

MINUTES
State Advisory Committee on Juvenile Justice and Delinquency Prevention
September 12, 2012

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

Chair, Ms. Sandra McBrayer called to order the State Advisory Committee on Juvenile Justice & Delinquency Prevention (SACJJDP) meeting at 11:10 a.m.

The following SACJJDP members were in attendance:

Mr. Peters	Ms. Wynn	Reverend Brown
Ms. McBrayer	Ms. Harbert	Ms. Biondi
Chief Penner	Mr. Rivera	Ms. O'Malley

Agenda Item A – Approval of Minutes

A motion was made by Mr. Peters in approval of the May meeting minutes; Ms. Penner seconded the motion. The motion carried.

Agenda Item B –Chair Updates

Chair Updates: Chair Sandra McBrayer shared the following items of interest:

Federal:

1. Coalition for Juvenile Justice (CJJ) hopes to host a National DMC conference after the first of the year – SACJJDP will be informed of the “Save the Date’ notice;
2. The Sierra Health Foundation’s Youth Justice Initiative is underway; county awards should be announced shortly; and
3. DMC Committee met in late August; the agenda included the participation of Dr. Ross, President of California Endowment for the purposes of leveraging funds.

Agenda Item C – Staff Updates

Staff Updates: Deputy Director Jean Scott shared the following items of interest:

- New Programs and staff: Senate Bill 92 (Chapter 36, Statutes of 2011), which abolished the Corrections Standards Authority (CSA) and replaced it with the Board of State and Community Corrections (BSCC) effective July 1, 2012 also transferred the administration of the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG), Residential Substance Abuse Treatment for State Prisoners (RSAT) Program and the state funded California Gang Reduction, Intervention and Prevention (CalGRIP) program from the

California Emergency Management Agency (CalEMA) to the BSCC. Ms. Scott introduced the CalEMA staff that transferred to BSCC along with these programs.

At the July BSCC Board meeting, the Board authorized staff to use the CalEMA grant application processes for the JAG and CalGRIP programs for FY 2012 to allow minimal disruption to the field while commencing the Executive Steering Committee (ESC) process to determine future direction. Reverend Brown expressed interest in serving on the CalGRIP ESC when it is established. The JAG and CalGRIP grant applications have been released to the field. Since there were no current grantees transferred to BSCC for the RSAT program, BSCC will establish an Executive Steering Committee to develop the FY 2012 grant application. As part of that process, BSCC is working with the California Jail Programs Association to survey all jails to identify what programs are currently being provided for offenders.

Best Practices Approach Initiative (BPAI): The Executive Steering Committee (ESC) of the Best Practices Approach Initiative (BPAI) will be meeting later this month to redirect remaining project funds to complete the outstanding deliverables for two of the three BPAI counties (Shasta and Inyo) that the vendor, Assessments.com, was unable to complete prior to the contract completion date of July 31, 2012.

Agenda Item D – Board of State and Community Corrections Transition Update

Executive Director, Ms. Mazzilli shared the following items of interest:

- Appointment of Chief Deputy – Ms. Mazzilli introduced Scott Frizzie who was appointed by Governor Brown as Chief Deputy Director of the BSCC. This is a newly created position.
- Consolidation of Resources – In September, the Facilities Standards and Operations Division (FSO) and the County Facilities Construction Division (CFC) were combined into one division. The current FSO Deputy Director Gary Wion will oversee the expanded FSO Division.
- Creation of New Division – To continue to support the BSCC's role in data collection and analysis and administrative practices related to an independent state agency, a new Administration and Research Division was created under the management of Deputy Director Bob Takeshta. This division will include Budget, IT, Personnel/Human Resources, Legislation, Legal, and Research.

Agenda Item E – Legislative Update

Ms. Hunter provided an overview of the legislative process as identified by the SACJJDP Committee and as staffing, membership and leadership has evolved over time:

- Proposed legislation presented to the SACJJDP are bills that meet the criteria developed by the Correction Standards Authority (CSA), now Board of State and Community Corrections (BSCC) and SACJJDP (i.e. proposed legislation that fall under the SACJJDP's purview).

- The criteria include identifying juvenile justice issues that fall under the four core protections of the Juvenile Justice and Delinquency Prevention Act (JJDP) and/or are consistent with the SACJJDP's three-year plan (per California Department of Corrections and Rehabilitation legal advice).
- Designated staff at BSCC, committees of the SACJJDP, and individual members can propose legislation for the committee to review.

This process includes the commitment to sharing legislation in a timely manner and is member driven and staff supported.

Ms. Hunter opened it up for Committee review of current legislation. Public members provided information and requested support on the bills before the Committee:

- Barrie Becker, Executive Director of Fight Crime, Invest in Kids requested SACJJDP support for SB1235.
- Deborah Escobedo, Attorney for Youth Law Center requested SACJJDP Support for AB 1729, AB 2242, and SB 1088.

A motion was made by Ms. Biondi in support of SB 1088; Reverend Brown seconded the motion. The motion carried.

A motion was made by Ms. Biondi in support of SB 1235; Mr. Rivera seconded the motion. The motion carried.

A motion was made by Ms. Biondi in support of AB 2242; Mr. Peters and Reverend Brown seconded the motion. Chief Penner opposed. The motion carried.

A motion was made by Ms. Biondi in support of AB 1729; Mr. Rivera and Mr. Peters seconded the motion. The motion carried.

Agenda Item F – Youthful Offender Block Grant Audit Report

Ms. Bushard provided an overview of the Bureau of State Audit's (BSA) final report (released 9/11/12) regarding the Youthful Offender Block Grant (YOBG) program.

The primary criticism of the BSCC by the BSA is that the BSCC does not present data in its annual YOBG reports that allow for an assessment of whether juvenile realignment has been successful. Ms. Bushard provided background information for the members that in 2007 when YOBG was enacted, realignment language was not defined or utilized as it is now. The goals were not specified in law but were determined to be to reduce the youth population within the Division of Juvenile Justice state facilities, reduce state costs to serve those youth, and keep lower level offenders closer to home.

Given today's focus on realignment, it appears BSA wants the YOBG law and BSCC's role to be something it simply is not per the legislation.

The BSCC has met the YOBG mandate to collect and report county YOBG expenditures and outcomes; that is very different than assessing the success of 'realignment'. The BSCC has released two reports so far with no criticisms from the legislature, or requests for more or different information.

Chief Penner and several other members who were on the YOBG ESC echoed the concerns identified by BSCC staff and offered SACJJDP support in whatever capacity BSCC required. As a result, the BSCC leadership requested SACJJDP support through

appropriate legislative channels. Ms. McBrayer will work with BSCC leadership and staff to develop a response to be submitted to the Governor and legislature.

Agenda Item G – Disproportionate Minority Contact Update – Shalinee Hunter

Ms. Hunter provided the following update on the DMC Initiative.

The Coalition for Juvenile Justice's (CJJ) 2012 Annual Conference was held on June 21-24, 2012. Both the DMC Coordinator, Shalinee Hunter and Deputy Director Jean Scott, participated in that conference which was a great opportunity to introduce BSCC leadership to federal partners and peers across the country.

Additionally, several CJJ leadership committees and business meetings were held, including the Ethnic and Cultural Diversity (ECD) committee which is comprised of State Disproportionate Minority Contact (DMC) coordinators and SAG members who voted in the new ECD Chair, Tracey Wells Higgins, Executive Director for Renewed Minds and New Jersey SAG member. As the co-Chair for the Committee, Ms. Hunter has been tasked with mentoring Ms. Wells Higgins however; she is extremely knowledgeable on the subject of Juvenile Justice and DMC. She has expressed an interest in a site visit to California and as recent as yesterday, released through her organization a research report, the first of its kind, analyzing details of school to prison pipeline from a family perspective.

Secondly, following a comprehensive investigation, the Justice Department announced its findings regarding the Juvenile Court of Memphis and Shelby County (JCMSC), and the Shelby County Juvenile Detention Center in Tennessee.

The findings included failure to provide due process and other constitutional failures. This case is groundbreaking in that it is the first time the DOJ has utilized the DMC mandate to hold a jurisdiction responsible for the disproportionate number of youth involved in their system and the disparate treatment of youth of color.

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) is now working to assist Shelby County and has put together a team of folks to participate in the reform efforts. This team is comprised of national experts, three of which currently sit on California's DMC Committee, James Bell of W. Haywood Burns, Raquel Mariscal from the Juvenile Detention Alternative Initiative (JDAI), and Dr. Cameron Wedding Ph.D., Women's Studies Chair and Professor at Sacramento State University. BSCC staff will keep the SACJJDP apprised as this case unfolds and progress is made in bringing Shelby County into compliance and out of receivership. It also must be noted, per OJJDP staff, this is the first County of possibly quite a few; and is being framed as precedence-setting in terms of DOJ and OJJDP holding jurisdictions accountable for DMC issues.

DMC Sites: In addition to the national leadership in reducing disparity and disproportionality, California continues to make progress with the 13 DMC sites currently underway. There are six sites that are approaching the end of their grant cycle (December 2012) and BSCC staff continue to assist toward sustainability. There are seven sites approaching their third phase of DMC reduction and implementation plan. BSCC staff is working with these sites in ensuring they stay on track and are capable of moving the effort forward.

DMC Assessment: This Committee agreed to undertake the assessment activities through the most cost-effective and efficient mechanism possible. As a result, a team of researchers currently working for BSCC along with at least one DMC expert researcher to help guide the assessment process have been identified. To that end, BSCC is currently working to finalize

a sole source contract with Monique Morris, researcher, DMC expert and DMC Committee member.

The assessment completion date is currently set for the end of March .and the final product should provide meaningful, data-driven recommendations for future DMC direction.

Lastly, U.C. Berkeley has completed the DMC training modules and shared them with the BSCC staff in electronic formats. The modules were reviewed by several members of the Training Curriculum Advisory Committee including James Bell from the BI, Dr. Cameron Wedding, and Monique Morris, but only in its draft version. Staff plans to have U.C. Berkeley staff present the training modules to the DMC Committee at the next scheduled meeting.

Agenda Item H – Federal Fiscal Reductions

Ms. Zentner provided an overview of the federal fiscal reductions and impact.

Over the last several years this committee has worked to support the juvenile system improvements and reform with the Title II, Title V and Juvenile Accountability Block Grant monies.

Due to the fiscal climate not only at the state level but also at the federal level, juvenile justice funding has taken a significant hit. The federal juvenile programs have been reduced significantly:

- JABG award was reduced by almost 22% from the 2010 allocation, and then reduced further in 2012 by an additional 40%, for a total 2-year funding reduction of approximately 53% (\$4,442,000 to \$2,076,603)
- Title II award was reduced by over 20% from the 2010 allocation, and then reduced further in 2012 by an additional 60%, for a total 2-year funding reduction of approximately 68% (\$6,970,000 to \$2,237,024).
- Title V were completely eliminated for the 2012 funding year

These reductions in federal allocations necessitated adjustments to the JABG and Title II applications; for Title II, specifically, to continue funding the four core requirements at a level to continue California's compliance while also continuing priorities set forth by the SACJJDP in its strategic plan.

This has also impacted the fiscal planning strategy staff had developed for continuing to fulfill current contractual obligations as well as anticipated plans for future funding opportunities or initiatives as previously discussed by this Committee.

For JABG, grantees have not yet been impacted due to the reductions. Given the nature and timing of the JABG funding cycle, discretionary dollars historically accrue at a rate that exceeds the resources available for developing new projects and initiatives prior to the expiration of the funding. To avoid reversion of these funds to OJJDP, unspent discretionary JABG funding that is in danger of expiring has been passed on to the local entities meeting the federal funding threshold to receive a direct allocation. This has helped offset and/or delayed the impact of the JABG funding reductions felt at the local level. However, for fiscal year 2013-14, it is anticipated that the local entities receiving a direct allocation will continue to experience further decreases in their direct allocations; however, the BSCC staff anticipate an approximate \$1 million available for distribution in early 2013.

Due to the on-going Tribal, DMC and Title II contracts, original funding amounts have been “obligated” for their entire 3- or 4-year contract terms, which means there will be very little, if any, new funding opportunities for local assistance projects until the 2014 Title II Award (Fall of 2014) is received.

Agenda Item I – Meeting Schedule

The SACJJDP agreed to align the last meeting of the year with the Board meeting schedule with the caveat that the SACJJDP meeting would be held from 10:00am to 12:00p.m. on November 7th, 2012.

ATTENDANCE ROSTER

Patricia Mazzilli, Executive Director, BSCC
Scott Frizzie, Chief Deputy, BSCC
Jean Scott, Deputy Director, CPP
Shalinee Hunter, Field Representative, CPP
Oscar Villegas, Field Representative, CPP
Helene Zentner, Field Representative, CPP
Colleen Stoner, Field Representative, CPP
Aaron Long, Field Representative, CPP
Kim Bushard, Field Representative, CPP
Veronica Silva-Ramirez, Secretary, CPP
Sandra Fletcher, Program Analyst, CPP
Rakesh Sharma, Program Analyst, CPP
Krystal Lewis, Fiscal Analyst, CPP