

MINUTES
State Advisory Committee on Juvenile Justice and Delinquency Prevention

Board of State and Community Corrections
2590 Venture Oaks Way, Sacramento, CA 95833
February 10, 2016
10:00 a.m. – 1:30 p.m.

The State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP) meeting was called to order at 10:08 a.m. by Sandra McBrayer.

The following Committee members were in attendance:

Ms. Sandra McBrayer, Chair
Mr. Gordon Jackson
Mr. Winston Peters

Honorable Brian Back
Ms. Susan Manheimer

Ms. Carol Biondi
Ms. Nancy O'Malley

Agenda Item A

Approval of the SACJJDP Meeting Minutes

SACJJDP Chair McBrayer requested a motion to approve the October 21, 2015 meeting minutes.

Nancy O'Malley so moved. Gordon Jackson seconded. None abstained or opposed. Approved.

Agenda Item B

Chair and BSCC Updates

1. SACJJDP Chair Updates

Chair McBrayer stated that SACJJDP Member Michelle Brown has volunteered to attend the Coalition for Juvenile Justice (CJJ) Conference this April.

Chair McBrayer then shared San Diego County's Policy on Comprehensive Juvenile Justice Services, which helps ensure that juvenile offenders stay close to home and that services are provided at the community level. It increases/maximizes family visitation, and broadens the definition of family to expand visitation and maintain a connection with the community.

Chair McBrayer informed the Committee that Adolfo Gonzalez has been appointed as the new Chief of Probation for San Diego County.

Finally, Chair McBrayer noted the continuing efforts toward meeting the state mandate for membership. Potential members have submitted applications to the Governor's Office. BSCC Executive Director Kathleen Howard noted concerns about the lack of youth members and explained that the Chief Probation Officer in Sacramento has been asked for recommendations. It was reiterated that former members who are no longer in touch with the committee need to be removed from the roster and that it is a priority to get SACJJDP in compliance with the federal requirements for membership.

2. BSCC Updates

Agenda Items E and F were moved up in the agenda and discussed prior to BSCC Updates.

Agenda Item E**County Use of Force Practices – Designation of Workgroup**

BSCC Executive Director Kathleen Howard and BSCC Board Chair Linda Penner spoke extensively to the Committee about the fact that the BSCC plans to take more of a statewide leadership role in juvenile justice than it has in past years, especially with respect to strategic planning and informing counties about evidence-based and best practices. Ms. Howard explained that the BSCC intends to better coordinate and prioritize issues between the SACJJDP, Juvenile Justice Standing Committee, and Juvenile Justice Data Working Group and that it is imperative to approach all of the juvenile justice work that is directly connected to the BSCC in a more cohesive fashion. At the Fifty State Convening, the Community Reentry Resource Council (CRRC), which is connected to the Council on State Governments, made an offer to provide technical assistance that would support the development of a strategic plan. The BSCC submitted a letter of interest in collaboration with the Chief Probation Officers of California (CPOC). The initial session with CRRC will be held in Sacramento on March 28th and 29th. While CRRC's exact plans for interviewing stakeholders aren't known at this time, it is anticipated that SACJJDP members and a wide variety of other juvenile justice stakeholders will be given a chance to provide input. Sandra McBrayer noted that it would be helpful if stakeholders were involved in the overall discussions, not just those sections on their area of expertise, to gain a better understanding of the issues and present various viewpoints. After the initial session in March, CRRC will notify BSCC if California is one of the three (out of a total of 8) states selected for intensive technical assistance. Ms. Penner assured the Committee that the BSCC is committed to developing an internal strategic plan regardless of whether or not CA is selected.

Ms. Penner and Ms. Howard requested that the SACJJDP suspend work on its new activities, including the designation of priorities, until the BSCC's strategic planning effort is more complete.

Winston Peters, Gordon Jackson, Carol Biondi, and Sandra McBrayer all expressed concern at the idea of suspending SACJJDP activities. After considerable discussion, Chair McBrayer summarized Gordon Jackson's compromise as follows. SACJJDP's Use of Force workgroup (Michelle Scray Brown, the Hon. Judge Back, James Bell of the W. Hayward Burns Institute, and Juvenile Justice Standing Committee Member and Senior District Attorney of Riverside Gary Lopez) will suspend its plans to survey counties in anticipation of CPOC's future presentation of its Use of Force data collection efforts and findings to the Committee. *Sandra McBrayer asked for a timeline and information on what specifically CPOC is doing. For example, are they surveying counties? Linda Penner said that all we know right now is that CPOC has held over their item on Use of Force to their May 2016 meeting. Linda Penner stated that the Use of Force results will not be ready in May, but that she had received assurance from CPOC that CPOC would be happy to come back and share their results with the SACJJDP.*¹

SACJJDP will focus instead on gathering information about state and national evidence-based and best practices around the use of force, which is understood to include a wide range of types of use or force and to not be limited to the use of Oleoresin Capsicum (OC or pepper spray). It will also look at use of force implications for Reducing Racial and Ethnic Disparities (R.E.D.) as both of these areas are encompassed by the current Title II Three Year Plan. SACJJDP will suspend its work on direct files and will hold further discussion of behavioral health until its March meeting.

¹ Italicized text was added following the March 16, 2016 meeting.

Agenda Item F Direct Files and Behavioral Health – Addressing these Priority Areas

As noted above, SACJJDP will suspend its work on direct files until the resolution of the Governor's initiative, because it is critical that any work done by SACJJDP or BSCC not be perceived as either supporting or opposing that initiative. Judge Back noted that the response to that initiative may in itself generate data on direct files.

It was noted that Behavioral Health is not limited to mental health, but also includes substance abuse and trauma. The discussion of Behavioral Health will be postponed until the March meeting in the hopes that Carly Bierkhising who has expertise in trauma will be able to attend.

The discussion then moved into the program-specific BSCC updates.

Strengthening Community and Law Enforcement Relations (Strengthening) Grant: BSCC Deputy Director Mary Jolls stated that the BSCC received approval from the Board on February 4th to release the Request for Proposals (RFP) for the Strengthening Grant. The RFP was released on the BSCC website on February 5th. A Non-binding notice of intent to apply is due by March 18th and applications are due by April 1st. BSCC staff will be going to the Board on June 9th with award recommendations. If another \$6 million is approved in the FY 2016-17 budget there won't be another RFP, instead the already established list of eligible applicants will be used. If a third year of funding is approved a decision will be made about whether or not the same Executive Steering Committee (ESC) can be used a second time.

Juvenile Justice Data Working Group (JJDWG): Field Representative Colleen Curtin provided an update on the Juvenile Justice Data Working Group (JJDWG) and their statutorily mandated report that was due to the Legislature by January 1, 2016 per AB 1468. The report makes recommendations on how California can consolidate, coordinate, and make improvements to Juvenile Justice Data collection systems both locally and statewide. The JJDWG has compiled the following list of recommendations:

1. Replace Juvenile Court and Probation Statistical System
2. Consolidate all State level juvenile data collection and reporting responsibilities into a single agency (i.e. BSCC),
3. Expand the range of caseload and outcome data collected and reported at the State and local levels.
4. Make improvements to the Juvenile Detention Profile Survey managed by BSCC,
5. Establish web-based Juvenile Justice Data Clearinghouse housed within the BSCC.
6. Establish a Juvenile Justice task force or commission with responsibility for implementation of these recommendations.

Proposition 47: Ms. Jolls stated that the estimated net savings for the first year for Proposition 47 as calculated by the Department of Finance are \$29.3 million, 65% of which goes to BSCC for about \$19 million in grant awards. Year 2 savings are estimated at \$26.3 million, and year 3 savings at \$37.4 million. Regional Meetings were held regarding Prop 47 and the top 5 themes of public comment were as follows:

1. Funds should go to Community-Based treatment.
2. Priority for Mental Health and Substance Abuse Treatment Counseling.
3. Housing.
4. Diversion.
5. Job Training.

The BSCC staff will present a recommendation on ESC membership to the Board at its April meeting.

Community Recidivism Reduction Grant: Ms. Jolls also discussed the Community Recidivism Reduction Grant. Participating counties are subject to a statutory reporting requirement on the number of people served as well as how many service providers are allocated to serve them. The report was due to BSCC by January 1, 2016. The funding must be used for CBOs but there is no restriction as to its use on adults versus juveniles. This program doesn't sunset for another four years and the statute was changed last year to make it easier for the full four years of funding to be used.

Agenda Item C

Legislation

Field Representative Kimberly Bushard stated that February 19th is the last day for new bills to be introduced.

Chair McBrayer noted that Senate Bill 124 is a returning piece of legislation called the Solitary Confinement Bill. It addresses the need for meeting national standards for limiting solitary confinement to four hours maximum.

Agenda Item D Assembly Bill 2276 – Update from the California Department of Education

A PowerPoint presentation was given by SACJJDP Member Gordon Jackson who works for the California Department of Education (CDE). Mr. Jackson described the CDE's efforts to date toward implementation of Assembly Bill 2276, which is intended to facilitate a smooth transition for juveniles from detention facilities back into the regular educational system.

Agenda Item G

Future Agenda Items

1. The Committee will review the JJDWG County Data Reporting System Survey results.
2. The priority area of behavioral health will be discussed.
3. Any updated information regarding the Use of Force workgroup will be shared.
4. The Committee will review the final legislative report for AB 2276 and discuss the contents of that report.
5. The Committee will discuss the potential creation of new learning communities.

Adjournment

The February 10, 2016 SACJJDP meeting was adjourned at 1:13 p.m.

BSCC Staff Attendance Roster

Linda Penner, Chair
Kathleen Howard, Executive Director
Aaron Maguire, General Counsel
Mary Jolls, Deputy Director, CPP
Kimberly Bushard, Field Representative, CPP
Helene Zentner, Field Representative, CPP
Colleen Curtin, Field Representative, CPP
Colleen Stoner, Field Representative, CPP
Megan Barber-Brancamp, AGPA, Administration
Rakesh Sharma, AGPA, CPP
Michelle Grant, AGPA, CPP