

**COUNTY OF SANTA CLARA  
JUVENILE JUSTICE COMMISSION  
DRAFT Meeting Minutes-September 3, 2019  
Santa Clara County Crime Lab  
250 W Hedding St  
San Jose, CA 95110**

**Commissioners Present:** Stephen Betts-Secretary  
Victoria BurtonBurke, Vice-Chair  
Penny Blake  
Dante Duffel-Steen  
Ron Hansen, Chair  
Carmen Montano

Darius Parakh  
Jean Pennypacker  
Carol Rhoads  
Vincent Tarpey  
Brian Walton

**Commissioners Absent:** Raymond Blockie, Manasa Kumarappan, Nora Manchester and Lissa Thiele

**Also Present:** Honorable Alloggiamento, Superior Court  
Honorable Frank Bondonno, Superior Court  
Honorable Frederick Chung, Superior Court  
Honorable Katherine Lucero, Superior Court  
Lindsey Cherpes, Superior Court  
Joanne Arranaga, Superior Court  
Enrique Flores, Supervisor Cortese's Office  
Nick Birchard, Probation Department  
Vone Kegarice, Probation Department  
Dolores Morales, Probation Department  
Sean Rooney, Probation Department  
Carl Tademaru, Probation Department  
Maureen Wheatly, Probation Department  
Vanessa Cornejo, Behavioral Health, Alcohol and Drug Services  
Daniel Gutierrez, Behavioral Health, Alcohol and Drug Services  
Karen Parsons, Behavioral Health, Alcohol and Drug Services  
Veronica Robles, Behavioral Health, Alcohol and Drug Services  
Rachel Talamentez, Behavioral Health, Alcohol and Drug Services  
Damon Silver, Public Defender's Office  
Nisreen Younis, Public Defender's Office  
David Epps, Alternate Defender's Office  
Karen Steiber, Independent Defender's Office  
Daniel Little, Department of Family and Children Services (DFCS)  
Naihla DeJesus, Santa Clara County Office of Education (COE)  
Marilyn, DeRouen, Santa Clara County Office of Education (COE)  
David Putney, Santa Clara County Office of Education (COE) (12:43)  
Jas Sohal, Santa Clara County Office of Education (COE)  
Steve Eckert, Alum Rock Counseling Center  
Vince Cabada, FLY  
Julie Cuevas, FLY  
Susie Rivera, FLY  
Miracle Teo, FLY  
Andrew Cain, Law Foundation

Francisco Hernandez, OMOS  
Ruth Maurice, OMOS  
Debbie Pell, Bill Wilson Center  
Tuyen Fiack, SV Faces  
Jasvinder Sohal (late)

**Call to Order & Introductions:** Chair Hansen called the meeting to order at 12:13 p.m. All who were in attendance stated their names and organizations.

**Agenda Approval:** Moved by Commissioner BurtonBurke and seconded by Commissioner Pennypacker, the agenda was approved unanimously.

**Public Comments/Oral Petitions:** None.

**Approval of Minutes:** Moved by Commissioner BurtonBurke and seconded by Commissioner Rhoads to approve the August 6, 2019 Minutes was approved unanimously.

**Presentation:** Fresh Lifelines for Youth (FLY) – Mission, Programs and Future Plans: Susie Rivera, Julie Cuevas and Miracle Teo.

Ms. Rivera gave an overview of the FLY program and its future plans. FLY serves Santa Clara, Alameda and San Mateo Counties. The mission of FLY is to prevent juvenile crime and incarceration through its Legal Education Program, Leadership Training Program and Mentor Program. There are two (2) other programs: Re-entry Services Program and work with the Annie E. Casey Foundation.

FLY served 2500 youth across the Bay Area last year, 1,400 of them in Santa Clara County. Many of the youth are returning to FLY after going through programs, high school and college for services but rather as mentors on the Youth Advisory Council or as staff, because they believe all kids deserve a chance. FLY partnered with Probation to launch a youth voice initiative in Santa Clara County. FLY's program has been so successful that other counties across the nation have sought it out in order to launch their own Youth Advisory Council.

Youth voice work is about young people who were in the system who now get to work in partnership with the system. Our state FLY work involves transitional age youth, and especially in this county, how to effectively work with them, bringing our legal curriculum and case management work.

When FLY started it relied heavily on funding from the government contracts and fellowship grants. FLY is now funded through about 50% foundations, 25-30% government contracts and 20% from 600 individual donors.

Julia Cuevas, Youth Advisory Council Manager for FLY

Miracle Teo, co-founder of the Youth Advisory Council as well as an ambassador for the council on Annie Casey Foundation National Council shared her story. Ms. Teo was involved in the Juvenile Justice system and soon entered FLY's Mentoring Program. Once she completed the program she continued to volunteer for FLY as an alumna.

The Youth Advisory Council focuses on the following:

- Youth voice being heard
- Being stewards of youth and helping them through the process
- One-on-one professional development coaching
- Multi-orientation
- Reducing recidivism and increasing education engagement

Questions and Answers:

Commissioner Montano asked what FLY does to address youth at risk due to peer pressure. Ms. Rivera said FLY not only connects with a positive adult role model but helps build different life-skills that they can practice and take back to the school community. FLY partners with many schools to build a community within schools and to create adult positive role models outside of FLY. These kids are surrounded by positive adult role models but may not see them as a positive role model. Case managers will do individual assessments and learn more about their home life, school life and community life.

Commissioner Montano asked if zero-tolerance mandates at schools are effective, as outcomes are different for schools without zero-tolerance. Ms. Rivera said FLY envisions a disruption of the prison pipeline. FLY will be serving over 25,000 youth in the State of California and to accomplish that they will be partnering with educators on how to set up youth for success. FLY is not seeing drop-out rates but rather push-out rates because youth are being pushed out due to the set-up of the structure that may result in that. .

Commissioner BurtonBurke asked about the aftercare program FLY has begun at the Ranch. Vince Cabada said the program is going well after about six (6) months with fifteen (15) youth active on their caseload. Referrals have picked up through working with probation officers and letting them know FLY is providing the aftercare service.

Ms. Younis asked what the recruitment process is for youth to have a voice on certain sub-committees. Ms. Cuevas said FLY has a rolling recruiting system by looking at the court calendar to see who is being dismissed and making contact through phone calls made by the youth who serve on the youth council. Each youth council member is asked to commit to one (1) year. Ms. Teo added the youth are given stipends for their time. Judge Lucero asked how court can interface with FLY. Ms. Cuevas said they are available and willing to help with the recruitment process.

## REPORTS

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

- Commissioner Dante Duffel-Steen has resigned from JJC due to being a full-time student at SJSU. Mister Duffel-Steen joined JJC as a youth commissioner, transitioned to an adult seat, has been an invaluable contributor and insightful commissioner. JJC wishes him well in his pursuits.
- JJC membership committee will be conducting interviews for Mr. Duffel-Steen's replacement. Please encourage any interested parties to apply. Membership applications can be found on the JJC page of the Superior Court website.
- JJC Commissioners met with Mario Maciel of the Mayor's Gang Prevention Task Force to learn more details about the program and its intentions moving forward.

**Juvenile Justice Court:** Judge Lucero reported on the following:

- Judge Lucero thanked Juvenile Probation for putting together the 2018 Juvenile Justice Annual Report and making sure everyone had input for the report. Judge Lucero said the report is an extraordinary information source and as everyone is doing amazing work in Santa Clara County, she encouraged all to download and read the report and take that in.
- Lyndsey Cherpes has finished law school and she will be around until December 2019, assisting the bench with research projects. She will be taking the BAR in February 2020.
- Katie A training will be September 11, 2019 from 12:00 pm to 1:30 pm at the Family Justice Courthouse on the 8<sup>th</sup> Floor. One unit of MCLE will be given and Probation will receive work-related credits.
- The Young Woman's Freedom Center is well on its way, having received 3 million dollars in funding as part of the youth reinvestment money. In October 2019 the center will be hiring formally involved justice youth to work and help with the youth research program.
- VERA, which has been providing technical support, is aiming up by year's end to reach zero incarceration for girls. They have finished a data pool for all girls incarcerated in 2018 and they will be giving a report at one of the JJC meetings. Strategic planning for year two will begin and will look more closely at Pathways and improving policy for girls coming back into custody. VERA has seen many EMP violations and wants to look more closely at whether the right girls are being held.

Judge Bondonno reported on the following:

- Judge Bondonno addressed the issue of difficulties in receiving psychological reports, saying they are now up-to-date. Judge Bondonno complimented Behavioral Health on a terrific job they do interviewing kids entering Juvenile Hall. They spend an hour and a half or more with these kids, learning many things about them which is very important. Much of what is learned is the same information they would get from the psychologist's report, less testing such as IQ and other tests. Behavioral Health felt they could not share that information due to a variety of bureaucratic issues and defense attorney objections. All the defense attorneys are agreeable to the idea that any recommendation for treatment should be given to judges as soon as possible. The plan is that by October 1, 2019 detention reports will include those recommendations.

There is a variety of other information attorneys feel should be kept confidential, and that information will be on a separate card at the attorney's discretion. Behavioral Health can do an integrated assessment of every kid within 10 days if they are in Juvenile Hall or 14 days if they are out of Juvenile Hall, which would be much like the 602 reports now received without the testing. These reports will be handled as confidential until the lawyer determines it is in the youth's best interest for the court to see the information. This should speed things up and allow the court to reduce requests for 602 reports by 40 percent or more.

**Dependency Court:** Judge Alloggiamento reported on the following:

- DIY team continues to work hard to find solutions for kids. Changes were made to the 241 reports with hopes they would get information necessary for judges in a more expedient manner. Judges Alloggiamento and Schwarz are just now seeing the reports and appreciate the changes, as do the social workers and probation officers.

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

- Community Schools are up and running with Gateway in Gilroy serving South County youth. Sunol Community School now has independent study for 34-35 chronically absent youth. There will be a 3-day break for professional development for teachers, focusing on quality first instruction and core academic materials.
- Students have moved into the new classrooms at the Ranch.

Chair Hansen asked about how the youth reception was moving into the new school. Dr. Putney said he thinks they like it and he reminds youth they have the nicest classrooms in Santa Clara County. Juvenile Probation and COE staff are working on the rotation because the facility is now larger than before. Kids are enjoying the culinary arts classes.

- Taking a group of educators down to Los Angeles County Office of Education to visit one of their culinary programs in San Dimas and in the Malibu area. They also plan to visit one of the culinary schools in Monterey County.

Commissioner BurtonBurke asked if, aside from the construction and welding classrooms, any of the old classrooms are still in use. Dr. Putney said they are using all of them. Culinary Arts is using one of the classrooms, Special Ed classroom is used as a conference room and also used with Probation moving students around the facility safely. The old math classroom also serves as a meeting area and administrative space. The repurposed classrooms are still being used for Science and Social Science. The portable is being redeveloped into an Arts and Media Entertainment classroom and will partner with Silicon Valley Creates to conduct art classes, with hope to eventually build it as an Arts, Media and Entertainment Career Technical Education Pathway.

**Probation Department Juvenile Program:** Carl Tademaru reported on the following:

- Juvenile Hall went through an intense 3-day PREA audit the last week of August 2019. The auditor looked at the operation of Juvenile Hall and the PREA Policies. A number of interviews were conducted with youth and staff in the Hall as well as interviews of some system partners. The results of the audit should be coming soon.

Maureen Wheatly reported on the following:

- Probation Manager Alex Villa, in conjunction ShaKenya Edison from the Eastside High School District began a 6-group series on Cross-Functional for Professionals to increase their support of youth, to divert and re-direct them out of system involvement and is a cross-system collaborative. A group of fifteen (15) (what? Educators?) and some FLY partners were part of the process. It is hoped a few more law enforcement agencies will join the process as well.
- NCYL put on a presentation for Probation Officers relative to educational rights. Judge Lucero is a part of a project aiming for court to send youth and their families a letter that can be taken to the school so they could get better assessment services.

Vone Kegarice reported on the following:

- Since the Multi-Systematic Therapy (MST) program began in April 2019, Seneca has hired 4 (counselors?) needed to run the program. They were able to add 5 families per caseload, which is the maximum they can take. As of September 3, 2019 they are down to 3 Counselors due to medical leave and will be returning in one month. A total of 25 youth have been screened since April 2019. Of the 25, they have accepted 13. They are looking at graduating 1 youth in October.

This is a short-term program from 3 to 5 months, geared towards younger youth under the age of 14. The priority is for youth coming into Juvenile Hall on serious offenses who meet the criteria, as well as the caregivers. A PowerPoint presentation on the MST program was given in March 2109. Ms. Kegarice will send the PowerPoint to the JJC.

Chair Hansen asked if there have been previous graduations. Ms. Kegarice said this will be the first graduation since the program started in April 2019.

Judge Lucero asked for clarification on the age of the youth, saying a 14 year old does not qualify. Ms. Kegarice said it is for 12-13-14 year olds but mostly geared for 13 years old, adding that they can turn 14 while in the program. Ms. Kegarice said they are re-working the criteria but will continue to use the program for under 14 year olds. Judge Lucero said in the PowerPoint that they were set up to be a probation referral only. It is hard when court is in the middle of something and it looks like the court has a candidate, like a 13 year old girl, and the judge is forbidden to ask for a screening. Ms. Kegarice said there is nothing forbidding a judge to ask for a referral to be screened but we ask that the judges do not order into the MST program.

Nick Birchard reported on the following:

- The population report for August 2019 was distributed. Population at Juvenile Hall is 117, with 98 males and 19 females. Ranch population is at 54, with 46 males and 8 females.
- Mr. Birchard, Dr. Putney, Ms. Morales met with David Bini, CEO of all 23 Building Trades Unions in Santa Clara and San Benito Counties to discuss options and building a relationship with them outside general construction with all the different trades. A site visit is scheduled to meet with the local Operating Engineers Training Center to discuss options and opportunities with all the trade unions.
- The option of the Riverside County program is a discussion that keeps coming up in probably all 3 courtrooms but it is still in discussion but they are getting closer to the ability to use that option. Mr. Birchard and Mr. Tadamaru will be attending a meeting to discuss logistics of the program. Mr. Birchard asked for everyone's patience.

Commissioner BurtonBurke asked for an overview of the Riverside County discussions. Mr. Birchard said it is another opportunity for our youth that can no longer use certain placements, and Riverside is for higher-end youth and is willing to accept these youth, including youth over the age of 18, depending on their eligibility and suitability for their program. Santa Clara County does not have this option.

Judge Lucero asked if it is a DJJ alternative. Mr. Birchard said he prefers not to call it a DJJ alternative because it will include other offenses that may have not gone to DJJ and they may not have been eligible for the Ranch. It is not necessarily an alternative to DJJ but rather just another option.

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

- Mr. Little does not have an update for the location of the RAIC.
- For the month of August Mr. Little facilitated a weekly steering committee including DFCS staff, Behavioral Health, SSA, Facilities, and Finance, along with weekly work groups to look at the present issues seen with care and supervision of youth at the facilities and how to meet the needs of staff. The result of the meetings is a number of updated policies and procedures now being implemented. They have done some things with the physical space but there are limitations because the County leases the building and can change some of the set-ups, but cannot make structural changes. They were able to move staff that are not shelter staff out of the Enborg

building and into the Julian campus, which freed up a large piece of space. Facilities is now working to set up the front room for additional living room area to offer separate age-space living areas with TVs and games. They provided a list to Facilities of items to purchase to help engage some of the youth with all-age games, electronic games, and remote control cars, as well as developing an on-going list of recreational activities that can be implemented with the help of Finance to obtain passes to parks, zoos and movies. A request has been made for an extra-help recreation coordinator to assist in making it all happen. We cannot divert children from having to reside at the physical shelter, but when they are at the shelter there will be more structured recreational activities. Beginning in September 2019, the steering committee will meet bi-monthly to help provide oversight on what are they doing with the actual programming and incorporate feedback from the kids as well as staff.

Commissioner Montano asked if youth were being surveyed on what they would like to see. Mr. Little said they have not done a formal survey but some staff from The Hub have been collecting feedback.

Judge Lucero asked for a CCR update on Group Homes. Mr. Little said the Group Home population has continued to decrease, adding that Group Homes have received an extension to the end of 2019. DFCS had to submit to the State an individual child-specific condition plan in order to get an extension for each child. The other way a facility got an extension is if the facility is transitioning to one of the STRTP facilities. If they submitted in their paperwork for an application(for an extension?), the State was granting them. If they were not, then DFCS had to submit child-specific transition plans. DFCS is doing some work with its providers to see, within the community, how they can build professional parent-type homes. Mr. Little said he still facilitates regular multi-disciplinarian staffing for youth who are in the high level of care to make sure they have transition plans which include Family Find. DFCS has a program that started under its Family Support Bureau with four (4) extra-help social workers brought in to do Family Finding. Mr. Little said he is working on a plan to bring in a program manager who will be responsible for everything. The internal Family Finding will work in conjunction with Seneca to do Family Finding on the very front end to build support whether they are looking for placements or for relatives.

Commissioner Pennypacker asked for clarification, as she heard in the CCR meeting that Bill Wilson and JT are not going for STRTP application and therefore cannot take any new placements in their group homes. The only other one they mentioned, Advent, is the only one going for an STRTP and it is taking replacements. Mr. Little said there are other Group Homes State-wide but he is unsure if there are any ones locally. Judge Lucero said she thought she heard Bill Wilson is merging with Uplift. Debbie Pell from Bill Wilson said they are not merging as they are a subsidiary, a stand-alone, adding there is no STRTP at Uplift anymore. Rebekah's is the only one with five (5) male beds. Mr. Little said the issue with the capacity for local STRTP's is something they are working on with Behavioral Health. Judge Bondonno asked for clarification, saying the county virtually has nothing for in-county STRTP's. Judge Lucero asked if DFCS is beefing up other resources by Professional Parent and Family Find. Mr. Little said the idea is to find another place to provide therapeutic intervention.

**Behavioral Health - Mental Health Services:** Rachel Talamantez reported on the following:

- Part of the local process at Juvenile Hall is to provide a full assessment for any youth there from thirty (30) to sixty (60) days, the typical process mandated by Medical protocol. Upon entry to Juvenile Hall there is a screening that is different from a fully integrated assessment. Veronica Robles and her team have been working very hard along with the lead clinicians to navigate a process to provide an integrated assessment to all youth who stay at Juvenile Hall for fourteen (14) to twenty-one (21) days. For youth released from Juvenile Hall before that time, community-

based organizations would provide the assessment, which is standard protocol. There will be a series of trainings and support for the clinical team for this process in the month of October 2019.

- They are working on how to appropriately share information Behavioral Health has with their partners, particularly when it can be helpful making decisions on safety and health for youth in Juvenile Hall. They have a proposed plan and are currently scheduling a meeting with public defense attorneys, DA's Office, Probation partners, judges and County Counsel to talk more specifically about the sharing of information.
- A tremendous amount of focus has been placed on the DIY program. New manager Michelle Hoff has been overseeing the program since March 2019, focusing on supporting advocates who have ended up in an advocacy role as well as a community worker role. They have re-navigated their roles to ensure they are supporting youth advocacy and anything more service provision in nature has been re-assigned to other team members to ensure advocates are fully dedicated to supporting the youth.

Judge Lucero asked that when the integrated assessment begins on November 1, 2019 does it eliminate the need for a SUTs assessment . Ms. Talamantez said court-ordered assessment will no longer be needed, adding that they are still working out the piece in terms of sharing the conviction.

Judge Bondonno asked if delivery dates will still be October 1, 2019 and November 1, 2019. Ms. Talamantez said that is her hope, but says they still need to be sure all partners are on the same page, that they cannot move forward without County Counsel approval and/or the attorneys being on board.

Judge Lucero added the significant point is that all agree they should be sealed until shared with the court. Ms. Talamantez said she thought that is the idea previously discussed about the information going directly to Probation and then released to the Court by Probation. The plan is for the information to go to the youth's attorney, who will make a decision whether or not it is the youth's best interest for the information to be released. This process is still in discussion.

### **Behavioral Health - Alcohol and Drug Services:**

Daniel Gutierrez reported on the following:

- They are extending their media campaign weekend ?influencer?, adding that over the summer they have been hitting social media as well.
- A combined grant with the treatment side was given to expand services for opioid use among the youth. There will be a media campaign and development of tool kits for community providers and the medical community.

Karen Parsons reported on the following:

- Services are being provided at the new Gateway School in Gilroy as well as working to help Escuela Popular, a Charter School, which focuses on ESL and migrant education. They are part of the treatment portion of the opioid grant. It is the hope to hire a community worker to help with things like transportation and case management.

**Law Enforcement:** None.

**District Attorney's Office, Juvenile Justice:** None.



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

- On September 12, 2019 Judge Alloggiamento, Chris Bijouz, DIY Under 14 Committee co-chair, and NCYL and Burns Institutes are presenting to the Police Chief's Association a proposed protocol for consideration with respect to SB439, the law setting the minimum age for youth prosecution at age twelve (12.) The proposal has been submitted to all partners and will be shared with law enforcement, before the Chief's meeting so it can be discussed.

**Alternate Defender's Office:** No report.

**Independent Defender's Office:** No report.

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

**Medical Services:** None.

**Office of Mediation and Ombuds Services:** No report.

**Announcements/Correspondence:** None.

**Old Business:** None.

**New Business:** None.

**Adjourn to Executive Session:** Chair Hansen adjourned to Executive Session at 1:19 p.m.

**Next Meeting:** October 1, 2019, DA Crime Lab Conference Room, 250 W. Hedding St., San Jose, CA.

Respectfully submitted,

Barbara Crump