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| The Juvenile Justice Standing Committee (JJSC) meeting was called to order at 10:05 a.m. by Chair David Steinhart.  The following Committee members were in attendance: | | |
| Mr. David Steinhart, Chair  Ms. Sandra McBrayer  Judge Donna Groman | Ms. Sue Burrell  Mr. James Bell  Dr. Arash Anoshiravani | Chief Laura Garnette  Chief Bejarano |
| Special Guest:  Ms. Rachel Rios, SACJJDP |  |  |

**Agenda Item A Welcome and Introduction**

Chair Steinhart opened with welcoming all in attendance. Introductions were made by members of the committee, special guest Rachel Rios, and BSCC staff. Chair Steinhart asked for updates to ESC member profiles and to provide them to Field Representative Lisa Southwell for any changes.

**Agenda Item B Approval of the August 2017 Minutes**

Chair Steinhart reminded the group of the August 2017 minutes and stated that he did not have any edits.

**Motion to approve the August 2017 minutes by Ms. Garnett; Judge Groman seconded; motion carried without opposition.**

**Agenda Item C Coordination of the SACJJDP and the JJSC**

Chair Steinhart updated the committee of the changes made within the SACJJDP over recent months and the appointment of new members and Chair, Rachel Rios. Inquiries have been made on the relation between the SACJJDP and JJSC and any formal plans for collaboration. Mr. Steinhart also explained that the JJSC was established in 2013 as a parallel committee to the SACJJDP with the idea of bringing in additional expertise and a strong focus on state based issues, particularly ones that are mandated on the Board and supposedly distinct from any federal mandates through the SACJJDP.

**Mr. Steinhart invited SACJJDP Chair Rachel Rios to speak to the committee on her vision for the SACJJDP moving forward.**

Ms. Rios shared that much of the new membership to the SACJJDP are youth members and much of the committee’s focus is developing the State’s 3-year plan for Title II. The new 3-year plan for the SACJJDP will not only include input from youth perspective but also public suggestions as heard at the listening sessions that have and will take place.

Ms. Rios stated that two public hearings were held in Sacramento and Los Angeles. She acknowledged Mary Jolls, Deputy Director of the Corrections Planning and Grant Programs Division (CPGP), and her team for the outstanding work with SACJJDP.

Ms. Rios explained that during the last SACJJDP meeting the following priorities for the state plan were discussed: keeping youth out of the juvenile justice system and reducing recidivism. SACJJDP is also focusing on supportive services such as housing and resources, community services and diversion programs that deal with youth on the front end of involvement with law enforcement, and mental health services to include mentoring and counseling programs.

At the January meeting, the SACJJDP will finalize the State plan and determine budget needs to roll out the plan. The State plan is focused on state-centered efforts based on federal requirements. The Committee will also address the Reducing Racial and Ethnic Disparity (R.E.D.) plan; there is a lag between the three-year grant cycle for Title II and the current cycle of R.E.D. funded programs.

Ms. Rios stated that the SACJJDP is looking to align as many priorities and activities as possible with the JJSC.

In response to Mr. Steinhart’s inquiry about current allocation, Ms. Rios reported that $3.4 million had been allocated to California during the previous federal fiscal year grant cycle. Ms. Rios stated that this was about $500 less funding from the previous federal fiscal year.

Mr. Bell noted that the reduction in R.E.D federal funding is disappointing and commended the notion of going wider with R.E.D. funds in the future, meaning that in the next grant cycle, BSCC should encourage additional counties to seek funding. Mr. Bell said that we need to look at the trends and counties that are willing to do the work and get better results. His sense is that after 25 years of federal funding for DMC/R.E.D., R.E.D. beneficiaries continue to be white individuals. The funding requirements should go deeper; individuals of color experience income isolation and the building bricks for progress must be built intentionally. Instead of looking at tools, technology and science, efforts should be culturally based. Ms. Rios acknowledged Mr. Bell’s statements and noted that the SACJJDP and R.E.D. Subcommittee have an opportunity to look at these points during the year.

Ms. McBrayer stated that the next rollout of R.E.D. funding must be more intentional and more valuable and supports Mr. Bell’s statements. In San Diego, protocols have been developed to include juvenile diversion programs. Community-based interventions continue to show positive results. Mr. Bejarano replied to this statement by noting that the police departments’ focus was on field contact rather than arrest, which contributed to lower numbers of youth coming back into the system.

Ms. Burrell acknowledged that community involvement and resources are essential and the help it provides law enforcement.

Judge Groman stated that arrests in schools should be addressed.

Mr. Steinhart commented that R.E.D solutions should be shared and discussed during the JJSC and SACJJDP joint committee meetings.

Ms. Rios stated that there is a lot of good work to be done and will consider all the input; the SACJJDP and R.E.D. committee hopes to finalize the plan within the next two meetings.

Mr. Steinhart asked if the R.E.D grant funds have been reduced; Ms. Rios replied that due to the reduction of the SACJJDP, R.E.D was also reduced. With these reductions, the ESC will prioritize and decide on the proper allocations. SACJJDP is working with staff to identify other resources available. SACJJDP will determine how much money is available in January.

Ms. McBrayer stated that the Federal government has asked us to look at tribal support as well. We allocated $300,000 - $400,000 to tribal support. Ms. McBrayer asked if SACJJDP has been reviewing the set aside for tribes. Ms. Rios responded yes, especially now that allocations have been made public. It is a small amount of money and it should be an incentive for grantees. The amount of money available now will not make an impact on the programs.

The next SACJJDP meeting schedule is:

1/25/2018 (Sacramento); 3/28/2018 (Sacramento); 5/9/2018; 8/22/2018; 10/17/2018; 11/14/2018

The SACJJDP and JJSC Chairs will be moving to find a date where there can be a joint meeting of committees.

**After no further comments, Chair Steinhart moved to discussion item D.**

**Agenda Item D Juvenile Justice System: California Update**

Mr. Steinhart gave an overview of the data he has been collecting on juvenile justice trends over the past year, including juvenile crime and incarceration, Division of Juvenile Justice (DJJ) populations and admissions, impacts of propositions, state policies and practices, and what changes have been seen in the system in the last 20 years. Mr. Steinhart noted that arrest data was not readily available.

Serious crimes are down 72% and the total juvenile arrests are 62,743. Mr. Steinhart stated the downward movement has accelerated for juvenile felony arrests. The total reduction is unknown but changes in treatment of crimes and criminals is presenting the decline. Felony violent crime trend data shows that juvenile rates are declining more than adults. By supporting early diversion models, we can continue to see a declining trend in arrest data. Juvenile halls and probation camp occupancies have been declining. Jobs and use of space has been an issue of great interest. There is no ethnicity or mental health data available for juvenile justice and this will be a discussion for the committee that works to upgrade the Juvenile Detention Profile Survey.

Mr. Bell said that the data is helpful and added that there is a need for these numbers to be identified by race and ethnicity.

Mr. Steinhart pointed out that transfers of juveniles to adult court declined from 2005 to 2016. Prop 57 will require a transfer hearing for juveniles to transfer to adult facilities. There are dramatic downward trends of population in juvenile facilities from 1996 to 2016. Challenges continue at DJJ, although we don’t have data to review. Also noted is that YOBG grant data is slim. Judge Groman added that group home placement has not gone down in the past year.

Continuum of Care Reform (CCR): Group home foster kids will be converted to Short Term Residential Therapeutic Programs status; 1,500-2,000 annual probation placements are affected. There are no current measures or data tracking of CCR impact on probation youth.

Review of 2017 Legislation. A lot of progress has been made to benefit juvenile justice; a few are:

* Expanded parole options for juvenile life without parole.
* AB 1308 expands eligibility for parole for juvenile lifers.
* Due Process counsel right at interrogation.
* Sealing of records, which expanded rights.
* DJJ restored honorable discharge.
* Juvenile sex offenders are in a tiered registration.
* Shackling has been limited on transport restraints.
* There are limitations on when noncitizen youth can be reported to the federal government.

**Agenda Item E AB 1998 Juvenile Data Report: Review and Approve Staff Draft**

Allison Ganter and Kasey Warmuth reported on AB 1998 and outlined how it provides guidance to local juvenile justice systems on disaggregation of juvenile justice data by race and ethnicity. The overarching recommendation is that data collectors use a single question format that combines race and ethnicity.

Ms. McBrayer asked if a youth should respond on the survey with more than one ethnicity, will they be counted in a different category and Judge Gorman asked if staff had information on what other states are doing.

Ms. Ganter added that the census website has information on guidelines and research and that Illinois has robust guidelines on data collection. The federal guidelines are a bit more extensive and always changing.

Ms. McBrayer suggested a format change to have the recommendations be streamlined or consolidated into one page of the report to prevent confusion. Also suggested changes in language format and tense format to be more directive rather than suggestive.

Dr. Anoshiravani suggested that data should be comparable to other states and entities.

Ms. Burrell suggested the following:

1. Agreed with 1 vs 2-part question; consider the national association of Latino elected officials
2. Having counties develop data protocol and how the data is entered into the system for consistency
3. National origin should not be included, which was recommended
4. Middle Eastern and North African are over broad and should be streamlined

Mr. Steinhart echoed Ms. McBrayer’s suggestion to have the recommendations of the report stand out on one page.

Mr. Steinhart suggested that the group should move forward with the changes and request that staff make any suggested changes before bringing the report to the full BSCC Board for final approval and distribution.

**Motion to approve the AB 1998 report by Ms. McBrayer; Mr. Bejarano seconded; motion carried without opposition.**

**Agenda Item F Juvenile Detention Facility Minimum Standards Revisions Process Update**

Mr. Steinhart gave a brief overview of the juvenile regulations revisions process. The ESC has met on three prior occasions. First in March 2017 to define the process, take public comment and highlight expectations and specific information for consideration and inclusion by the workgroups. The second meeting was in September 2017 to hear directly from workgroup chairs regarding the revisions made by the individual workgroups and the third meeting was in November 2017 to review and accept the changes and to hear follow up to action items from the September meeting. Staff will update the committee on the results of the most recent meeting of the ESC, the revision timetable and other matters pertaining to the juvenile facility standards revision process.

Ms. Ganter and Ms. Southwell gave a summary of each workgroup’s recommended changes. Generic concerns for inconsistencies with how statutes and codes are interpreted amongst agencies, quality control and enforcement of regulations, fidelity to program models used in facilities, and access to phone calls were raised in the workgroups and addressed.

Article 2: Definitions: There were revisions made for clarity and consistency. The goal was to not include definitions unless there was a direct correlation to regulations.

Article 3: Regulation 1329 – Suicide Prevention: There were three options for review by the ESC and medical/mental health’s version was reworked; the ESC chose the option that was more detailed and comprehensive and addressed trauma that a youth may be experiencing both before and after an event as well as an expectation for those involved with the youth to be least intrusive as possible.

Article 5: Regulation 1353 – Orientation: A process was added to the requirements whereby parents/ guardians may receive information regarding the youth’s stay in the facility, FAQ’s and contact information for the facility, medical, school and mental health.

Regulation 1357 Use of Force: Chemical agents were discussed at length by the ESC, and extensive public comment was also considered. The ESC accepted a proposed regulation that allows chemical agents to be used only when there is an imminent threat to the youth’s safety or others and only when de-escalation efforts have been unsuccessful or are not reasonably possible.

1374 Visiting: Language was added that prohibits the denial of visitation based solely on the visitor’s criminal record to ensure that youth receive visits from important people in their lives, regardless of what their criminal history states. Facilities will still have authority to deny visitors.

1461 Minimum Diet: Youth may request vegetarian diet.

1487 Shaving: Language was added to allow all youth to have the opportunity to shave their face or body.

1482 Clothing Exchange: Youth will be allowed to have their own underwear issued to them throughout their stay in the facility.

1321 Staffing: The BSCC Board will be considering revising staffing ratios at the February 2018 meeting. Up for consideration is whether to reduce youth to staff ratios to 1:8 and 1:16.

The Board will be considering all regulation revisions at the February 8, 2017 meeting in Sacramento. After approval, BSCC staff will proceed with the Office of Administrative Law and anticipate these new regulations to be effective January 2019.

**Agenda Item G Legislative Update**

Mr. Steinhart presented the legislative update for 2017 bills which were signed and vetoed. In 2017 youth sentencing changed. SB 394 allowed parole options for juvenile LWOP inmates. AB 1308 expanded eligibility for parole for juvenile lifers. SB 395 allows for due process and counsel right at interrogation. SB 312 and AB 529 allowed a youths’ record to be sealed. DJJ honorable discharge has been restored by SB 625. Juvenile sex offenders will now have a tiered registration by SB 384. AB 878 has put limits on shackling during transportation. SB 54 and AB 613 will limit reporting of immigration status of youth to federal government. Thanks to SB 190, costs to youth parents have been eliminated.

Mr. Steinhart mentioned that in the past twenty years juvenile justice reform has transformed quite significantly. Juvenile felony arrest in California dropped by 75%. Juvenile hall and camp/ranch populations are cut in half. DJJ realignment: population drops from 10,000 to less then 700. DJJ parole is eliminated, realigned to local probation. New parole laws and options for LWOP and lifers. New record sealing laws to promote youth re-entry into the community.

**Agenda Item H 2018 JJSC Workplan**

Mr. Steinhart asked members to brainstorm ideas and subject matters that could eventually form the basis for a 2018 workplan for the JJSC. Members also discussed the need to reach out to, and work with the Chief Probation Officers of California (CPOC) to determine how best to approach shared topics of interest. These items can be discussed at the Joint JJSC/SACJJDP meeting. The following were offered:

Diversion

How do we get information about kids at the earliest point of contact to ensure that youth don’t then enter the juvenile justice system?

R.E.D.

There continues to be a lack of data reflecting race and ethnicity of youth in juvenile justice. Members expressed a desire to work with the SACJJDP on improving R.E.D. efforts toward data collection.

Improved Data Collection

Members recognize the need for robust data collection and reporting on all aspects of juvenile justice and look forward to an opportunity to recommend revisions to the Juvenile Detention Profile Survey.

Mental Health and Competency

There are no statewide data on this topic; it would be helpful to have data on the topic so that meaningful recommendations could be made.

The ESC agreed to meet on March 21, 2018 in conjunction with SACJJDP.

**Agenda Item I Public Comment**

No Public Comment

**Adjournment**

The December 15, 2017 JJSC meeting was adjourned at 2:13 p.m.