

## MINUTES

### State Advisory Committee on Juvenile Justice and Delinquency Prevention

Loyola Law School, 919 Albany St., Founder's Hall Conference Room FH-220

Los Angeles, CA 90015-1211

May 17, 2017

10:00 a.m. – 2:00 p.m.

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The State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP) meeting was called to order at 10:00 a.m. by Acting Chair Carol Biondi.

The following Committee members were in attendance in Los Angeles:

Ms. Rachel Rios, Chair	Dr. B.J. Davis	Ms. Sharon King
Ms. Carol Biondi	Mr. Juan Gomez	Ms. Nancy O'Malley
Ms. Susan Harbert	Dr. Carly Dierkhising	Mr. Winston Peters
Chief Michelle Brown	Mr. James Anderson	

The following Committee members did not attend:

Judge Brian Back	Mr. Kent Mendoza	Mr. Ramon Leija
Mr. Gordon Jackson	Chief Susan Manheimer	Mr. Miguel Garcia
Mr. Dante Williams	Dr. Mimi Silbert	

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#### **Agenda Item A Approval of the minutes from SACJJDP Meeting on March 15, 2017**

Acting Chair Carol Biondi called the meeting to order and roll was called. Dr. B.J. Davis requested that there be consistency in the titles (i.e., Dr., Chief) be used in the minutes. Ms. Biondi and Ms. Woodman agreed and Ms. Woodman noted that the minutes would be amended.

**District Attorney Nancy O'Malley motioned to approve the minutes as amended. None opposed. Motion passed.**

#### **Agenda Item B SACJJDP Chair and BSCC Updates**

##### **SACJJDP Chair Updates**

Ms. Biondi announced and welcomed Ms. Rachel Rios as the new Chair of SACJJDP pending her June 8, 2017 Board appointment. Ms. Biondi thanked Ms. Rios for her willingness to serve and provided a brief biography including that Ms. Rios had been a runaway in danger of not graduating high school but who turned her life around with the services of a Community-Based Organization. Ms. Biondi stated that Ms. Rios has been the Executive Director at La Familia Counseling Center Inc. since 2012 and prior to that was at the California Department of Corrections and Rehabilitation Division of Juvenile Justice from 1984 to 2012, retiring as the Director. Her prior community service work includes working at Diogenes Youth Services Inc. from 1981 to 1984, and Consejos Inc. from 1979 to 1981. Ms. Biondi then handed the meeting to Ms. Rachel Rios.

Chair Rios thanked Ms. Biondi for her support and expressed her excitement to be a part of SACJJDP's important work. Chair Rios noted that she is impressed by the accolades of members for the prior Chair, Ms. Sandra McBrayer, and that she is fortunate to once again

follow in the footsteps of a great leader as she had done at La Familia, where the saying is, "Honor deep roots and celebrate new branches." Chair Rios stated that she would like the Committee to consider programs supported by evidence and culturally competent programs and community-defined practices. Chair Rios explained that she has experience in government and non-profits and hopes to bridge the divide between government and the community. Ms. Biondi encouraged the Committee to help find and share that knowledge.

### **BSCC Updates**

BSCC Board Chair Linda Penner thanked Ms. Biondi for her service and support and welcomed Chair Rios. Ms. Penner stated that BSCC Executive Director Kathleen Howard was not present because she was attending an Assembly Hearing on BSCC budget items. Ms. Penner stated that the BSCC was concurrently hosting a SB 844 Executive Steering Committee (ESC) Meeting. Ms. Penner stated that there had been some legislative interest in using relinquished SB 844 construction funds to help adult video visitation only jails to make the structural and staffing changes and additions to accommodate a combination of both video and in-person visitation, but that it would be very expensive and could be considered an unfunded mandate. Mr. Juan Gomez stated that he did not think counties should have video visitation only and that he was concerned about contractors inflating costs over time. Ms. Biondi requested a list of the SB 81 juvenile construction projects funded and relinquished and asked if they could be used for enhancements. Ms. Penner explained that construction projects are not paid for with cash, but with lease-revenue bonds and stated that there are no video visitation only facilities for juveniles. Ms. Susan Harbert said that the Juvenile Center for Law and Policy had faced challenges being admitted to visit their clients and requested a list of jails that provide visitation along with any applicable regulations. Ms. Penner stated that Probation Chief Michelle Brown and BSCC Board Member David Steinhart are co-chairs of the Juvenile Regulations Revisions ESC and that eight workgroups have been established. Chief Brown stated that she is pleased with the staff work that had been done to get balanced representation and a good mix of people participating in the workgroups. Ms. Penner stated that there is public concern over Federal Marshall contracts with jails for U.S. Immigration and Customs and Enforcement (ICE) beds for persons awaiting deportation but that not all Federal Marshall contracts with jails are for ICE beds.

BSCC Corrections Planning and Grant Programs (CPGP) Deputy Director Mary Jolls stated that her summary talking points were being provided as a handout and details would be recorded in the Minutes. Ms. Jolls reported that: 1) the Prop 47 ESC award recommendations would be presented at the June 8, 2017 Board meeting, 2) on April 20, 2017, the Board approved two Law Enforcement Assisted Diversion (LEAD) awards of \$5,900,000 each to the Los Angeles County Board of Supervisors and to the San Francisco City Mayor's Office, 3) BSCC is awaiting release of the Edward Byrne Memorial Justice Assistance Grant (JAG) federal fiscal year (FFY) solicitation and that a request would then be made for RFP and continued JAG State Strategy approval, 4) BSCC is awaiting release of the Residential Substance Abuse Treatment (RSAT) FFY 17 solicitation, 5) BSCC has submitted its FFY 17 Title II application and is awaiting a response, 6) on June 8, 2017 staff will seek Board approval for a Chair and ESC for the next Proud Parenting grant cycle, subject to an appropriation, 7) the 2016 Youthful Offender Block Grant (YOBG) and 2016 Juvenile Justice Crime Prevention Act (JJCPA) Legislative Reports are posted on the BSCC website and that next year they will be submitted as a combined report, 8) the 2015 and 2016 SACJJDP Legislative Reports are posted on the SACJJDP website, 9) Reverend Amos Brown is no longer a SACJJDP member and efforts are on-going to add an additional youth member; and

10) BSCC along with the former SACJJDP Chair and Judge participated in the Georgetown R.E.D. Certificate Program and is working on its Capstone Project that includes a BSCC evaluation and staff training. Ms. Jolls reported that BSCC issued a RFP for a consultant to provide the evaluation and training with a due date of May 17, 2017 and that the RFP would be reissued if there is insufficient response. Ms. Biondi asked if the project could be given directly to known R.E.D. experts. Ms. Jolls said no as the state's sole source threshold was around \$5,000 and this project would cost more. Dr. Davis asked how BSCC RFPs are distributed other than posting on the website and Ms. Jolls stated that it varies by type of RFP. Mr. Gomez asked that it be standard practice to release RFPs to members who could generate additional publicity. Ms. Jolls stated that BSCC analyst Alfonso Jimenez has accepted another position and that Kally Sanders will assist with SACJJDP support until his position can be filled.

### **Agenda Item C**

### **Legislation**

Chair Rios described the attachments in the member packages as 1) Commonweal report and description of legislation, 2) SACJJDP report of legislation based on key words previously identified by SACJJDP which can be amended at a future meeting if desired; and 3) the BSCC report of tracked legislation.

### **Agenda Item D**

### **Federal Advisory Committee on Juvenile Justice 2017 Survey**

Ms. Biondi expressed frustration that staff did not distribute the Federal Advisory Committee on Juvenile Justice's (FACJJ) State Advisory Group (SAG) survey regarding state progress on juvenile justice to the Committee so SACJJDP could respond to ensure that California's input was considered. Ms. Biondi stated that the survey responses could have been discussed at the March meeting. Ms. Biondi indicated that the draft responses staff prepared did not provide a response to the question regarding federal legislation priorities and that she was not given enough time to review. Ms. Biondi expressed concerns that SACJJDP and its work is not always a priority. Ms. Jolls apologized and explained that the survey arrived while staff were responding to the unexpectedly early release of the Title II federal solicitation and that staff chose to use the March meeting to focus on its approval as a priority. Ms. Susan Harbert said there should have been more communication. Ms. Penner stated that these were valid points, that she accepted responsibility, and that staff do and will make this work a priority. Ms. Jolls advised that staff did submit SACJJDP's current State Plan and survey questions (with the exception of a response to a question regarding pending federal legislation priorities), after Ms. Biondi's approval, to Judge Timberlake who confirmed both documents were received prior to the FACJJ discussion. Ms. Jolls stated that staff is committed to the Title II and SACJJDP work and looks forward to the work ahead. Chair Rios noted that the FACJJ survey question regarding federal legislation was written in a way that meant that SACJJDP could not respond as a body but that members can respond as individuals and asked that staff follow up with FACJJ on that point. Chair Rios asked that members who wished to complete the survey as individuals send their responses to Ms. Woodman who would forward them to Judge Timberlake.

### **Agenda Item E**

### **Title II Budget Overview**

Ms. Jolls stated that the 2014 Title II award amount is higher because it represents a one-time combination of FFY 13 and FFY 14 funds by OJJDP. Ms. Jolls stated that the Estimated

Balance does not include expenses still being processed in the state fiscal system or planned expenses through September 30, 2017. Ms. Jolls stated that the maximum allocation amount to SAGs is set in federal statute as 5% of the lowest award to any state, that OJJDP announces the cap in each solicitation and that for the past few years, the cap has been \$20,000. Ms. Jolls explained that the SACJJDP set-aside for years 2015 and 2016 was originally \$10,000 for SACJJDP but now that the membership is larger the BSCC has obtained OJJDP verbal approval to increase both 2015 and 2016 to the maximum amount of \$20,000. OJJDP official approval is pending. Ms. Jolls explained the current SACJJDP balance of \$59,000 is a one-time result of these augmentations from prior years and that once the surplus is depleted, future years will be limited to the annual maximum. Mr. Winston Peters asked how much an average SACJJDP meeting costs and Ms. Jolls replied approximately \$5,000 regardless of whether it was held in Los Angeles or Sacramento assuming 17 members attend. Ms. Jolls explained that BSCC staff costs are charged solely to the BSCC Administrative and State Support Funds and that these funds are also used for all grant related activity. Ms. Jolls stated the BSCC is required to match Title II Administrative funds with state general funds and that while OJJDP allows states to use up to 10% of their Title II award for administrative costs, the BSCC state spending authority is capped annually at \$199,000. Ms. Jolls stated that unexpended Title II administrative funds could be considered for transfer to local grant programs in the future. Dr. B.J. Davis asked why the Compliance Monitoring Set-aside was not being spent down. Ms. Jolls stated that Facility Standards and Operations Deputy Director Allison Ganter would be at the June meeting to explain the Compliance Monitoring budget.

## **Agenda Item F**

## **Title II New State Plan Requirements Overview**

Ms. Woodman noted that Title II is funded under the Juvenile Justice Delinquency Prevention Act and BSCC is bound by its requirements. Ms. Woodman directed members' attention to the State Plan requirements on pages 6-7 and 12-15 of the FFY 2017 solicitation and to Appendix B program purpose areas on pages 40-43. Ms. Woodman stated that staff will ensure compliance as SACJJDP develops the State Plan. Ms. Jolls stated that this will be a new Plan and SACJJDP can set new priorities. Chair Rios stated that members will want to look at those priorities and ask whether enough has been accomplished in those areas or if members wish to continue them. Chair Rios stated that it is important to hear from the community and that staff are planning a public comment meeting for June in Sacramento and in September in Southern California. Ms. Jolls stated that staff would now move forward. Dr. B.J. Davis and Dr. Carly Dierkhising discussed the need to have data to inform the committee about justice-involved youth needs and program effectiveness. Chief Brown asked if BSCC had done a prior gap analysis. Chair Rios stated that members have the prior Three Year Plan as a guideline. District Attorney O'Malley and Ms. Biondi expressed concern that thousands of kids are being diverted from detention without being provided services. Mr. Peters stated that it will be important to define terms. Ms. Biondi stated that she would like to see the new data counties report for AB 1998 in October. Mr. James Anderson stated that there needs to be a mechanism for ESC members to reject an unsuitable grant applications. Chair Rios stated it is important to recognize that every county is different and SACJJDP wants to achieve a mix of rural, suburban, and urban programs. Chief Brown stated that SACJJDP could use a two-day meeting to work on the plan.

**Agenda Item G****Grant Program Overview**

CPGP Field Representative Eloisa Tuitama explained that she provides ongoing technical assistance to subgrantees on a one-to-one basis to ensure they are making appropriate expenditures, complying with federal requirements, and to ensure that program objectives are being met. Ms. Tuitama stated that the BSCC grant process operates in three stages: Grant Development, Pre-award, and Grant Cycle. Ms. Tuitama explained that technical assistance is to help grantees accomplish their goals in alignment with grant requirements. Ms. Tuitama stated that it was up to the Chair and/or SACJJDP to decide whether to form an ESC or use the Committee itself for RFP development, who to fund, how much they get, what data they will be required to provide, and whether there will be an evaluation component. Ms. Biondi stated that the state does a good job of attracting quality community-based organizations and requested a description from a prior grant. Ms. Harbert requested a sample grant cycle for a small, medium, and large grantee. Mr. Anderson stated that it is sometimes hard for community-based organizations to meet all SACJJDP requirements. Chair Rios stated that SACJJDP should make it basic to the federal requirements and what BSCC/SACJJDP/ESC need additionally. Dr. Davis stated that SACJJDP must have data, not just anecdotal evidence that a program works. Ms. Biondi stated that restricting applicants to name-brand evidence-based practices can be cost prohibitive for smaller organizations that can't invest the years and dollars required into rigorous research studies. Dr. Dierkhising stated that there are various levels such as evidence-informed, promising practices and evidence based practices. Chair Rios stated that many of the evidence based practices have not been normed on cultural communities so members need to consider how to include culturally relevant and community defined practices. Mr. Peters asked what SAJJDP's role might be in evaluating and or giving a stamp of approval to successful programs funded. Ms. Penner noted that applicants often do not yet know what organizations they will be contracting with because their county requires them to go through a Request for Bids/Services process after they have been selected as an awardee.

**Agenda Item H****Draft Title II Timeline Review**

District Attorney O'Malley excused herself from the meeting.

Ms. Woodman directed members to the Draft Title II Timeline in their packets as a tool for future planning. Chair Rios stated that the next SACJJDP meeting will be on June 21, 2017 in Sacramento and it would be the first opportunity to take public input on the State Plan. Chair Rios stated the need for the June meeting notice to be distributed as soon as possible. Chair Rios noted that the following meeting will be on September 20, 2017 in Southern California and that the meeting could have the same schedule as June's. There was some discussion on the venue and several members suggested Cal Endowment's facility. Chief Brown suggested the Ontario public library. No decision was made. Chair Rios suggested that members and BSCC staff continue to research possible places.

Chair Rios stated that the last 2017 meeting would be in October in Sacramento and it will be SACJJDP's opportunity to review the public input received. Dr. Davis stated that the October meeting could possibly be a two day session. Chair Rios suggested October 18-19, 2017. All present remaining favored these dates. Chair Rios stated that members should come prepared to set the meeting dates for 2018.

**Agenda Item I**

**New Business**

Chair Rios asked for discussion under New Business. No members had new business.

**Agenda Item J**

**Public Comment**

One member of the public offered public comment.

**Adjournment**

The May 17, 2017 SACJJDP meeting was adjourned at 2:00 p.m.

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**BSCC Staff Attendance Roster**

Linda Penner, Chair, BSCC

Mary Jolls, Deputy Director, CPGP

Nicole Woodman, Field Representative and Juvenile Justice Specialist, CPGP

Eloisa Tuitama, Field Representative, CPGP

Kally Sanders, Staff Services Manager, CPGG