

Juvenile Justice Commission

County of Santa Clara

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SANTA CLARA COUNTY JUVENILE JUSTICE COMMISSION FY 2019-2021 ANNUAL REPORT June 30, 2021

The Juvenile Justice Commission of Santa Clara County (JJC) is a state-mandated, court-appointed authority.¹ The broad purpose of the JJC is to inquire into the administration of the juvenile court law in the County.² The JJC is dedicated to the promotion of an effective juvenile justice system operated in an environment of credibility, dignity, equity, and respect for the youth of Santa Clara County.

IMPACT OF COVID-19 ON COMMISSION ACTIVITIES

As with every other individual, family, group, and agency around the world, the COVID-19 pandemic necessitated a complete restructuring of the JJC's activities. The County's March 2020 Shelter-in-Place order prevented our monthly public meetings, facility inspections, agency reviews, and various JJC committee meetings from continuing in-person. While not having foreseen such a situation, the Commission transitioned to on-line formats for almost all activities. Using the Zoom™ application, by May 2020, all JJC meetings – the monthly Public and various committee meetings – were being held on-line. With the assistance of Probation's facility managers, the Juvenile Hall and James Ranch inspections were conducted virtually. It was also during this period in early 2020 that five new Commissioners were seated. Fortunately, due to vaccines and recently relaxed social distancing restrictions, the full Commission has just recently been able to see one another in person rather than via a computer screen. In all, the JJC has continued to meet, deliberate, and move forward with its goals and objectives. Owing to COVID-19, a 2019-2020 annual report was not published, therefore this report covers the fiscal years 2019-2020 and 2020-2021.

COMMISSION MEMBERSHIP

The Juvenile Justice Commission of Santa Clara County is comprised of 15 volunteers, two of whom are youth commissioners between the ages of 14 and 21.³ The adult commissioners are sworn to four-year terms, and the youth commissioners to two-year terms. All commissioners are residents of the County. The following are the names of the Commissioners currently serving on the JJC:

Ronald Hansen, Chair
Victoria BurtonBurke, Vice Chair

¹ Welfare and Institutions Code (WIC) 225

² WIC 229

³ WIC 225

Stephen Betts, Secretary
Jean Pennypacker, Past Chair
Lionel (Lon) Allan
Heather Angove
Penny Blake
Paula Escobar, Youth
Lisa Macias
Nora Manchester
Darius Parakh, Youth
Carol Rhoads
Vaishali Sirkay
Lissa Thiele
Diana Traub

Since the previous Annual Report, four Adult Commissioners - Ray Blockie, Vincent Tarpey, Carmen Montano, and Brian Walton - left the JJC. Youth Commissioner Mila Eliashberg left the Commission and Paula Escobar was appointed to the Youth Commissioner vacancy.

The JJC strives to be representative of the community. To achieve such diversity, the JJC reached out to various organizations throughout the County and promoted JJC service at public forums.

GOALS AND OBJECTIVES 2019-2021

The JJC established goals and objectives for fiscal year (FY) 2019-2020 and FY 2020-2021. These goals and objectives were crafted with the intent to collaborate with juvenile justice and dependency systems partners to influence system improvements at both the county and statewide level. The following identifies the combined goals and objectives, and the actions the JJC took to achieve these goals:

1. [2019-2020 and 2020-2021] Complete all scheduled inspections by June 30, 2020 and June 30, 2021. The Chair of each inspection committee reports in Executive Session the status of all inspection recommendations within 180 days from report publication.

Due to the Shelter-in-Place “SIP” order issued by the Santa Clara County Public Health Department, conducting in-person inspections during 2020-2021 was largely impossible. However, with the cooperation of Probation, the County Office of Education Alternative Education Department, and Custody Health, plus the benefit of hand-held phone cameras, facility inspections did occur. In addition, with the assistance of Probation, youth surveys were distributed, completed by the youth, and were analyzed. The JJC received responses to their report recommendations.

- **RAIC (Receiving, Assessment and Intake Center):** With the closure of the RAIC, the Department of Family and Children Services (DFCS) activated the Keiki facility as well as several scattered sites, with the goal of identifying a family placement for every child within 24 hours. Limited by Keiki and the scattered sites not being licensed for youth stays exceeding 24 hours, and with no group homes available (see the next section), this arrangement did resolve the issue of inappropriate mixing of youth by age and status - dependents and non-dependents - but stays over 24 hours remained.

The JJC continued to inspect and report on Keiki and scattered sites, to ensure that appropriate services were being offered to youth. In addition, and especially beginning March 2020, the JJC remained in close contact with DFCS to ascertain the operational impact due to COVID-19.

DFCS, in attempting to better address the issue of overstays as noted above, established The Welcoming Center and, with the Department of Behavioral Services, awarded a contract to Seneca Services to provide staff and services for youth brought to The Welcoming Center. In addition, Seneca is establishing facilities to accommodate those youth or sibling groups with unique needs. The Welcoming Center, after several delays, was granted its license by the State.

- **Group Homes:** Among other things, California's Continuum of Care Reform legislation required a focus shift from congregate care to family placement. This resulted in the closure of many group homes throughout the State. Consequently, the JJC merged the RAIC and Group Home Committees, reconvening as the Continuum of Care Committee. It has monitored, inspected, and reported on Keiki and the scattered sites, and after The Welcoming Center became operational, visited it as well. Carol Rhoads and Penny Blake are co-chairing this committee.

In early 2021, the Board of Supervisors requested that the JJC, through its Continuum of Care Committee, work with a consultant, Research Development Associates (RDA), and others on an evaluation plan for The Welcoming Center, to monitor and assess youth and family outcomes. This work has been underway for several months.

- **LEA Temporary Detention Facilities Inspection:** The inspection report for calendar year 2019 was published on October 6, 2020. Due to COVID-19, the BSCC-provided list of facilities requiring inspection was delayed, which subsequently delayed the JJC inspection process. Even so, the JJC elected to conduct its inspection of LEA facilities in-person. Similarly, the BSCC list of facilities for 2020 was again delayed due to COVID-19. The calendar year 2020 inspection is underway with its report expected to be completed by September 2021. Nora Manchester is continuing to chair the LEA Inspection Committee.
- **Juvenile Hall:** The inspection report for FY 2019-20 was published on June 9, 2020. The inspection report for fiscal year 2020-21 was published on May 19, 2021. Stephen Betts was the Chair of the Juvenile Hall Inspection Committee for both reports. Probation and COE provided appropriate responses to the 2019-20 report recommendations. Responses from Probation and COE to the 2020-21 report recommendations are anticipated.
- **James Ranch:** Due to the significant building projects at the James Ranch, the FY 2018-19 James Ranch Inspection Report was published in two phases, and consequently the second phase became the inspection report for FY 2019-2020. Phase One was published on July 9, 2019, and Phase Two on October 8, 2020. The James Ranch Inspection Committee chairs were Ray Blockie and Victoria BurtonBurke, respectively. The Probation Department and COE provided responses to the reports' recommendations. The James Ranch inspection for FY 2020-2021 will commence in July 2021.

2. [2019-2020 and 2020-2021] Monitor and report bi-monthly to the Juvenile Justice Commission all Incident Reports (IR's) filed in Juvenile Hall and the James Ranch.

- Commissioners continue to monitor Incident Reports and inform the JJC of any findings that require additional attention.
- The JJC also receives the monthly Salient Features Report from Probation, summarizing the IRs for Juvenile Hall and James Ranch

3. [2019-2020] Examine education in the Juvenile Justice System.

- After a two-year inquiry, the Juvenile Justice Education Committee in May 2020 published "Education for Probation Youth". It included nine recommendations for improving educational outcomes for juvenile justice youth. Subsequently, the committee met with the Superintendent of

the County Office of Education (COE) and members of her management staff to discuss the findings and recommendations.

- Regrettably, the onset of COVID-19 brought the educational program at Juvenile Hall and James Ranch to a near standstill. The committee continued its engagement with the COE to monitor the situation, and to reinforce the obligation to provide robust and meaningful educational services despite the limitations due to COVID-19. This dialog is continuing.

4. [2019-2020] Lead and engage other stakeholders to ensure that the RAIC is safe, effective, and child-focused, and provides healing and informed services.

- As discussed previously in the report, this objective was merged into Item 1, above.

5. [2019-2020 and 2020-2021] Monitor the implementation of Continuum of Care Reform Act (CCRA) and the Family First Prevention Services Act (FFPSA).

- Although the date established by the State for the closure of group homes was set to be the end of 2017, the final closure of all homes was the end of 2019. Aside from facilities for Developmentally Disabled youth, there are currently no group homes in the County.
- Commissioners attend the monthly meeting of the Continuum of Care Committee chaired by DFCS. These meetings provide opportunities to learn more about the status of CCRA and the challenges of placing youth, plus the efforts at the State level to respond to the complications in the implementation of CCRA. In addition, representatives from service and placement providers and resource family agencies attend and offer their perspectives on the transition.
- A quarterly meeting schedule was established and continues with the DFCS Director to provide an opportunity for the JJC to share concerns and learn more about DFCS initiatives.

6. [2019-2020 and 2020-2021] Respond to emerging needs and issues through ad hoc committees.

- One of the outcomes of the Education Committee’s examination of education in the juvenile justice system was the sharpened understanding that educational intervention must be far earlier than when a young person enters Juvenile Hall. In fact, early educational support is usually one of several early supports needed by the youth and their family. The lack of these supports contributes to the ongoing ethnic and racial disparities present in the juvenile justice system.

Consequently, in the fall of 2020, a group of commissioners met to identify items “upstream” of the juvenile justice system on which to focus as well as to identify potential allies in this work. The result was the establishment of an ad hoc **Disproportionality Committee**, chaired by Carol Rhoads, and the publication by the JJC of a *Resolution on Disproportionality in the Juvenile Justice System* (Nov 2019). The JJC pledged to

“...support and actively promote initiatives fostering healthier ecosystems for our children, to disrupt the prison pipeline upstream of the dependency and justice systems, by advocating:

- Public and private investment in an organic community restoration and empowerment paradigm (reducing the need for enforcement and system services)
- Collective advancement of community-led, strength-based approaches centered in our communities and schools.”

Following the George Floyd murder in May 2020 and the subsequent events of racial reckoning throughout the nation, the Disproportionality Committee elected to broaden its purview and redefine itself as a standing **Equity and Justice Committee**, still chaired by Carol Rhoads. Originating from discussion in the committee, in June 2020, the JJC published its *Statement Commemorating Juneteenth and Black Lives Matter*. In addition, the JJC committed itself to

conduct its inspections through the lens of equity and justice and to use the same foundation when drafting its reports.

In alignment with the JJC's commitment to look upstream of the juvenile justice system for areas that can negatively impact youth of color (and hence contribute to disproportionality), the committee identified the role that law enforcement or School Resource Officers (collectively, SROs) being stationed on school campuses can play in this. The committee conducted an inquiry into the benefits and liabilities of SROs. The result was a JJC report, published December 2020, entitled *School Policing and School Resource Officers: Considerations and Recommendations*. The report included five recommendations that school leaders should consider. As a result of the report, the JJC was invited to present its research and findings at the Santa Clara County School Boards Association's March and May 2021 meetings and has engaged with school districts considering this matter.

The JJC frequently receives requests asking for its support of various state and local legislation affecting youth. Due to a lack of familiarity with the various issues involved, the JJC has usually demurred from expressing a position. However, in line with its commitment to look at policies and practices, frequently defined by legislation, the JJC established a standing **Legislation Committee**, chaired by Lon Allan, to review and recommend for JJC support pending legislation that comes to the attention of the JJC. While not expected to author reports, the committee is an important resource for the full commission.

7. [2019-2020 and 2020-2021] Conduct a planning meeting at the beginning of the fiscal year to establish goals and objectives, review By-Laws and Policies and Procedure and meet with the Presiding Judge of the Juvenile Court to discuss the purpose of the JJC and report on issues of interest.

- The JJC held its annual planning meetings on July 2, 2019, and July 7, 2020, during which it reviewed past goals and established new goals, as well as developed plans, presentations, and activities for the coming year.

8. [2019-2020 and 2020-2021] Schedule regular meetings with the Board of Supervisors President to review Commission activities and discuss current juvenile justice and child welfare issues.

- At the request of the JJC, commissioners met with the aides to the Board President as well as other Supervisors to discuss matters of concern related to youth in the justice and dependency systems. In addition, as individual legislative matters came before the Board or Board Committees, aides requested input from the JJC in letter format as well as in person, as appropriate.

9. [2019-2020 and 2020-2021] Inform the Juvenile Justice Commission and partners on juvenile justice and child welfare issues through presentations by partners and experts in order to promote collaborative solutions.

- During FY 2019-2020, the JJC arranged five presentations for its **public meeting**.
 - *Fresh Lifelines for Youth (FLY) – Mission, Programs and Future Plans*, presented by Susie Rivera, Julie Cuevas, and Miracle Teo (9/3/2019)
 - *2018 Juvenile Justice Annual Report*, presented by Morena Cruz, Santa Clara County Juvenile Probation (10/1/2020)
 - *SB 439 – 11 and Under Protocol*, Chris Bijoux, Judge Alloggiamento, and Nisreen Younis (11/5/2019)
 - *The Office of Mediation and OMBUDS Services (OMOS)*, presented by Katja DeGroot, Francisco Hernandez, Ruth Maurice, and Elizabeth Williams (12/3/2019)

- *Reimagining Juvenile Justice, Santa Clara County*, presented by Alex Villa, Probation Department (2/4/2020)
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- During FY 2020-2021, the JJC arranged nine presentations for its **public meeting**.
 - *Initiative to end Girls' Incarceration*, presented by Hannah Green, VERA Institute of Justice (9/1/2020)
 - *2019 Juvenile Justice Annual Report*, presented by Morena Cruz, Santa Clara County Juvenile Probation (10/6/2020)
 - *Bill Wilson Center's Safety Net Shelter*, presented by Debbie Pell, Bill Wilson Center (11/3/2020)
 - *"School Push-Out and Racial Inequality"* presented by Joanna Lowry (W. Haywood Burns Institute) and Darya Larizadeh (National Center for Youth Law). (12/1/2020)
 - *"JusticeEd Initiative"* presented by Joy Hernandez (National Center for Youth Law) (1/4/2021)
 - *Children's Advocacy Center* presented by James Gibbons-Shapiro, DA's Office (3/2/2021)
 - *San Andreas Regional Center (SARC)*, presented by Janet Juarez, District Manager Intake Department of San Andreas Regional Center (4/6/2021)
 - *Changes to Juvenile Housing- Welfare & Institutions Code 208*, presented by Mona Williams, Ann Huntley, and Nisreen Younis (5/4/2021)
 - *LGBTQ Services at the Department of Family and Children's Services*, presented by Kelly Cavolo (6/1/2021)
- During FY 2019-2020, the JJC held five presentations/conversations at its **Executive Session**.
 - *Status of Title 15 update implementation* – Sean Rooney (Hall), Robert Young (Ranch) (9/3/19)
 - *BH Programs at JH & Ranch* – HHS Services (11/5/19)
 - *Mayor's Gang Prevention Task Force* – Mario Maciel, Mgr, MGPTF (12/3/19)
 - *Probation Data Collection, Outcome Data* – Dr. Holly Child, Probation R&D (2/4/20)
 - *Conversation with Probation Chief Laura Garnette* (3/3/20)
- During FY 2020-2021, the JJC held four presentations/conversations at its **Executive Session**.
 - *Conversation with Probation Chief Laura Garnette* (12/1/20)
 - *CSEC (Commercially Sexually Exploited Children) Update* – Jennifer Anguiano, Probation, & Ronni Smith, DFCS (2/2/21)
 - *Probation Data Management Update and Data Interpretation* – Dr Holy Child (5/4/21)
 - *Conversation with Probation Deputy Chief Nick Birchard* (6/1/21)

10. [2019-2020 and 2020-2021] Improve internal administrative functions and use of technology

- The **Operations Committee** reviewed all of the JJC Policies and Procedures and By-Laws and submitted proposed revisions to the JJC for approval. Final approval is still pending.

11. [2019-2020 and 2020-2021] Execute a recruitment system for new commissioners.

- The JJC connected with and solicited applications from La Raza Roundtable, National Coalition of 100 Black Women – Silicon Valley Chapter, and participants from Teen Court.
- The JJC continues to reach out to organizations in the County to request time on their agendas to introduce the Commission and encourage interested parties to apply.

OTHER ACTIVITIES

1. Meetings to Discuss Topics of Interest

As reported above, the JJC met informally in Executive Session with several agency leaders to frankly discuss new developments or concerns.

2. Meeting with Supervising Judges in Juvenile Justice and Dependency Divisions. Due to the restrictions and related complications related to COVID-19, formal meetings with the Court did not occur. However, the Court was available for consultation on specific matters as they arose and to provide updates on ongoing and future JJC projects

3. Participation in Special Ad-Hoc Committees to address specific issues. JJC commissioners participated as members in the follow committees:

- **Child Advocacy Center – CAC.** The JJC continued to join other system partners and medical professionals to explore the opening of a Santa Clara County CAC. The result was the opening of the CAC in June 2021.

4. Data Analysis of Population Trends for Juvenile Hall Detainees. The JJC continues to monitor the daily Juvenile Hall and James Ranch population numbers. One commissioner continues to review and analyze the data to determine trends and submits periodic reports to the JJC for discussion and possible inquiry.

5. Training Sessions. JJC Commissioners attended various local and regional training sessions offered through the Court, County agencies, and other Community-based Organizations.

JUVENILE JUSTICE AND DEPENDENCY COMMITTEE MEETING PARTICIPATION – FY 2019-2020 and 2020-2021

One or more JJC Commissioners regularly attend or was a member of the following committees within the juvenile justice and dependency systems. While some of these committee meetings were suspended due to COVID-19, some continued to meet virtually.

- Behavioral Health Board Adolescent’s and Children’s Committee
- Board of Supervisors - when a topic of interest is on the agenda.
- Board of Supervisors, Children, Seniors & Family Committee - when a topic of interest is on the agenda.
- Board of Supervisors, Public Safety & Justice Committee - when a topic of interest is on the agenda.
- CBO & Juvenile Justice Stakeholder Meeting (NCYL)
- Child Abuse Prevention Council
 - Inter-Agency Collaborative Committee
- Child Advocacy Center planning committee
- Children’s Agenda Network
- Commercially Sexually Exploited Children (CSEC) Committee
- Community Corrections Partnership
- Cultural Competency Advisory Council Countywide
- Dependency Permanency Planning
- Dependency Systems
- Dually Involved Youth Steering Committee
 - Legal Subcommittee
 - Youth Under 14

- Gender Responsive Taskforce
 - Juvenile Court Aligned Action Network
 - Juvenile Justice Coordinating Council
 - Juvenile Justice System Collaborative (JJSC)
 - Race Equity in Justice Systems Workgroup – temporarily suspended due to COVID-19
 - Racial Equity through Prevention Workgroup – temporarily suspended due to COVID-19
 - South County Youth Task Force Policy Team
 - Silicon Valley Council of Nonprofits
 - Social Services Advisory Commission
 - Transitional Age Youth Task Force
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JJC COMMITTEE ASSIGNMENTS for FY 2020-2021

Executive Committee

Ron Hansen, Chair
Victoria BurtonBurke, Vice Chair
Stephen Betts, Secretary
Jean Pennypacker, Past Chair

Membership Committee

Victoria BurtonBurke, Chair
Penny Blake
Shali Sirkay

Nominating Committee

Jean Pennypacker, Chair
Nora Manchester
Penny Blake

Continuum of Care Inspection Committee

Penny Blake, Co-Chair
Carol Rhoads, Co-Chair
Stephen Betts
Lisa Macias
Victoria BurtonBurke
Nora Manchester
Darius Parakh
Jean Pennypacker

Law Enforcement Agencies Facility Inspection

Nora Manchester, Chair
All Commissioners

Juvenile Hall Inspection Committee

Stephen Betts, Chair
Heather Angove
Ron Hansen
Nora Manchester
Darius Parakh
Jean Pennypacker
Lissa Thiele
Paula Escobar
Diana Traub
Shali Sirkay

Recruitment Committee

Jean Pennypacker, Chair
Ron Hansen
Victoria BurtonBurke

James Ranch Inspection Committee

Victoria BurtonBurke, Chair
Carol Rhoads
Lon Allan
Heather Angove
Jean Pennypacker
Darius Parakh
Stephen Betts
Shali Sirkay
Paula Escobar

Incident Report / Grievance Review Committee

Lissa Thiele, Chair
Lon Allan
Diana Traub

Operational Improvements Committee

Jean Pennypacker, Chair
Penny Blake
Victoria BurtonBurke
Heather Angove

Juvenile Justice Education Committee

Shali Sirkay, Chair
Victoria BurtonBurke
Heather Angove
Lisa Macias
Ron Hansen
Darius Parakh
Lon Allan

Legislative Committee

Lon Allan, Chair
Ron Hansen
Heather Angove
Diana Traub

Equity and Justice Committee

Carol Rhoads, Chair
Penny Blake
Lisa Macias
Shali Sirkay
Stephen Betts
Paula Escobar

Submitted by:

Ron Hansen

Ron Hansen, 2019-2021 Chair

Date: Aug. 3, 2021