

MINUTES - AMENDED
State Advisory Committee on Juvenile Justice and Delinquency Prevention
July 30, 2014

Board of State and Community Corrections
660 Bercut Drive
Sacramento, CA 95811

The State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP) meeting was called to order at 10:06 a.m.

The following Committee members were in attendance:

Ms. Sandra McBrayer, Chair
Honorable Nancy O'Malley

Mr. James Anderson

Honorable Brian Back

Agenda Item A **Approval of the SACJJDP January and April 2014 Meeting Minutes**

As a quorum was not present, the SACJJDP's meeting minutes from January 22, 2014 and April 22, 2014 could not be approved. As such, the minutes were tabled for approval until the SACJJDP's next meeting. Chair Sandra McBrayer began the meeting recognizing that a quorum was not reached. She stated that a quorum was confirmed in the days prior to the meeting and that she would be contacting members regarding their responsibilities, including attendance. She also apologized to the Committee members present and Board of State and Community Corrections (BSCC) staff. Chair McBrayer then welcomed and introduced the SACJJDP's newest committee member, Mr. James Anderson, a Program Administrator with the Anti-Recidivism Coalition. Mr. Anderson stated that he has been involved with this work deeply for the past two years and that it was a pleasure to be able to serve on the SACJJDP.

Agenda Item B **Chair and Staff Updates**

Chair McBrayer updated the Committee on the Coalition of Juvenile Justice (CJJ) meeting in June 2014. The CJJ is the only juvenile justice entity on the national level with representatives from all states. At the June 2014 meeting, they approved tenets to improve juvenile outcomes in our justice system. The CJJ tenets are very similar to the principles for positive youth outcomes that the SACJJDP recently approved. The tenets will be used to see if proposed legislation and funding will foster positive outcomes for youth. At the June 2014 CJJ meeting, the Office of Juvenile Justice and Delinquency Prevention's (OJJDP) new administrator announced that there will be new guidelines for reporting minors in detention within all secure and non-secure facilities. Thankfully, here in California, the BSCC already has oversight and does inspections on all secure and non-secure facilities. Another issue Chair McBrayer wanted to highlight was a study to be conducted by San Diego County. This study will conduct a social autopsy to look at services provided to at-risk youth before incarceration. Doing so will provide insight on how to better match youth at high risk of entering the system with available programs and services. The study will have access to the case file history of youth entering San Diego County's justice system within the last 18 months. Chair McBrayer continued her update to the Committee with a notice she received regarding a civil complaint filed by multiple community-based organizations. The civil complaint was sent to the Civil Rights Division of the Department of Justice and was against the overuse of pepper spray on youth.

Mr. William Crout, Deputy Director with the BSCC, clarified the BSCC's role within the scope of these kinds of incidents. The BSCC does not have sanctioned authority to compel or direct local agencies to comply with changes to local policies regarding the effective use of force or the number of acceptable uses of force. The BSCC provides prescriptive standards for safety cells, safety checks, and staffing requirements. Counties can disregard the BSCC's advice and ultimately they are responsible for action taken against them. He wanted to go on the record in regard to the BSCC's role with this incident.

Judge Brian Back commented that he was confused about the Committee's role on this issue. He pointed out that as a State Advisory Committee, the Committee should be able to advise the state to do something about this kind of behavior. He expressed outrage stemming from the events that occurred within the report and deliberated about the types of actions the Committee could take to enact change. The Committee then concurred that it was best to address this subject on a policy level rather than respond to an individual county. This topic will be placed on the October 2014 agenda.

Chair McBrayer then updated the Committee on the Prison Rape Elimination Act (PREA). She stated that the OJJDP will be developing new guidelines and funding to states to help implement PREA standards.

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Mr. Crout then introduced Field Representative Helen Zentner, who updated the Committee on the Mentally Ill Offender Crime Reduction (MIOCR) grant. Ms. Zentner told the Committee that there will be \$9 million to fund programs for juveniles over the next three years. Awarded grantees will begin their programs on July 1, 2015. Chair McBryer asked if the funding was \$9 million annually or \$9 million spread out over the next three years. Legislation will address this in the months to come and the SACJJDP will be notified accordingly. Chair McBryer also stated that the SACJJDP will be making recommendations on membership for the MICOR Executive Steering Committee (ESC).

Mr. Crout updated the SACJJDP on the Edward Byrne Memorial Justice Assistance Grant (JAG). It was determined by the Byrne-JAG ESC that the counties' board of supervisors may apply for Byrne-JAG funding. However, in order to do so, the county must seek a balanced approach and reach out to a broad spectrum of organizations to develop Byrne-JAG proposals for funding. These organizations are to include community-based organizations, faith-based organizations, county probation departments, county sheriff departments, county courts, and the district attorney's office. Each county's board of supervisors may delegate a lead agency to develop Byrne-JAG proposals in the best interest of the county.

Mr. Crout then updated the SACJJDP on Senate Bill (SB) 863 which will provide \$500 million in funding for adult facility construction. The focus of this funding will be for replacing existing bed space on the county level. This will help counties transition from antiquated linear facilities to modern facilities better suited for long-term inmate occupancy and programming. His best estimate for the Request for Proposals (RFP) to be released is July 2015.

Deputy Director Allison Ganter updated the SACJJDP on SB 81, Round Two. This round of funding will disburse the remaining \$79.2 million for juvenile facility construction. She informed the SACJJDP that SB 81, Round 2 projects must be encumbered and established by the State Public Works Board by June 30, 2017. She also noted that the SB 81, Round 2 ESC did a great job with their draft RFP, which will go to the Board for approval on September 11, 2014. Pending Board approval, counties may submit their proposals on September 12, 2014.

Agenda Item C **Review of Proposed Legislation for Support or Opposition**

Chair McBryer updated the SACJJDP on Assembly Bill (AB) 420 by Assembly Member Dickinson, which has now been placed in the inactive file. She also addressed AB 2276. This bill strengthens a minor's rights to public school re-enrollment after having contact with the juvenile justice system. This bill will also provide for the BSCC to co-convene with the state Department of Education over a stakeholder group to inquire into a set of issues within juvenile court schools. She went on to update the SACJJDP on SB 1296, which has been signed by the governor. This bill prohibits any court from detaining or holding any young person for any original charge truancy or contempt of court stemming from truancy charges. SB 1296 will go into effect January 1, 2015.

Agenda Item D **Reducing Racial and Ethnic Disparities
Solicitation – Funding Recommendations**

Chair McBryer introduced Field Representative Shalinee Hunter, who updated the SACJJDP on the Reducing Racial and Ethnic Disparity (R.E.D.) grant. Ms. Hunter is currently looking for formal recommendations from the SACJJDP and Board. The R.E.D. grant is one of the four core mandates coming out of Title II funding. The R.E.D. ESC developed the RFP and then conducted outreach to RFP applicants to ensure the field was aware and understood the intersection to juvenile detention goals and outcomes. She also discussed the minimum score threshold for proposals in order to receive funding. The R.E.D. RFP received four applications and will seek Board approval to award funding.

Agenda Item E **Youthful Offender Block Grant, and Juvenile Justice Crime
Prevention Act Program – Annual Reports to the Legislature**

Chair McBryer introduced Field Representative Kimberly Bushard, who then updated the SACJJDP on the Youthful Offender Block Grant (YOBG) and Juvenile Justice Crime Prevention Act (JJCPA), which are the two major programs for at-risk youth that are funded by state dollars. The JJCPA program was enacted in 2000, and, as such, there is currently a dozen years' worth of data. As the JJCPA is a block grant, the counties received funding based on total county populations, but there are reporting requirements that accompany the funding. Ms. Bushard went on to address the YOBG. The reporting requirements for YOBG programs did not

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take effect until 2009. As such, there are only four years of Peace Officers Standards and Training data on YOBG programs and services. YOBG funding can be used for almost anything falling within the scope of a county's juvenile justice system. When looking at both programs, the state is spending just over \$200 million annually on these programs and services. Funding from the JJCPA currently supports 149 programs statewide; 68% of YOBG funding went toward placements on youth into facilities and programs, 30% went toward direct services for youth, and the remainder went toward capacity building and maintenance activities. The youth served by JJCPA programs historically have had lower arrest and incarceration rates, as well as higher probation completion rates. Youth being served by programs and services funded by the YOBG received a significantly higher amount of assessments, placements, and direct services than comparison groups. Within the 2012-13 reporting period for YOBG, more youth returned to school and were placed on probation than its comparison group. Also seen within the 2012-13 reporting year was that a higher number of YOBG youth received a Department of Juvenile Justice (DJJ) commitment than its comparison group. This was attributed to the higher level of scrutiny that youth receive via YOBG and JJCPA programs. Ms. Bushard then addressed trailer bill language affecting the YOBG and JJCPA. The trailer bill language formed the Juvenile Justice Data Working Group (JJDWG) and charged the JJDWG with streamlining the reporting requirements of the YOBG and JJCPA programs.

Chair McBrayer cautioned that the rich value of these reporting requirements could be at risk of being watered down during the streamlining and consolidation process. As such, she advocated that the SACJJDP be able to share what they value within the reporting requirements with the JJDWG so that they are not lost in the streamlining and consolidation process. She later asked the SACJJDP members to look into the reporting requirements for these programs and bring back recommendations for the SACJJDP to forward to the JJDWG.

Mr. Crout stated that the deadline for the report to the legislature on this topic has been extended from the end of the 2014 calendar year to April 30, 2015.

**California Gang Reduction and Intervention Program – Gang
Standing Committee and Executive Steering Committee Update**

Agenda Item F

Chair McBrayer introduced Field Representative Magi Work, who updated the SACJJDP on the California Gang Reduction and Intervention Program (CALGRIP). The CALGRIP ESC last met on May 23, 2014, to develop its RFP to disburse \$8.2 million. At that meeting, the CALGRIP ESC spent much time developing clarifying language within the RFP for its applicants. The RFP was released on July 25, 2014. Applicants must apply before September 5, 2014. The CALGRIP ESC will have finished rating proposals by October 2014. After which, the ESC will seek Board approval of their ranked list of applicants at the November 2014 Board meeting. Pending Board approval, the three-year program cycle will begin on January 1, 2015.

Agenda Item G

Title II Formula Grant Update

Chair McBrayer reintroduced Ms. Hunter, who updated the SACJJDP on the Title II Formula Grant. She reviewed the current Title II grantees and their accomplishments with the SACJJDP. The current funding cycle is set to end in December 2014. At the end of the current three-year cycle, a new ESC will be formed under the guidance of the SACJJDP and the Board to administer the next round of Title II funding. She then reviewed the performance and outcome measures set forth by the federal government and the new language within the RFP for the next three-year cycle. The SACJJDP also discussed the AB 1050 definition of recidivism and how it will affect reporting outcomes for grant programs, such as Title II formula funding.

Agenda Item H

Future Agenda Items

- State and national policy on the use of pepper spray.
- Updates on pertinent ESCs.
- Side-by-side review of the YOBG and JJCPA reporting requirements.
- JAG evidence-based practices.

Adjournment

The July 30, 2014 SACJJDP meeting was adjourned at 12:46 p.m.

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BSCC Staff Attendance Roster

William Crout, Deputy Director, Corrections Planning and Programs (CPP)
Allison Ganter, Deputy Director, Facilities Standards and Operations (FSO)
Kimberly Bushard, Field Representative, CPP
Shalinee Hunter, Field Representative, CPP
Magi Work, Field Representative, CPP
Helene Zentner, Field Representative, CPP
Rakesh Sharma, Associate Governmental Program Analyst, CPP
Corey Kai, Research Program Specialist I, Administration, Research and Programs Support
Nathan Cusick, Division Secretary, FSO
Juanita Flores, Division Secretary, CPP