

COUNTY OF SANTA CLARA
JUVENILE JUSTICE COMMISSION
DRAFT Meeting Minutes-September 4, 2018
Crime Lab, 1st Floor
250 W. Hedding St.
San Jose, CA 95110

Commissioners Present: Penny Blake Manasa Kumarappan
Raymond Blockie Nora Manchester
Dana Bunnett Carmen Montano
Victoria BurtonBurke, Secretary Jean Pennypacker, Chair
Dante Duffel-Steen Carol Rhoads
Gustavo Gonzalez Vincent Tarpey
Ron Hansen, Vice Chair

Commissioners Absent: Lissa Thiele

Also Present: Honorable Katherine Lucero, Superior Court
Honorable Julie Sylva, Superior Court
Marcelo Quinones, County Counsel's Office
Enrique Flores, Supervisor Cortese's Office
Elsa Jennings, Probation Department
Vone Kegarice, Probation Department
Ashante Hayes, Probation Department
Dolores Morales, Probation Department
Sean Rooney, Probation Department
Carl Tademaru, Probation Department
Zelia Fari-Coster, Sr MHPS, Behavioral Health
Veronica Robles, Behavioral Health, Mental Health Services
Behavioral Health, Alcohol and Drug Services
Carolyn Powell, District Attorney's Office
Nisreen B Younis, Public Defender's Office
David Epps, Alternate Defender's Office
Kevin Rudich, Alternate Defender's Office
Andrew Cain, LACY
Vincent Cabada, FLY
Dan Little, Department of Family and Children Services (DFCS)
David Putney, Santa Clara County Office of Education (SCCOE)
Francisco Hernandez, OMOS
Ruth Maurice, OMOS
Lt. Jason Ta, San Jose Police Department
Captain Dave Tindall, San Jose Police Department
Flores, Victim Offender Mediation Program
Ruby Gallato, VMC
Young Kim, VMC
Jim Davis, Public
Brian Walton, Public
Darius Parakh, Public
Steven Betts, Public
Rick Spencer, Public
Steve Eckert, CEO ARL

Call to Order & Introductions: Chair Pennypacker called the meeting to order at 12:16 p.m. All who were in attendance stated their names and organizations.

Agenda Approval:

Moved by Commissioner Tarpey and seconded by Commissioner BurtonBurke, to approve the agenda was approved unanimously.

Public Comments/Oral Petitions: None

Approval of Minutes:

Add year/date where a date is mentioned.

Moved by Commissioner Hansen and seconded by Commissioner Rhoads to approve the August 7, 2018 Minutes as modified, was approved unanimously.

Administration of Oath of Office: Judge Lucero administered the Oath of Office to Dante Duffel-Steen. Mr. Duffel-Steen has moved from Youth Commissioner to Commissioner.

Presentation: Juvenile Probation's Annual Report

Due to circumstances beyond control, the presentation was postponed.

REPORTS

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

- The Ranch Inspection Report and the LEA Inspection Report will be discussed in Executive Session for approval. Once approved, the reports will be posted on the JJC website.
- SB439 Establishing a minimum age of 12 for filing of criminal charges for serious offenses has been approved by both Houses and is awaiting signature.
- The RAIC and Group Home Committees remain active and are meeting monthly.
- JJC is in the process of interviewing to fill the now vacant Youth Commissioner position.

Juvenile Justice Court: Judge Lucero reported on the following:

- There will be training next week at noon which will deal with complex juvenile justice cases with a variety of panelists. MCL credits will be granted. Hope all system partners will attend. Superior Court was granted the Vera Institute technical assistance so that we are all going to be getting technical assistance from the National Group called Vera Institute for Justice. The goal is to eliminate the incarceration of girls in Santa Clara County with the caveat that there will likely always be some girls in custody for the more serious crimes. But for those who are low or

medium risk, there is hope to develop ample continuum of care options in the community when they cannot go home for some reason which is often the case for these girls. Monday, September 10, 2018 there will be a site visit from Vera. The Young Women's Freedom Center which is going to be located in San Jose, was granted \$200,000.00 for a start-up. That will be rolling that out and they are trying to formulate that process. The City of San Jose has committed a building. In San Francisco, the Young Women's Freedom Center has to pay \$14,000.00 a month for rent. The Young Women's Freedom Center will not have to pay rent here in San Jose. There is a lot of great work going on with gender responsiveness and they will find out more when the annual report becomes available. The Department of Probation did a full-scale overview of gender in the 2017 report.

Dependency Court: None.

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

- Things are going well with the community schools. There are approximately 24 students at the high school level and 7 at the middle school level. We will be opening up and servicing approximately 10 students in the study program for students who are chronically absent and have met with the DA's Office and District partners.
- Looking at expanding the Close Secondary Support with a college liaison at Blue Ridge and Juvenile Hall to help students who are planning on college.
- The sister program that is currently in place at Juvenile Hall and is run by Mary Miscate and is very successful.
- A new ICB certification program called Career Explorations has been added. The students will learn career options in 90-hour on-line program. They will learn career options.

Probation Department Juvenile Program: Nick Birchard reported on the following:

- New Deputy Chief Mike Simms will oversee the Juvenile Services Division.

Sean Rooney reported on the following:

- The population report for August 2018 was distributed. Population at Juvenile Hall is 117, with 100 males and 17 females. Ranch population is at 49, with 44 males and 5 females.
- July 2018 population report will be emailed to all.
- New items have been implemented in the Hall based on the review from the State BSCC.
- The appeals grievance process has been modified so that every youth who receives a major discipline of any weight at all is given a due process form. A copy will be provided to the youth.
- PBIS is moving forward with the schools. They are looking into how to train 187 staff and how to capture the data needed to be able to go back and look at the six (6)-month mark and one (1)-year mark to see if it is working and if positive reinforcement is actually changing the culture of the Hall but also affecting behavior. They are looking into whether they are seeing more discipline or seeing cooperation from the youth served.

Chair Pennypacker asked about the process that was put in place regarding the release of kids under the age of 12. Mr. Birchard said it is under revision. There is confusion around the Board's policy as well as the actual screening intake policy with 12 and under kids. They are trying to mirror the two. Mr. Rooney said each case is looked into based on charges and what is going on in the home life. Finding resources

can be difficult. From the admissions prospective, every possible avenue is looked into before a decision has been made. If the youth has to be housed they are looking at how to keep them safe.

Chair Pennypacker asked if the department is looking at after 439 is signed. Mr. Birchard said it is still waiting for the bill to be signed adding that it will have an impact. Ms. Younis said the bill is regarding youth under the age of twelve (12) adding there is an exception for murder and specified sex offenses. Ms. Younis does not feel it will impact them greatly. In terms of the 13 year olds; there was one case a young man was in custody for a long period of time due to competency issues. The competency protocol say that they are supposed to make best efforts. If they can deal with the competency issues while they are out of custody whether it is a Bill Wilson Center or somewhere else but if there is no alternative, those kids end up staying in Juvenile Hall.

Commissioner Rhoads asked for a status update on the proposed multi-systemic therapy program and if the funding was approved by the Board of Supervisors. Mr. Birchard said RFP is almost complete. An unidentified member said they will meet Friday, September 7, 2018 to work on the details to develop a contract on the vendor that was selected.

Commissioner Bunnett expressed her appreciation having the population report reflect Dorms and Pods data. Ms. Bunnett asked Carl Tandemaru if JJC could have a presentation on Direct Referral Program at a future meeting.

Commissioner BurtonBurke asked when the completion date will be on the new building at the Ranch. Mr. Birchard said they are still looking at the October/November 2018 date.

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

- The data report should be complete by the end of this week.
- The RAIC passed the inspection on August 24, 2018 and are waiting on the Fire clearance. Sheryl Thomas-Washburn, Program Manager at the RAIC, is starting Group Home training on September 5, 2018.

Judge Lucero asked for a status on Family Find Program. Mr. Little said they are currently working with a vendor with some rapid investment dollars to modify services provided regarding the Family Finding Program. They are working with Office of Contract Management to see if they need a modification or a new full RFP. They want more family-finding interventions available upfront to not only identify placement resources but supportive network connections for the families and youth.

Commissioner Blake asked about licensing that is still pending with the State. Mr. Little said the initial inspection passed on August 24, 2018 and are now waiting for the next step. They are also in the process of getting Sheryl Thomas-Washburn certified.

Commissioner Rhoads asked about the RFP for the additional facility that was to focus on repeat offenders. Mr. Little said because they do not have an official licensed shelter, they ran into some roadblocks regarding if they are allowed to do any type of RFP. Ms. Rhoads then asked if they received a three (3)-day license for the RAIC does it remove the barrier. Mr. Little said no because they still do not have someone applying for an RFP.

Commissioner Blake requested that JJC be part of the planning regarding the East Valley site. Mr. Little said that he would make sure JJC would be included.

An unknown member asked about the time-line regarding a moving to the new facility and if there is an ability to do extensions. Mr. Little said he has not seen an updated time frame.

Judge Lucero asked if he has worked with Unity Care or Bill Wilson Center regarding the extended shelter. Mr. Little said it was included that in their discussions.

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

- They have been down a few vacancies for the past couple of months. A Clinician has been hired and they have made two (2) other offers.

Chair Pennypacker asked if they were still providing mental health services due to being down three (3) vacancies. Ms. Robles said they have seventeen (17) total Clinicians that are designated to specific programs. The Clinician positions that they were down were assigned to provide direct services to youth in custody adding that they are tough positions to fill due to the schedule of Wednesday thru Saturday as well as Spanish speaking.

Commissioner Rhoads asked how services were being provided. Ms. Robles said that other Clinicians have been covering for the lack of staff and are specifically at Juvenile Hall.

Behavioral Health - Alcohol and Drug Services: No report.

Law Enforcement: No report.

Commissioner Gonzalez asked if SJPD has seen an uptake or a slowdown now that kids are back in school. Captain Tindall said he has seen a rise in violent crimes but does not have the numbers to indicate whether they are school or non-school crimes. Carjacking's, robberies, assault weapons and threats against schools are on the rise. Sgt. Lu said these crimes usually occur evening hours and weekends.

Ms. Younis said that over the weekend there was an article on a new Burglary Unit and is it focusing on youth. Captain Tindall said shift change occurs Sunday, September 9, 2018 and there will be a new unit called the Burglary Suppression Unit which is a group of covert burglary detectives and will work with Burglary Unit. They are not tasked with either adult or juveniles but rather burglaries occurring in certain areas.

District Attorney's Office, Juvenile Justice: No report.

Public Defender's Office: Nisreen B. Younis reported on the following:

- Ashante Mitchell is the new Community Outreach Attorney begins September 4, 2018. He will be focusing on informing the public about the records clearance process.

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

- SB1391 is still waiting for signature.

Independent Defender's Office: No report.

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

- Supervising Attorney Neha Marathe has stepped down from her position and is now part of the regular staff attorney rotation. A search to hire a replacement is in the process. Please direct any previous needs that had gone to Ms. Marathe to Andrew Cane.
- There is still an opening in the Dependency Unit practice.

Medical Services: Young Kim reported on the following:

- The State approved VMC's application and they will receive free condoms and reading material for HIV and STD prevention.

Victim Services Center: Ruth Maurice reported on the following:

- Ms. Maurice said they are no longer called Victim Services Center. They are now Office of Mediation and Ombuds Services
- Ms. Maurice introduced Francisco Hernandez who will bring Spanish language to Victim Offender Mediation Program.

YWCA Support Services: None.

Announcements/Correspondence: None

Old Business: None.

New Business: None.

Adjourn to Executive Session: Chair Pennypacker adjourned to Executive Session at 12:54 p.m.

Next Meeting: October 2, 2018, DA Crime Lab Conference Room, 250 W. Hedding St., San Jose, CA.

Respectfully submitted,

Barbara Crump