

**MINUTES - AMENDED
Juvenile Justice Standing Committee
October 30, 2013**

**Sierra Health Foundation
Capital Room
1321 Garden Highway
Sacramento, CA 95833**

Chair Steinhart called to order the Juvenile Justice Standing Committee (JJSC) meeting at 11:15 a.m.

The following Committee members were in attendance:

Mr. David Steinhart, Chair	Mr. James Bell	Ms. Sue Burrell
Ms. Charity Chandler	Chief Ron Davis	Ms. Laura Faer
Mr. Gerry Lopez	Ms. Sandra McBrayer	

Agenda Item A

Welcome and Introductions (11:15 a.m.)

Chair Steinhart introduced the board and staff. After which, he presented the new Board of State and Community Corrections (BSCC) Executive Director Kathleen Howard, who then introduced herself, welcomed the JJSC, and spoke to her personal goals for the Committee. **(10:10 a.m.)**

Agenda Item B

Approval of Minutes (11:28 a.m.)

Ms. McBrayer moved to approve the minutes; Ms. Burrell seconded the motion. The motion carried without opposition. (11:28 a.m.)

Agenda Item C

Chair and Staff Updates (11:29 a.m.)

Adjustment to the Minutes

Chair Steinhart commented that the previous minutes were quite extensive and noted that the happy medium between too much or too little notation has not yet been established. Mr. Bell suggested inserting action items into the minutes.

Action Item: Action items will now be documented in this formatting.

Agenda Item D

Adolescent Development and Juvenile Justice (11:34 a.m.)

Ms. Burrell presented on adolescent development and juvenile justice. She cited many legal cases supporting her findings and solutions moving forward: Roper v. Simmons (2005), Graham v. Florida (2010), J.D.B. v. North Carolina (2011), Miller v. Alabama (2012), People v. Caballero (2012), Senate Bill (SB) 9 (2009), and SB260 (2013). Her presentation emphasized areas in which adolescent development principles could be used to change the law, court processes, and its impact on sentencing and disposition. These areas included but were not limited to Proposition 21; the sexual exploitation of minors, such as cases of prostitution, sexting, and zero tolerance laws; the waiver of rights; juvenile perception of authority; competence to stand trial; unlawful searches and confessions; and the abolishment of juvenile life sentences without parole.

Chair Steinhart agreed with Ms. Burrell's presentation, but noted that the BSCC is not a sentencing or policy-making body. Thus, he asked how to take what was presented and apply it to the work of the JJSC.

Ms. Chandler asked how the Committee could apply this research to at-risk youth prior to incarceration.

The Committee then agreed that the defined term of "juvenile offender accountability" in terms of juvenile justice needs to be updated.

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Action Item: Edit the *Juvenile Justice Standing Committee Development Principles and Goals* as moved.

Mr. Bell motioned that the JJSC should have the opportunity to report their findings to the full BSCC at an appropriate time to be determined. Ms. Faer seconded the motion. Mr. Bell's motion carried without opposition. (1:45 p.m.)

The Committee then deliberated on presentation styles for the future presentation to the BSCC.

Agenda Item G Prison Rape Elimination Act (1:50 p.m.)

Mr. Brian Johnson presented on the Prison Rape Elimination Act (PREA) to further educate the Committee on PREA requirements as applicable to California's juvenile facilities, the standards, inspections, and enforcement thereof, as well as BSCC mandates. Mr. Johnson posed the question from a facility management framework: Is it more cost effective to be PREA compliant or to endure the five percent federal funding cut and a possible lawsuit for being out of compliance? Mr. Johnson posed the idea of incorporating PREA standards into the BSCC's Title 15 to the Committee. BSCC Field Representative Allison Ganter spoke on behalf of the BSCC's Facilities Standards and Operations (FSO) Division as to the pros and cons of having BSCC field representatives checking PREA certification. **(2:16 p.m.)**

Agenda Item H Future Agenda Items (2:17 p.m.)

Pepper Spray and Juveniles

Chair Steinhart then directed the Committee's attention toward the regulation and use of pepper spray on juvenile detainees. Ms. McBrayer began the discussion and questions were raised so far as Title 15's evidence-based standards. The standard only states that any given facility must have a policy on the subject of the use of pepper spray on juveniles, but it does not define any scope of said policy.

Action Item: Develop and define the Committee's best use and practices for the use of pepper spray on juveniles.

Defining the Terms of Assembly Bill 1050

Ms. McBrayer asked that the Committee be included in defining the data terms of Assembly Bill 1050 as it relates to juveniles and that this item should be included in the next meeting's agenda. **(2:27 p.m.)**

She also commented that the Committee's meetings need to be longer in order to accomplish the goals of the Committee. **(2:28 p.m.)**

Agenda Item I Public Comment (2:28 p.m.)

Mr. Brian Goldstein, a policy analyst with the Center on Juvenile and Criminal Justice, thanked the JJSC for their efforts in the area of data collection. His Center is still waiting on 2012 data. He also asked the Committee to give great thought in regard to how they implement Mr. Bell's motion to present their findings to the BSCC, as well as what requests the JJSC derives from that data.

Agenda Item J Adjournment (2:32 p.m.)

Chair Steinhart adjourned the meeting at 2:32 p.m.

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BSCC Staff Attendance Roster

Kathleen Howard, Executive Director
Jean Scott, Deputy Director, Corrections Planning and Programs (CPP)
Kimberly Bushard, Field Representative, CPP
Allison Ganter, Field Representative, FSO
Shalinee Hunter, Field Representative, CPP
Helene Zentner, Field Representative, CPP
Nathan Cusick, Division Secretary, FSO
Veronica Silva-Ramirez, Division Secretary, CPP