

**MINUTES**  
**Juvenile Justice Standing Committee**

Board of State and Community Corrections  
2590 Venture Oaks Way, Sacramento, CA 95833  
July 11, 2018  
10:00 a.m. – 2:00 p.m.

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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	Mr. David Bejarano	Mr. Gerry Lopez
Ms. Sandra McBrayer	Ms. Sue Burrell	
Ms. Donna Groman	Ms. Charity Chandler	

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**Agenda Item A**

**Welcome and Introductions**

Approval of the March 21, 2018 Meeting Minutes

Chair Steinhart opened with welcoming all in attendance. Introductions were made by BSCC staff members and members of the audience.

**Mr. David Bejarano motioned to approve minutes. Ms. Charity Chandler seconded. The Motion carried.**

Deputy Director Ms. Allison Ganter called roll and announced there was quorum for voting.

**Information Item:**

Chair Steinhart informed the group of the recent Coalition on Juvenile Justice (CJJ) meeting that took place in Washington D.C. and was attended by BSCC staff. Chair Steinhart asked Deputy Director Allison Ganter to share details and new vision of OJJDP that was expressed at the meeting.

Ms. Ganter explained that the primary goal of the CJJ conference is to bring together State Advisory Groups from across the United States as well as State Representatives for those state agencies that manage Title II funds for OJJDP. Caren Harp, the new administrator reiterated public safety and accountability as priorities for the Office of Juvenile Justice and Delinquency Prevention (OJJDP), as well as other strategies for reform, some of which are related to adolescent brain development. There will be reorganization within the federal agency and simplification of data collection, specifically for the Disproportionate Minority Contact (DMC) core requirement. Details to follow.

Ms. Ganter also shared that seven (7) pieces of guidance related to compliance monitoring has been rescinded by Attorney General Jeff Sessions on July 3, 2018. Dating back to the 1980's, much of the guidance has been inconsistent, even though it is what many states rely on to navigate the Juvenile Justice Delinquency Prevention Act landscape. In the future, regulation will replace the rescinded guidance as appropriate.

CPGP Field Representative Kim Bushard added that OJJDP will be doing away with the Relative Rate Index (RRI) for DMC.

Ms. McBrayer explained that the RRI is a tool developed for the Reduction of Ethnic Disparities program (formerly DMC) that counties use to compare how non-white youth vs. white youth are treated at each decision point in the juvenile justice system.

Ms. Burrell expressed her disappointment of the decision to repeal existing guidance for JJDPa without an immediate replacement that will help answer questions on how to report to the OJJDP.

Chair Steinhart reminded members that the State Advisory Groups (SAG) are primary responders to JJDPa. Concerns for rolling back progressive juvenile justice reforms and/or further reduction of funds for CA. Should BSCC reconsider value of performing at high cost with less resources.

SACJJDP will likely discuss how to respond to impending changes at next scheduled SACJJDP meeting in August.

Ms. McBrayer recommended that JJSC suggest collaboration between JJSC and SACJJDP when formulating official response to OJJDP.

#### **Consensus from group on Ms. McBrayer's recommendation.**

Ms. Ganter reassured members that although JJDPa guidance has been repealed, CA already has statutes that align with/exceed JJDPa requirements. Therefore, protections are in place when BSCC administers compliance monitoring responsibilities.

Chair Steinhart moved the discussion to Agenda item B.

#### **Agenda Item B**

#### **Update on CA State Budget and Legislation**

Chair Steinhart provided a recap on key budget outcomes and legislative items.

#### **Budget Update:**

- \$37.3M will be appropriated for Youth Reinvestment Fund. Dwindled down from original \$100M proposal. BSCC will administer 94% of the funds through a competitive grant process focused on trauma informed diversion programs for juvenile offenders. Funding will go to Community Based Organizations (CBO's) that are represented by a single city or county agency. Grants range from \$50K – \$1M and will be extended over a few years. One-time funding opportunity with priority to areas with high rates of over-representation in arrests by racial and ethnic disparities. High rates of status offenses and misdemeanor arrests. Additionally, BSCC will administer another 3% of the \$37.3M for Indian Tribal provisions.

Discussion included concerns and previous efforts made to change passthrough practices for grants and the representation of government units for CBO applicants.

Ms. Groman advised that we must be mindful of nomenclature used to describe young people. Particularly anything distributed/published by BSCC.

- \$50M was pulled out of original Youth Reinvestment Fund to be administered separately by the BSCC as a reentry fund for housing of people released from Adult jails.

Ms. McBrayer asked of the \$37.3M for the Youth Reinvestment Fund, what the Tribal allocation ended up being. A group member responded the amount is \$1.1M. Ms. McBrayer went on to discuss the challenges for SACJJDP to implement a competitive bidding process with the small amount previously allocated for Tribal Youth. Needs of large and small tribes are very different from other larger population being funded.

- CalGrip funds reapproved for 3 years
- Rejected update to DOJ's JCPSS data collection system.
- Extended DJJ custody age to 25 from 23 for certain youth.

#### **Legislative Update:**

- SB 1391 restores previous ban of transferring of 14 and 15-year olds to adult criminal courts. Passed Senate; in Assembly Approp Committee.
- SB 439 limits delinquency jurisdiction to those between 12 and 17 unless minor under 12 commits murder, rape with force, violence or great bodily harm. Passed Senate; in Assembly Approp Committee.
- AB 2605 limits placement provider contacts with law enforcement. Passed Assembly; Pending on Senate Floor.

Ms. Groman indicated that restorative justice is lacking in language of proposed legislation.

#### **JJSC supports recommendation to SACJJDP that ESC for Youth Reinvestment Fund allocation include restorative justice element as a priority when looking at diversion.**

- AB 2010 ban on pepper spray in juvenile facilities. Dead
- AB 2448 access to computer technology and the Internet in juvenile placement facilities. DJJ removed from bill. Passed Assembly; in Senate Appropriations Committee.
- AB 2595 courts to set maximum term of confinement in Division of Juvenile Justice and continuing jurisdiction over DJJ wards. Passed Assembly; Passed Senate Public Safety Committee; Pending on Senate Floor.
- AB 2952 amends WIC section 786 requiring the Juvenile Court to seal juvenile offense records on its own initiative upon determining that juvenile has attained satisfactory completion of diversion or probation. Would allow an auto-sealed record to be accessed for various purposes. Passed Assembly; in Senate Approp Committee.

Ms. Ganter moved the discussion to Agenda item F as JJSC prepared for presentation from Results First Initiative

#### **Agenda Item C**

#### **Juvenile Justice Data Challenges in California**

## Presentation: Results First Initiative in CA

Chair Steinhart introduced the JJSC and welcomed presenters via livestream. He also shared BSCC's mandate of seeking to collect and make available data and information on the impact of state and community corrections juvenile justice and gang related policies and practices. Efforts on behalf of the JJSC include ongoing discussions on improving data collection instruments such as the Juvenile Detention Profile Survey, publishing a report from the Juvenile Justice Data Working Group, and issuing a Statement of Principles on Juvenile Justice Reform that was adopted by the Board. Furthermore, the issuance of the AB1998 report and a budget proposal to upgrade the DOJ's JCPSS.

Ashley Holland and Mara Weinstein from Pew-MacArthur Results First Initiative presented.

The Pew-MacArthur Results First Initiative, a national initiative, works with states and counties to implement an innovative evidence-based policy-making approach to help leaders invest in policies and programs that are proven to work. In California, Results First is partnered with CDCR to inventory and assess substance use disorder treatment programs and identify and invest in those that produce the highest rate of return on the state's investment. In partnership with California State Associate of Counties (CSAC), Results First is assisting six California counties target their resources on cost-beneficial adult criminal justice programs proven to reduce recidivism and is working with select counties to expand the Results First approach to additional policy areas. The county of Santa Clara is embarking on implementation of the behavioral health module, while the County of Santa Cruz has expanded to the juvenile justice policy area.

The Results First Initiative is based on a seminal benefit-costs analysis work from the Washington State Institute of Public Policy and consists of a 4-step process:

- Create an inventory of currently funded programs;
- Assess the level of evidence available for each program;
- Conduct benefit-cost analysis to compare programs likely return on investment; and
- Use evidence to inform spending and policy decisions.

They are currently in 27 states and 6 local counties: Fresno, Kern, Santa Clara, Santa Barbara, Santa Cruz and Ventura. The Results First approach has helped partners:

- Systematically analyze data and make decisions based on evidence, rather than anecdote.
- Target funding to evidence-based programs and develop alternatives to ineffective options.
- Enact legislation and agency policy to advance evidence-based policymaking.
- Monitor program's fidelity to their original design and their performance against set targets.

Results First clearinghouse database and clearinghouses that rate programs do not consider the costs of the programs; however, the programs are rated based on quality and quantity of research behind them.

Partnership criteria is that there be a minimal level of data available to develop a cohort analysis of offenders released to probation at a certain year and tracked for at least 3-4 years.

For those counties that do not have significant county-specific data, a more streamlined version of the benefit-cost tool is available to use which relies on state-specific data.

There is no charge to counties for using the benefit-cost analysis tools besides the staff time needed to build and implement the tool.

CSAC has partnered with Pew-MacArthur Result First team and serves as the primary contact in California for counties that are interested in participating in the program.

Chair Steinhart thanked the Results First team for their presentation and returned the discussion Agenda item D.

**Agenda Item D**

**Juvenile Justice Standing Committee: Priorities for 2018-19**

Chair Steinhart reminded the group of JJSC data collection efforts and offered a proposal to form a subcommittee, which would include a few members of the JJSC, that focuses solely on revisions to the Juvenile Detention Profile Survey.

**Members of the JJSC resolved to convene a subcommittee working group.**

Chair Steinhart solicited suggestions on how to move forward with shared priorities that were identified during the JJSC and SACJJDP joint meeting in March 2018:

- Diversion
- Alternatives to Detention and Placement
- Aftercare and Re-entry
- Cultural Equity, Reduction of Racial and Ethnic Disparities
- Youth Mental Health
- Mentoring, Counseling and Training
- Data Outcome and Measures

Ms. McBrayer offered the use of a dispositional decision matrix such as the one utilized by the State of Florida. Probation may be able to use this tool for accountability in decision making as it relates to equity, reduction of racial and ethnic disparities and alternatives to detention and placement.

Chair Steinhart thanked Ms. McBrayer for her suggestion and expressed concern for the difficulty that would be to implement such a tool for the state of CA.

Ms. Burrell proposed that the JJSC could reinstitute “transfer of knowledge” workshops and invite participants statewide that have knowledge/experience with selected topics.

Ms. McBrayer responded that that was an idea discussed amongst the SACJJDP for many years, but the challenges of funding prevented it from materializing.

Ms. Burrell suggested the possibility of partnering with law schools or larger universities such as UC Davis for hosting events or utilizing their research in order to minimize burden on resources.

Mr. Lopez suggested that the next agenda item include an internal reevaluation of JJSC's best practices/values. Is it a cost-benefit to exist as a committee? How can we be more impactful? Too much robust discussion to not actualize.

Ms. Charity Chandler seconded Mr. Lopez's concerns and added that opportunities to advance information outside of BSCC should be taken advantage of. Social media is a substantial tool for soliciting public engagement.

Ms. McBrayer added that it is incumbent upon each other to share with individual spheres of influence.

Ms. McBrayer asked Field Representative Kim Bushard where the SACJJDP was at in their 3-year plan.

Ms. Bushard responded that they were at the end of the 3-year plan.

Ms. McBrayer also suggested a joint effort between the JJSC and SACJJDP committees to host transfer of knowledge forums as a way to utilize available resources for advancing shared priorities.

Mr. Lopez reiterated a formal recommendation of agendizing the actual outcomes/objectives of future JJSC meetings that will go further than just capturing discussion.

Chair Steinhart recommended that the JJSC publishing of Principals of Juvenile Justice Development in CA should be revisited and used as a template moving forward.

Mr. Lopez welcomed feedback from BSCC on perspective as to how JJSC can be more effective.

Ms. Ganter suggested opportunity to share prominent challenges identified at the conclusion of each inspection cycle could be valuable. Issues of non-compliance can drive topics for transfer of knowledge forums.

Solicit feedback from youth/community members directly impacted from juvenile justice practices on conditions of facilities and unaddressed concerns.

Chair Steinhart moved the discussion to Agenda item E.

### **Agenda Item E**

### **County Juvenile Detention Facility Review**

According to data compiled from the Juvenile Detention Profile Survey, juvenile detention facilities were operating at 35% of capacity in 2017. The decline in juvenile population has initiated a response of facility closures or repurposing, transferring of youth to neighboring counties, and downsizing of probation jobs.

The Continuum of Care Reform has impacted juvenile justice youth by closures of group homes and moving youth to private family foster care or Short Term Residential Therapeutic Programs.

SB1004 pilot program allows for the utilization of empty juvenile hall space for housing of

young adults. Repurposing efforts fall within the BSCC and JJSC purview with facility oversight.

Ms. Groman commented that converting empty facilities to day treatment facilities more cost-effective.

Ms. Chandler notified members that LA's camp Gonzales is working on model for voluntary vocational camp that should be looked at for inspiration.

Ms. McBrayer added that San Diego is also under way with similar model and should be operational within 18 months from July 2019. Cultural shift in staff selection and probation services. Ventura has 2 evening reporting centers on farms that serve as agriculture programs for juvenile justice youth.

Ms. Ganter suggest that in addition to issues of non-compliance would like to highlight new programs and innovative practices observed in differing counties.

Mr. Lopez recommended JJSC on site observations of new programs. Would be helpful in identifying best practices.

Chair Steinhart closed the JJSC meeting and notified members that the next meeting schedule will be determined via doodle poll.

#### **Agenda Item F**

#### **Juvenile Detention Facility Minimum Standards Update**

Ms. Ganter updated the group on status of juvenile regulations revision process. 45-day public comment period ended May 2018 and included some comments that were previously submitted for consideration. Next steps are primarily administrative work with the Office of Administrative Law. Following approval from Board in September, will submit revisions to OAL with a 30-day turnaround time. If accepted, revisions will become effective sometime in early 2019.

Most notable regulation changes were to use of force and use of restraints requirements as well as terminology and services related to transgender youth.

Discussion returned to Agenda Item C.

#### **Adjournment**

The July 11, 2018 JJSC meeting was adjourned at 1:40 p.m.

BSCC staff members in attendance:

Ms. Allison Ganter, Deputy Director  
Ms. Lisa Southwell, Field Representative  
Ms. Tameka Shedwin, Associate Governmental Program Analyst

Audience members present:

Elizabeth Espinoza, Consultant, Results First

Kim Bushard, Field Representative  
Tim Polasik, Field Representative  
Deanna Ridgeway, Associate Governmental Program Analyst

Absent JJSC members:

James Bell, Executive Director, The Haywood Burns Institute  
Denise Hertz, Professor, School of Criminal Justice CSU-LA  
Julio Marcial, Director, Libery Hill Foundation  
Laura Garnette, CPO, Santa Clara County  
Arash Anoshiravani, Medical Director, UCSF Benioff Children's Hospital