (5) weeks in conjunction with the medical clinic.
- Carl Tadamaru reported that with the upcoming closure of DJJ, three committees are being set up to discuss transition. One educational committee, one operations committee and one programs committee. Discussions are starting about setting up vocational programs for the youth.
- Probation is in the process of developing face-to-face visits between the youth in Juvenile Hall and their parents. There will be eight (8), eight-foot tables in order to help social distancing and mitigate exposure. They are also looking at plexi-glass barriers to put on the tables. They are looking towards implementing these visits by the end of the month. They are developing a protocol for parents and planning for the visits to take place outdoors.

Chair Hansen asked if a similar visiting plan was in the works for the James Ranch. Mr. Tadamaru stated he did know that a visiting plan was being developed for James Ranch, but was not aware of the specifics.

Nisreen Younis asked with the current plan being that visits would take place from 1:30 – 4:30 pm, would they be willing to consider visits after 5:00 pm for families who have to work and if they would also consider weekend visits. Mr. Tadamaru stated the reason they chose the hours they did was because of the availability of sunlight, due to the security issues of conducting visits at night.

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

- Seven (7) youth are currently in their care at the scattered sites and they are still working on development of the Welcome Center with SENECA.

Behavioral Health - Mental Health Services and Alcohol and Drug Services: Rachel Talamantez reported on the following:

- Sherri Terao has been selected as the new permanent director for Behavioral Health Services.
- Alex Villalobos reports two new media campaigns have been launched: “Fentanyl Takes Friends” and “Don’t Take the Vape.” They are being run on a variety of social media platforms for the next three months.

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

- No COVID-19 cases were reported for the month of September.
- Nursing team has been diligent in contacting parents for consent to administer the flu vaccine. The compliance rate at James Ranch is 74% and at Juvenile Hall it is 78%. They will continue to work diligently to increase the compliance rates.
- Today was the grand opening of the eye clinic at Juvenile Hall. The optometrist was onsite at Juvenile Hall. A vendor was also selected and secured to make eyeglasses within one week. Policy and procedure guidelines were also created for optometry care for the youth moving forward.

Law Enforcement: None.

District Attorney’s Office: None.

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

- Two new attorneys have joined the Juvenile team: Agustin Arias and Elliott Samuels.
- Ethnic Studies Bill, AB 331, was vetoed by Governor Newsom.
- The office is excited about a potential partnership with COE to develop a new curriculum around that of San Jose educator, Tyson Amir.
- The college equivalent of the Ethnic Studies requirement, AB 1460, was signed into law and requires students from the twenty-three (23) CSU campuses to meet an ethnic studies requirement.

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

Independent Defender’s Office: None.

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

- Education team continues to work around some of the education issues around custodial youth in order to address, not only the needs of the youth, but the gaps that have been created over the last seven (7) months.

Dependency Advocacy Center: AnnaLisa Chung reported on the following:

- The high percentage of juvenile justice youth with child welfare history is not surprising and is further evidence of the need of both systems to continue to work collaboratively for upstream prevention efforts.

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

Announcements/Correspondence: None.

Adjourn to Executive Session: Chair Hansen adjourned to Executive Session at 1:21 p.m.

Respectfully submitted,

Shannon Hanna