

MINUTES
State Advisory Committee on Juvenile Justice and Delinquency Prevention
May 8, 2013

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

Chair Sandra McBrayer called to order the State Advisory Committee on Juvenile Justice & Delinquency Prevention (SACJJDP) meeting at 11:00 a.m.

The following SACJJDP members were in attendance:

Ms. McBrayer	Judge Back	Chief Penner
Ms. Harbert	Ms. Biondi	Mr. Peters
Mr. Rivera	Reverend Brown	

Agenda Item A – Approval of Minutes

Chair Sandra McBrayer requested members review minutes from the March 13, 2013 meeting to note any needed changes, corrections, or deletions. With none presented, Ms. McBrayer sought a motion to approve the minutes.

The Honorable Brian Back so moved; Reverend Amos Brown seconded. The motion carried.

Agenda Items B – Chair and Staff Updates

Chair and staff updates:

Ms. McBrayer offered congratulations to several members of the Committee:

- Winston Peters, for his position as the new President of the California Public Defenders Association;
- Carol Biondi, for receiving the Sister Janet Juvenile Advocate Award from Loyola Law School; and
- Chief Linda Penner, for her retirement as Chief Probation Officer (CPO) of Fresno County and subsequent appointment as acting CPO of Fresno County following said retirement.
- Ms. Hunter for being re-elected as National Disproportionate Minority Contact (DMC) Coordinator for the Coalition for Juvenile Justice (CJJ).

Ms. McBrayer also shared the following items of interest:

- Bob Listenbee had been appointed as the new Administrator of Office of Juvenile Justice and Delinquency Prevention (OJJDP).
- CJJ released a new publication for national juvenile defense standards the week before the SACJJDP meeting and is planning to release national standards on status offenders for review and input. This will be placed on the agenda for the July Meeting of the SACJJDP.
- The Juvenile Justice Standing Committee (JJSC) held its first meeting on April 10, 2013. Focus of meeting was background information and setting priorities.
- SACJJDP meetings will now be held from 10 a.m. to 1 p.m. instead of 11 a.m. to 2 p.m. in order to better accommodate the travel needs of members.

Mr. Frizzie relayed Staff Updates.

- Acting Executive Officer: Mr. Frizzie has been appointed as the Acting Executive Officer for the Board effective March 1, 2013.
- Website: Continuing improvements are underway to BSCC's website, including plans to expand the pages dedicated to each standing committee.
- Gang Issues Standing Committee : met the week prior to discuss the formation of an ESC to develop the California Gang Reduction, Intervention, and Prevention (CalGRIP) Program Request for Proposal (RFP), with Chief Maggard as Chair. The committee will also consider recommendations to the Board on assuming the duties and obligations of the Office of Gang and Youth Violence Policy (OGYVP) and will develop recommendations to the Board the implementation of AB 526, a Bill focused on consolidating grant funding, including the creation of a focus for 70% of the funding to implement evidence-based practices.
- Strategic Plan: The BSCC plan will be presented to the Board at their July meeting. That meeting will be at the Department of Water Resources instead of 660 Bercut Drive. The change in location was due to anticipated high turnout for the Edward Byrne Memorial Justice Assistance Grant (JAG) item.

Mr. Frizzie summarized consent items scheduled for the March 2013 Board Meeting:

- Alameda County Juvenile Hall is coming into complete compliance.
- A request to release the Evidence-Based Practices to Improve Public Safety (EBP TIPS) RFP will be put before the Board. It was going to be presented at a public meeting, but it was not the BSCC's intention to release the RFP to the public at that time.
- The Title II and Juvenile Accountability Block Grant (JABG) federal applications, as well as a \$1 placeholder application for JAG funding. The placeholder application is due to allocation amounts not yet being distributed to the states.
- Approval of a modification of an AB 900 construction project in Riverside County to add more beds to the facility.

Mr. Frizzie presented discussion items scheduled to go before the Board, which included:

- A report and recommendations from a Standards and Training for Corrections (STC) ESC;
- An update on the creation of a Standing Committee on Data and Research; and
- A presentation on Adult Offender Programs in Solano County.

Ms. Scott added the following to Staff Updates:

- The Residential Substance Abuse Treatment (RSAT) Program for state prisons RFP has been released. This Program lasts for two years, has just over \$747,000 in funding, with a project maximum of \$185,427.
- Survey results and feedback from recent JAG Open Sessions would be presented at the Board Meeting in July.
- Staff are preparing information for a report due to the Governor on July 1, 2013 on the implementation of county realignment plans through standardized questions to each county's Community Corrections Partnership (CCP).

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

Ms. Hunter briefed the SACJJDP on the following legislation items and activities:

1. AB 420 School Suspension / Willful Defiance

Assembly Member Dickinson's Office developed a handout for the SACJJDP's review.

2. AB 438 Juveniles: dual-status minors

This bill has been held over until next year.

3. SB 166 Juveniles: Attorney qualification

SACJJDP took a position of support in the form of a letter provided to the author of the bill.

4. SB 458 Gangs: statewide database

This bill was discussed and no position was taken.

5. AB 1238 Homeless youth: service providers

This bill is not moving forward. BSCC offered to provide information and educational materials on the responsibilities of the SACJJDP should the bill be reintroduced at a later date.

Ms. Hunter introduced an attachment of various bills also currently tracked by BSCC staff or requested by SACJJDP member(s).

The SACJJDP discussed and reviewed the role of the SACJJDP as it pertains to taking action on legislative items. The Committee was reminded that the federal mandate of OJJDP granted the SACJJDP and other State Advisory Groups across the nation the authority to review legislative bills and make recommendations to the legislature or the Governor; this leadership

opportunity was also vetted by the OJJDP and the California Department of Corrections and Rehabilitation legal staff.

Further clarification included that BSCC, as an agency, does review legislation analytically; but does not take a position on those bills; the BSCC, in analysis, is able to suggest changes to language and take action with Governor approval.

Members further discussed/took action on the following legislation:

1. AB 420 - Pupil discipline: suspensions: willful defiance.

Ms. Biondi motioned to support AB 420; Reverend Brown seconded, noting that 51% of suspensions in San Francisco were African-American. The motion carried.

2. AB 438 Juveniles: dual-status minors

This bill was held over for next year.

3. AB 1238 Homeless youth: service providers

This bill has been withdrawn.

4. SB 61 Juveniles: solitary confinement.

Ms. Biondi motioned to support SB 61; Reverend Brown seconded. The motion carried.

6. SB 260 Sentencing

Judge Back wanted to clarify that the statement in the summary of SB 260 was an eligibility issue not a mandate for modification of sentences.

Ms Biondi motioned to support SB 260; Ms. Harbert seconded. The motion carried.

Agenda Item D – Title II and Juvenile Accountability Block Grant (JABG) Federal Applications for FFY 2013 Funding

Ms. Hunter requested approval for the Title II and JABG federal applications, which were submitted to OJJDP for FFY 2013. The deadlines were April 1, 2013 and February 28, 2013 respectively and did not coincide with SACJJDP meeting schedules; however, both applications were shared with the SACJJDP Executive Committee. Each allocation is estimated to provide approximately \$2,000,000.

The Title II application is built upon the strategy and activities implemented by the SACJJDP over the previous year and describes how funds are utilized to support the focus areas, including DMC, evidence-based and promising approaches, and strategic support for juvenile realignment. The program is now comprised of seven DMC counties, two Tribal grants, and fifteen Title II projects focused on system improvement and reform.

A minimum 75% of the State's allocated JABG funding for the previous year was directly allocated to 26 units of local government, as determined by OJJDP. The remaining 25% plus accrued interest is retained by the State to be used at its discretion. Ms. Hunter felt it was noteworthy that discretionary funding has launched four projects in the past three years. Each project was focused on implementing SACJJD priorities of Evidence-Based Practices (EBP), Anger Management and Youth Violence Prevention (AMYVP), the Best Practices Approach Initiative (BPAI), and the upcoming Evidence-Based Practices to Improve Public Safety Project (EBP TIPS) programs.

Ms. Hunter recommended both applications for approval by the SACJJD and noted that staff would accept changes from members due to the scheduling conflicts between the federal deadlines and SACJJD meetings.

Chief Penner motioned to approve the Title II and JABG federal applications; Reverend Brown seconded. The motion carried.

Agenda Item E – Approval to Release the Request for Proposals for the Evidence-Based Practices to Improve Public Safety Project (EBP TIPS) funded through Juvenile Accountability Block Grant Funding

Ms. Stoner requested approval for the EBP TIPS RFP. SACJJD previously approved approximately \$1,000,000 to support evidence-based practices for probation departments statewide in November 2012. Additionally, the creation of an ESC to oversee the development of an RFP was recommended at that time with Carlos Rivera as the Chair of said Committee. The ESC includes six members, each approved by Mr. Rivera and Mr. Frizzie. In order to avoid conflicts of interests, members were only selected from probation departments that were ineligible to apply for this funding. The ESC convened in April 2013 to develop the program design, application requirements, technical components, grading criteria, and evaluation that were contained in the RFP.

The Committee capitalized on the momentum from two previous JABG grants, BPAI and EBP. There was a focus on ensuring the implementation of evidence-based practices. Projects selected through this RFP process will participate in a two-year system change approach and implementing or expanding the use of evidence-based practices within their local juvenile justice communities. The maximum funding a project could receive was \$250,000.

Ms. Stoner described the solicitation process for the RFP, which included posting to the website on May 17th, 2013 and email outreach to the field. This period will last approximately eight weeks, ending July 17th, 2013. Subsequently, the ESC will rate the proposals submitted and present their recommendations to the SACJJD at the September meeting. The project is due to begin in October 2013.

Members of the ESC included:

- Mr. Rivera, Chair; Fernando Guerrero, Assistant CPO, Santa Cruz County; Jodie Green, Division Director of Humboldt County; Laura Garnett, Deputy CPO, Santa Clara County; Jan Morrissey, Deputy Director, Napa County; Leticia Milano, Division Director, Stanislaus County

Ms. Biondi motioned to approve the EBP TIPS RFP with noted minor corrections; Ms. Harbert seconded. The motion carried.

Judge Back and Chief Penner abstained.

Agenda Item F – Disproportionate Minority Contact Update(s)/Working Lunch

- California Department of Education – Chronic Absenteeism Initiative
Ms. Hunter noted that Gordon Jackson, Assistant Superintendent at the Department of Education and member of the SACJJDP was unable to be present; Ms. McBrayer suggested tabling the issue until next meeting.
- DMC Assessment
Ms. Hunter reminded Committee members of the OJJDP’s new mandate, an assessment, to the DMC core requirement. The DMC assessment is a comprehensive analysis utilizing advanced research methodologies to identify the contributing factors and examine minority over-representation and explain differences at all contact stages of the juvenile justice system. In order to ensure all pertinent stakeholders have the opportunity to review the data included in California’s assessment, BSCC staff requested an extension beyond the March 31st deadline. OJJDP granted the extension and provided a new due date of July 15, 2013.

Agenda Item G – Discussion of SACJJDP Information-Sharing with Other Standing Committees and the Board

Penal Code Section 6024 requires that the Board seek advice from a balanced range of stakeholders and subject matter experts on issues pertaining to adult corrections, juvenile justice, and gang problems relevant to its mission. Further, the law states the board shall seek to ensure that its efforts (1) are systematically informed by experts and stakeholders with the most specific knowledge concerning the subject matter, (2) include the participation of those who must implement a board decision and are impacted by a board decision, and (3) promote collaboration and innovative problem solving consistent with the mission of the board.

In response to the Penal Code mandate the BSCC has established several Standing Committees, in addition to the federally mandated State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP) and its Disproportionate Minority Contact Subcommittee. The newly established Standing Committees include:

- Gang Issues Standing Committee
- Juvenile Justice Standing Committee
- Data Standing Committee

The increase in stakeholder input and policy direction via Standing Committees requires collaborative and transparent information-sharing both internally and externally for the BSCC.

Ms. Hunter provided the proposed guidelines for an information-sharing process between Committees:

- BSCC will assign a lead staff to the SACJJDP (currently Ms. Hunter) who will meet with the lead staff of other Standing Committees. These individuals will meet consistently to communicate items of interest among the Committees. The SACJJDP Chair, Deputy Director of CPP, and SACJJDP lead staff will develop criteria for what information is

critical for formal recommendation to each Standing Committee. These three individuals will meet before SACJJDP meetings for a pre-briefing to identify items of common interest. Activities of other Committees will be shared at SACJJDP meetings as part of Chair and Staff Updates.

Ms. Harbert motioned that the SACJJDP adopt the proposed information-sharing policy, including staff communicating internally, activities and information of the SACJJDP being shared with the Board in a timely manner, and the SACJJDP website continue to be updated; Ms. Biondi seconded.

Judge Back proposed a friendly amendment: the SACJJDP request the Board to address a broad information-sharing policy in order for the Standing Committees to effectively work in concert. Ms. Harbert accepted the amendment. The motion was carried.

Agenda Item H – Probation and Court-Based Alternatives Program – Final Report

Mr. Villegas stated the SACJJDP approved \$1,500,000 in Title II funds to release a competitive RFP in the Fall of 2010. The purpose of the RFP was for counties to create or expand on creative methods to be used as an alternative to secure detention without compromising public safety. The RFP was released in January 2011 and eight counties were under contract by July 1, 2011 for the twelve month program. Funding ranged from \$50,000 to \$300,000 depending on the goals and needs of the specific counties. The RFP allowed recipients to take a very broad approach in pursuit of the program focus, although each recipient was required to use at least 7% of their funds for a local evaluation.

Mr. Villegas outlined the variety of approaches recipients took:

- Alameda County – Emphasized evaluation of policy and protocols.
- Fresno County – Developed an automated reminder system.
- Lake County – Supported a collaborative behavioral treatment program.
- Sacramento County – Initially created an intake hotline, which quickly evolved into warrant scrubbing. This involved directing Probation staff to research warrants to explore whether the use of a matrix of recommended alternatives would be effective compared to issuing a warrant and returning probationers to secure detention.
- San Francisco County – Instituted a Saturday youth/parent group.
- Santa Cruz County – Made use of evening reporting centers, as well as home supervision and electronic monitoring.
- Stanislaus County – Focused their efforts on a gender responsive program.
- Santa Clara County – Directed their funds towards young men with substance abuse problems and frequent arrests.

The data between the project and historical periods produced three major findings:

1. Overall admission of youth declined across all eight programs dropping by 14% and there was a 25% reduction in violations of probation (VOPs).
 - a. Mr. Villegas noted the overall decline in admission of youth may have been a general trend, but stated the reduction in VOPs was exciting in the context of the program.

2. Overall average daily population in Juvenile Halls went down from 126 to 100, approximately 21%. The average daily population of VOPs went down 37%, as well.
3. VOPs average length of stay decreased 20.3%.

These findings demonstrated positive results; they demonstrated what strategies worked for which counties and their corresponding target populations.

The Committee requested Mr. Villegas provide a separate document to Chief Penner that was more narrative than data oriented, focusing on lessons learned and eliminating the confusion that the county-specific data might cause.

Public Comments

Mr. Garcia, from Hernandez International Strategy Group, on behalf of the California Youth Build Coalition, stated he wished to address Agenda Item C, specifically AB 1238, partly to ensure it was on the SACJJDP's agenda. The legislation puts the California Youthful Offender Re-Entry (CAL-YOR) Program into statute (handout provided). It was asked that the SACJJDP consider supporting the legislation, noting the process of gaining one-time funding for the two-year program had been particularly difficult. The bill establishes support for re-entry programs, recruits youth while they're in detention, and places them into job training and educational. The bill proposed the program be funded via re-allocation of JAG funds for an additional two years.

Agenda Item I – Emerging Issues: Discussion of Assessments and Outcome Measures

Tabled

Agenda Item J – Future Agenda Items

- Update and outcomes of JAG survey
- Draft of the CJJ Status Offender document for review and discussion
- BSCC recommendation for a stronger communication plan
- Pending Bills
- Discussion of Assessments and Outcome Measures Ms. McBrayer adjourned the meeting at 1:27 p.m.

STAFF ATTENDANCE ROSTER

Scott B. Frizzie, Executive Officer (Acting)
Jean L. Scott, Deputy Director, CPP
Shaline Hunter, Field Representative, CPP
Helene Zentner, Field Representative, CPP
Colleen Stoner, Field Representative, CPP
Kim Bushard, Field Representative, CPP
Ricardo Goodridge, Field Representative, CPP
Oscar Villegas, Field Representative, CPP
Veronica Silva-Ramirez, Secretary, CPP
Rakesh Sharma, Program Analyst, CPP