

COUNTY OF SANTA CLARA
JUVENILE JUSTICE COMMISSION
DRAFT Meeting Minutes-September 5, 2017
Crime Lab, 1st Floor
250 W. Hedding St.
San Jose, CA 95110

Commissioners Present: Penny Blake
Dana Bunnett
Victoria BurtonBurke, Secretary
Bonnie Charvez
Dante Duffel-Steen
Gustavo Gonzalez
Ron Hansen, Vice Chair

Courtney Macavinta
Nora Manchester
Jean Pennypacker, Chair
Carol Rhoads
Vincent Tarpey
Lissa Thiele

Commissioners Absent: Raul Colunga, Past Chair and Brittney Dong.

Also Present: Honorable Franklin Bondonno, Superior Court
Honorable Katherine Lucero, Superior Court
Honorable Julianne Sylva, Superior Court
Honorable Pat Tondreau, Superior Court
Adelina Del Real, Superior Court
Marcelo Quinones, County Counsel's Office
Nick Birchard, Probation Department
Bernadette Estes, Probation Department
Alicia Garcia, Probation Department
Ashanti Hayes, Probation Department
Jay Hill, Probation Department
Elsa Jennings, Probation Department
Vone Kegarice, Probation Department
Cynthia Perez, Probation Department
Sean Rooney, Probation Department
Jeff Stapleton, Probation Department
Carl Tademaru, Probation Department
Jill Ugalde, Probation Department
Heidi Vierra, Probation Department
Alex Villa, Probation Department
Nisreen Baroudi, Public Defender's Office
Karen Steiber, Independent Defender's Office
Kevin Rudich, Alternate Defender's Office
Jennifer Kelleher Cloyd, LACY
Chia-Chin Lee, VMC
Jennifer Hubbs, Department of Children and Family Services
David Putney, Santa Clara County Office of Education
Veronica Robles, Behavior Health Services Department

Guests Present: None

Call to Order & Introductions: Chair Pennypacker 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 Manchester and seconded by Commissioner BurtonBurke, to approve the agenda, was approved unanimously.

Public Comments/Oral Petitions: None

Approval of Minutes:

Moved by Commissioner Hansen and seconded by Commissioner Tarpey to approve the August 1, 2017 minutes, was approved unanimously.

Presentation of New Juvenile Hall Behavior Modification Program: Heidi Vierra, Jeff Stapleton and Nick Birchard distributed and presented their PowerPoint presentation on Achieving Behavioral Change (ABC) program.

The staff spoke about bringing behavior modification programs into one program to benefit not only the kids but also the staff, ensuring a consistent message being portrayed to the kids.

Commissioner Gonzalez asked what the ABC program replaced. Ms. Vierra said the new program will replace four existing programs:

- Pride Program which was implemented into female and male population.
- Transitional Adjustment Unit (TAU) Program, used in the Behavioral Health Unit.
- ABC Program (Original), used in the Orientation Unit.
- STAR Program, used in Maximum Security.

Because these programs ran simultaneously, it was confusing when youth were transferred from one unit to the next or for a shift relief staff who bounces from unit to unit. After reviewing these programs, the best practices and components from each program were used to create the new ABC program, since they are moving in the direction of the Positive Behavior Intervention and Support (PBIS) model, used in all schools from elementary through high school. The purpose of the PBIS model is to recognize positive behavior instead of recognizing negative behavior in hopes that positive behavior will continue.

The program is based on a point system. Everyday kids can earn a certain amount of points even for expected behaviors such as brushing one's teeth. Points given to hold the youth responsible for their actions earn other incentives and privileges. Osbourne School is involved in the program as well and youth can earn points per period. Also involved in the program is the Medical Clinic staff, Behavioral Health staff and Juvenile Hall staff.

The purpose of the ABC program is to encourage positive interactions and improve rapport with youth and staff. Three core values have been implemented: Safety, Respect and Responsibility. Points earned are recorded on an Excel spreadsheet for tracking and evidence data purposes. Eventually the data will be moved over to JAS which is the Juvenile Automated System computer program, and the information will remain with the youth's file and history.

Commissioner Tarpey asked what reactions have come from youth. Ms. Vierra said the youth have adapted very well with minimal struggle.

Commissioner Gonzalez asked what success factors will determine if the program is a success in the minds of Probation and the kids in Juvenile Hall. Ms. Vierra said their Quality Assurance Unit are gathering data from previous similar programs, and once the new ABC data has been gathered comparisons will be made. Surveys to gather their input from staff and youth have been sent out.

Commissioner BurtonBurke asked if there was ever a situation where the kids lose points. Ms. Vierra said that the kids never lose points however, they may not be able to earn them based on each individual.

Commissioner BurtonBurke asked if the kids were still being addressed by last name only. Ms. Vierra said for the most part yes but, it depends more on a personal staff basis.

Commissioner Rhoads asked to what extent information is shared. Ms. Vierra said the idea of creating one program was to create the same language so youth consistently hear the same thing.

Commissioner Macavinta commended Ms. Vierra, saying that it is more trauma-informed to have more than one set of guidelines. Commissioner Macavinta said PBIS relies on the empathy/capacity of adults in outside schools to come from a positive behavior place, adding that empathy/capacity is not intuitive for many. Ms. Macavinta asked from what other training Probation is getting support? Mr. Birchard said part of the implementation was to be less confusing for youth and staff as staff rotates from unit to unit. Mr. Birchard added that they are working closely with COE to develop a PBIS model. Starting September 21, 2017 they will be training staff on Trauma Informed Systems and Trauma Informed Care.

Commissioner Gonzalez asked if there is a parent component training to the program. Ms. Vierra said they do not currently have one but are encouraging parents to use the same language. Judge Silva said the Parent Project is a 12-week course run through the DA's Office, encouraging parents to recognize good behavior and to tell the youth they are loved.

Mr. Stapleton talked about the token economy and how the kids earn points. Kids earn points on a daily basis, especially with hygiene in activities such as brushing teeth or putting on deodorant. During structured time staff makes sure kids are aware of what is going on a daily basis. Core values are reinforced daily. Points earned can be redeemed in each unit store, with kids able to redeem points for extra phone calls, snacks or body wash. If a group is doing well, points can be redeemed for activities such as movie night, BBQs or special programs. Mr. Stapleton closed by saying they are committed to the youth and they want to be a part of the solution and help the youth achieve success.

Commissioner Bunnett asked how the youth are informed of their points. Mr. Stapleton said points are posted mid-week.

Judge Bondonno asked if the points are weighted in some fashion. Ms. Vierra said each category is broken down on the chart. If a youth meets expectations for each category overnight they get daily points, and if not, they can still make up life skill points as the week progresses.

Ms. Jennings acknowledged and expressed her gratitude for the hard work by Heidi Vierra, Jeff Stapleton, Bernadette Estes and Alicia Garcia.

Commissioner Tarpey asked if the program will be made available to youth coming over from the jail. Ms. Vierra said that it would be implemented for the 18-21 year old youth. Mr. Birchard said that the program will start sometime in October, and as a parallel they are tying in PDIS work and will spend the next couple of years finessing it.

Commissioner BurtonBurke asked if there has been any feedback from teaching staff at Juvenile Hall regarding adoption of the ABC program. Mr. Putney said there has not been any feedback, but principals confirm teachers are using the program.

Judge Lucero asked if there is any way to tie in mindfulness activities to encourage self-regulation for earning extra points in the ABC program. Mr. Rooney said the current model does not offer that, but staff is looking at new ways to make behavioral assessments and to apply those to the program.

Commissioner Macavinta added that mindfulness is a really good place to look, especially starting with staff because of their own self-caring as well as space in their schedule. Ms. Baroudi commented that she

hopes that Probation Officers reach out to Juvenile Hall staff to appropriate the information into the dispo reports for judges to read.

REPORTS

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

- The Law Enforcement Temporary Detention Facilities report will be submitted in Executive Session for approval. Once approved, the report will be posted on the JJC website.
- There will be a couple of vacancies on the Juvenile Justice Commission. Interested applicants are encouraged to apply on the Santa Clara County Superior Court website under the Juvenile menu.
- The Board of State and Community Corrections held workshops over the summer regarding revisions to Title 15 and Title 24 (regulations for juvenile institutions) and will be voting later in the week on accepting those recommendations.
- A presentation on the Data Annual Report will be given at the October 2017 JJC meeting.
- Chair Pennypacker reminded everyone that the next JJC meeting location will be at the DFCS Main Auditorium at 333 W. Julian Street in San Jose.
- There will be a Regional JJC meeting in November 2017 with five JJC members attending.

Juvenile Justice Court: Judge Tondreau reported on the following:

- The Legislature has until the end of the week to pass Bills. AB935 regarding juvenile competency is on its second reading with the Senate and has a good chance of passing.
- Beyond the Bench will held on May 18, 2018. The Unsung Hero Award will be posthumously presented to Bob Campbell and the Distinguished Service Award will go to Judge Margaret Johnson.

Judge Lucero reported on the following:

- Due to lack of space there will be no Court Systems meeting or training in September.
- Adolescent Brain Development training will be held November 8, 2017.
- Judge Lucero thanked JJC for their part in securing a parking validation machine and thanked Probation for staffing the machine.
- Largely due to staffing deficiencies, transfer of juveniles from JH to DDJ is taking more than the allotted 90 days. A committee has been formed to look at shortening the time to 45 days.

Judge Silva had no report.

Judge Bondonno reported on the following:

- Cara Winters has been added to the Bench of those doing psychological reports. There are two or three more applicants in the process.

Dependency Court: None.

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

- The population report for August 2017 was distributed. Population at Juvenile Hall is 77, with 67 males and 10 females. The Ranch population is at 52, with 46 males and 6 females.
- Out of the 52 Prop 57 cases that Probation has, 12 have been dispositioned for the Department of Juvenile Justice with one going to the Ranch, 2 on home probation, 5 on wardship, home on

probation, probation to terminate, and 4 have been transferred to Adult Court. There are 28 pending matters yet to be resolved.

- Youth Advisory Council is in the process of recruiting 3 more members. Orientation will commence September 9, 2017 with the Youth Advisory Council reaching out to youth and their families to orchestrate orientation.
- All staff will be trained on Trauma Informed Systems by the end of October 2017 with the goal to develop a shared language and understanding of what trauma is and how it impacts youth.

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

- DFCS is actively working on securing a lease at the Enborg site. If they are unable to secure a lease, then RAIC may be returning to 725 E. Santa Clara Street.
- Ms. Hubbs spoke with Ms. LaRue about resuming quarterly Advisory meetings.
- Caring for Kids in Crisis conference will be October 18, 2017 in San Francisco.

Judge Tondreau and Chair Pennypacker expressed concerns about RAIC returning to the Santa Clara Street site.

Behavioral Health - Mental Health Services: Veronica Robles reported on the following.

- Behavioral Health (BH) is collaborating with Probation regarding the transition of the 18-21 yr old [is this the group referenced male population into Juvenile Hall to assure staff is prepared and that services will be available to all youth.
- BH is also collaborating with the Medical Clinic regarding the 30 day medication upon discharge.

Behavioral Health - Alcohol and Drug Services: No report.

Law Enforcement: No report.

District Attorney's Office, Juvenile Justice: None

Public Defender's Office: Nisreen Baroudi reported on the following:

- Ben Stewart has joined the Prelim team and Augustin Arias will begin on September 11, 2017 in Department 80.

Independent Defender's Office: No report.

Alternate Defender's Office: Kevin Rudich reported on the following:

- A new Social Worker will begin in October/November 2017 and will primarily deal with Juvenile Justice cases.

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

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

- Starting in September 2017 the Cupcake Program which honors youth on their birthday will expand to include Ranch youth.
- Preparing for 18-21 year olds to receive vaccinations for Hepatitis A, B & C, HPV, meningitis, MMR, pneumonia and other diseases.

Commissioner BurtonBurke asked if the Medical Clinic will be seeing the young adults away from the Medical Clinic. Ms. Lee said Probation has been working on setting up the program and the Clinic will have a separate time and date to see young adults away from the Juvenile Hall population.

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

- Probation staff is working with 18-21 year olds trying to complete their high school diplomas through a 30-60 day independent study program. Currently there are five to ten students who will start in October with one hour a week in a library-style study environment. Staff will also provide learning labs, and partnering with OYA around the county for other library environments. Staff is also surveying students for other access alternatives. Expected soon will be redevelopment of the Construction Management Program, which focuses on building a Tiny House. Currently the CMP is seeking the right site for the first finished Tiny House, on sale for \$1. There is also an ongoing search for an administrator to leverage and manage programs from state and federal funding.
- On September 14, 2017 from 9:00 am to 3:30 pm, COE is partnering with the DA's Office on chronic absenteeism and chronic truancy abatement process. Training will be provided on tools to be used County-wide to help with truancy and absenteeism. They will also be lining up cellular site interventions, District interventions and County interventions that would be in mediation, and try to streamline to do a better job and decrease the burden on the District Attorney.

Victim Services Center: None.

YWCA Support Services: None

Announcements/Correspondence:

Old Business: None.

New Business: None.

Adjourn to Executive Session: Chair Pennypacker adjourned to Executive Session at 1:23 p.m.

Next Meeting: October 3, 2017, DFCS Main Auditorium, 333 W. Julian Street, San Jose, CA.

Respectfully submitted,

Barbara Crump