

MINUTES
State Advisory Committee on Juvenile Justice and Delinquency Prevention

The California Endowment
1000 North Alameda Street
Los Angeles, CA 90012
June 15, 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 10:15 a.m. by Sandra McBrayer.

The following Committee members were in attendance:

Ms. Sandra McBrayer, Chair	Ms. Carol Biondi	Ms. Michelle Brown
Mr. Winston Peters	Ms. Carly Dierkhising	
Ms. Susan Harbert	Mr. Gordon Jackson	

SACJJDP Chair Sandra McBrayer stated that Agenda Items A, B, and C would be heard later in the meeting and began with Agenda Item D.

Agenda Item D Presentation by Michelle Guymon on Commercially Sexually Exploited Children (CSEC)

Michelle Guymon, gave a PowerPoint presentation regarding projects related to the commercial sexual exploitation of children that were undertaken by the Los Angeles Juvenile Court System and the Los Angeles Probation Department. These projects began under Federal Fiscal Year 2011-13 Title II Grant funding and have received national recognition. Ms. Guymon has served as the Director of the Child Trafficking Unit and the CSEC Program Manager at the Los Angeles County Probation Department. During discussion, Winston Peters recommended that the impact of commercial sexual exploitation on homeless youth be given special attention and offered to discuss this further with Ms. Guymon.

Chair McBrayer returned the meeting to Agenda Item A.

Agenda Item A

Approval of the SACJJDP Meeting Minutes

This item was tabled until the next meeting as the minutes from May 18, 2016 were not yet available.

Members expressed concern again that the minutes have not been available in a timely manner and that they do not receive them in advance of the meetings so they have an opportunity to review. Deputy Director Mary Jolls assured the Committee that the staff process for preparing meeting minutes would be strengthened to get meeting materials to members sooner. Chief Michelle Brown asked that items that are sent to the Committee by staff as meeting follow-up be labeled clearly with their content and purpose so that members can prioritize their reading materials.

Agenda Item B

Chair and BSCC Updates

1. SACJJDP Chair Updates

New Member

Chair McBrayer introduced the newest appointee to the Committee, Dr. Carly Dierkhising.

Legislative Update

In response to the previous request from the SACJJDP, staff provided a list of bills related to human trafficking and an updated legislative report on all active bills of interest to SACJJDP, including those on the Commonwealth Legislative Report. The Commonwealth Legislative Report was also provided for reference. Ms. McBrayer commented that the Committee needs to also consider bills through a lens of prevention as they can be on the pathway leading to the juvenile justice system such as suspensions and expulsions rather than only after youth become involved in the juvenile justice system.

Carol Biondi asked whether the Committee can support the Governor's Initiative. BSCC Chair Linda Penner advised that the BSCC would need to first consult with its legal counsel before any SACJJDP action could be taken. Ms. Brown stated that in her County, she can sit on the Chief Probation Officers of California (CPOC) and the Police Chiefs Association and that those bodies can support legislation/government initiatives as long as they don't list her name specifically. The Committee discussed their responsibility and role in supporting positive youth reform efforts in the education, child welfare and justice systems. After extensive discussion, Ms. McBrayer asked that each Committee member consult with their employing agency on whether their employing agency perceives a conflict in publicly supporting the initiative as a SACJJDP member. Ms. McBrayer stated that BSCC staff would not be included to prevent the conflict presented by their status as state employees.

Gordon Jackson noted that a future presentation by the Human Exploitation and Trafficking (HEAT) team that he and Nancy O'Malley are a part of could help inform the dialogue on CSEC. Chair McBrayer agreed and noted that SACJJDP would also like to hear from others in the Oakland/Bay Area at a future meeting. Ms. McBrayer informed the Committee that sex trafficking of boys as young as 12 years old that don't receive services and are often deported is a big issue in San Diego.

Carol Biondi reiterated the importance of SB 941 by Senator Mitchell which would amend multiple code sections to eliminate many of the fees or costs imposed on youth or their parent(s)/guardian(s) for processing a case under Juvenile Court law. Ms. McBrayer stated that such fees have created lots of problems for the families of these youth such as no longer being eligible to apply for a loan. Winston Peters noted that the same has been true for the high cost of charge per minute collect phone calls from detention/commitment facilities that has often limited contact between the family and the child. Ms. McBrayer also discussed SB 1143 which addresses limitations to solitary confinement for juveniles.

Ms. Penner provided an update on trailer bill language regarding Proposition (Prop) 47 which includes additional appropriations by the legislature of \$10 million to the BSCC and \$18 million to the Department of Education (CDE). Ms. McBrayer advised that with these increases the Prop 47 allocations to the BSCC and CDE will be around \$35 million and \$27 million, respectively.

Regarding conflicts of interest, Ms. Penner stated that the trailer bill language makes two exceptions for governmental employees to participate on an Executive Steering Committee (ESC) when their agencies plan to apply for funds (Prop 47 and the Edward Byrne Memorial Justice Assistance Grant (JAG)). Ms. McBrayer stated that the Senate Budget Subcommittee requested amendments to allow community based organization (CBO) members of ESC's to apply for grant funds in the same way that government members could. Members discussed the need for well-rounded and well-informed ESC's and that includes community agencies and community members being able to participate. Ms. Penner stated that after further review, the Senate Budget Subcommittee determined that neither CBOs nor government agencies should serve on ESCs if

their agency was planning to apply for funds (except for the two grant programs noted above). The members expressed displeasure in the direction that was taken. Ms. Penner stated that the first meeting of the ESC for Prop 47 would be a two-day meeting on June 23 and June 24, 2016. Ms. Jolls advised that the ESC member list and biographies are available on the BSCC website.

The conversation moved to Adult Title 15 and Title 24 Regulations.

Ms. Penner stated that there has been a lot of public comment and conversation about including the federal Prison Rape Elimination Act (PREA) standards for prison, jails, and juvenile detention/commitment facilities in the BSCC's Title 15 and Title 24 regulation revisions, a process completed every two years.

The conversation then moved to Prop 47.

Ms. McBrayer reminded the Committee that at the last meeting, Gordon Jackson had asked for Ms. Jolls to contact him since he is the CDE contact for Prop 47 in order to prevent duplicative work by BSCC and CDE. Mr. Jackson stated that Ms. Jolls had contacted him that same day, that he had attended a meeting at the BSCC office and appreciated the information that was provided, and that he planned to attend another Prop 47 meeting in June just to listen in. Ms. McBrayer informed Ms. Penner that the intent was to inform CDE about all the work that BSCC had done across the state and the feedback received from community members regarding their interests and priorities and to find areas of learning and partnership. Ms. Penner stated that BSCC has been providing a Prop 47 update at each SACJJDP meeting and that she expects that public comment for CDE will be different than that for BSCC. Ms. Penner expressed concern about the suggestion that the BSCC had not made efforts to coordinate its work with CDE. Gordon Jackson again clarified his intent and reiterated his belief that state departments need to work together to learn from one another, share information and build partnerships. Ms. McBrayer mentioned to Ms. Penner that the SACJJDP had not stated that the intent had been to marry the two committees, but instead to share what had been learned to see if any of it resonated with CDE as something they might want to focus on.

Chair McBrayer returned the conversation to the Use of Force Workgroup.

Use of Force Workgroup

Ms. McBrayer stated that the joint SACJJDP/Juvenile Justice Standing Committee (JJSC) Use of Force Workgroup has not yet set its next meeting date and that planning is in progress. There will be an update at the next SACJJDP meeting.

2. BSCC Updates

Deputy Director Evonne Garner provided an update on the budget including pass-through funds with little or no administrative or reporting requirements for the BSCC. These include: \$10.2 million in uninhabitable police station grants, \$5.5 million for Salinas for counter-violence and gang-prevention activities, and \$20 million for city law enforcement grants which will include reporting responsibilities for the BSCC. There are also three competitive grants, one of which is similar to SB 863 and includes \$270 million for jail construction funding with an emphasis on programming and mental health beds, sufficient facility space for in person visitation, and policies related to sexual assault. Ms. McBrayer noted that previous discussions had stressed the benefit to families and the need to have space for in person visitation versus solely relying on videoconferencing. Ms. Penner agreed that in person visitation is very important but noted that it is costly and has Prop 30 implications. Winston Peters stated that after having visited the Mental Health Unit at the Los Angeles County Jail, he recommended that the regulations revision process also look at creating on-campus multi-disciplinary

services for better communication and coordination that would benefit the clients. Ms. Penner stated that the Governor hears this loud and clear; that this was how SB 1022 came along after AB 900 was just for bed-space and that this emphasis is beginning to be seen in SB 863 and the pending budget proposal for local adult jail construction financing.

Ms. Garner reported that there is also \$15 million in Law Enforcement Assisted Diversion (LEAD) grant funding that will be awarded through a competitive process to three jurisdictions. She explained that the legislation was based on a model program called LEAD in Seattle in which law enforcement officers can divert people to services instead of delivering them to custody settings. Ms. McBrayer shared that in San Diego, all the chiefs had signed a protocol that outlined who could be diverted and how (for fairness of procedures across different parts of the county) that had resulted in over 1,000 youthful offenders not ending up in juvenile hall. Ms. Garner stated that as referred to previously, there was also the additional \$10 million in Prop 47 funding for BSCC that brought the total up to \$35.6 million.

Strategic Planning/Work Plans

Ms. Jolls explained that the Work Plan Template that was provided to the SACJJDP by the BSCC is the same template that was provided to the Juvenile Justice Standing Committee (JJSC) and that staff is prepared to assist the Committee in the development of the work plan including goals and deliverables in the priority areas. The members asked what the work plan would be used for and it was stated that management wanted Committee work plans to better understand staffing and committee needs. Ms. McBrayer stated that although SACJJDP had established Use of Force and Behavioral Health as priority areas, the template will need to be taken to the SACJJDP/JJSC workgroups to actually determine the actions steps.

Strengthening Grant Update

Ms. Jolls advised that on June 9, 2016, the Board approved 9 full awards and one partial award under the Strengthening Grant. The full awards totaled \$5,257,939. The partial award of \$442,061 went to Contra Costa County. Ms. Jolls stated that the names of all grantees and their program summaries are available on the BSCC website and that the awards will be effective for two years, beginning July 1, 2016 and ending June 30, 2018.

Title 15 and Title 24: Juvenile Regulations

Ms. Jolls informed the Committee that Deputy Director Allison Ganter is planning to go to the Board in September or November 2016 to begin the formation of an ESC for the Title 15 and Title 24 juvenile regulations revision process and has asked that members contact her directly if they want to participate on that ESC. Ms. McBrayer noted that this is a significant and very valuable commitment and encouraged members who are interested to serve on the ESC. Ms. Jolls offered to arrange for Ms. Ganter and her team to attend a committee meeting for an agendaized discussion to get input from the SACJJDP. Ms. Brown asked if there were requirements as to how often the BSCC had to revise its regulations and when it had to be done by. Ms. Jolls stated that it is a legislative requirement that the regulations be re-evaluated every two years. Ms. McBrayer stated that the process can be long as the revisions are submitted to the Office of Administrative Law which may then require changes. Ms. Jolls stated that she would follow up with Ms. Ganter to answer the question regarding a due date.

Juvenile Accountability Block Grant (JABG) Training Grants

Ms. Jolls stated that on June 9, 2016 the Board approved the Committee's previous recommendation to expend approximately \$190,000 that would otherwise have reverted to the Office of Juvenile Justice and Delinquency Prevention to continue Juvenile Accountability Block Grant (JABG) Training Grants for another year. BSCC Field Representative Colleen Stoner is working with grantees to accommodate the additional funding.

Title II Application

Ms. Jolls informed the Committee that BSCC staff submitted its Title II application on May 27, 2016 and that the Compliance Monitoring and R.E.D. pieces are due June 30, 2016. Ms. Jolls explained that the final State allocation of funds is not yet known, but the grant process will begin in the fall. Ms. McBrayer noted that there are 36 program purpose areas but that SACJJDP has consistently prioritized three areas (Evidence Based Practices, System Reform and Reducing Racial and Ethnic Disparity) as the underlying framework for the projects. Ms. McBrayer stated that staff will keep SACJJDP updated.

Byrne JAG Solicitation

Ms. Jolls advised that the Edward Byrne Memorial Justice Assistance Grant (JAG) solicitation is out. California's competitive portion of the award is approximately \$18 million. The application is due June 30, 2016. Ms. McBrayer asked Ms. Jolls to explain to members how the funding amounts, eligible counties and eligible applicants within those counties are determined. Ms. McBrayer noted that the applicant agency might be very different from one county to another and that some cities may not have applied because their allocation was so small. Ms. Jolls stated that she would follow up to provide further funding information about local and state allocations.

Adolescent Brain Development Training in STC Standards

As requested at the last SACJJDP meeting, Ms. Evonne Garner presented information regarding the incorporation of Adolescent Brain Development Training into the standards set forth by the Standards and Training for Corrections (STC) division of the BSCC. Ms. Garner explained that the STC division is responsible for setting minimum correctional and probation officer selection and training standards for California. There are two categories of training; Core (or Academy) training that is given upon employment to all adult and juvenile correctional officers (ACOs and JCOs) and probation officers (POs), and Annual training for on-going employee development. STC examines the required knowledge, skills, and abilities from a statewide perspective and sets the instructional objectives, course length, and testing requirements to assess whether learning occurred. STC sets the broad standards, while CORE providers across the state develop the lesson plans based on the standards and deliver the training. Agencies can supplement the CORE training with topics specific to their jurisdictions. The CORE classes must be completed within one year of hire, but most agencies do them all at once. Ms. McBrayer asked why STC doesn't develop the actual curricula/lesson plans. Ms. Garner explained, using Use of Force as an example, that there is too much variance across the state so agencies are allowed to fill in the specifics related to their policies and procedures. Ms. Brown noted that it would take too long for STC to have to develop all the lesson plans and that agencies need to be able to quickly adjust the lesson plans based on changes in policy and procedure at the local level. Ms. Garner stated that STC does monitor course delivery and provide feedback to providers, review tests and help provide policies around test administration for fidelity. STC also ensures testing includes a hands-on demonstration of skill acquisition when appropriate, such as for handcuffing. Ms. Garner also stated the providers are encouraged to use Adult Learning Principles, not just lectures, and that if a person does not pass a test then they are provided remediation and re-tested. If the person cannot pass one of the CORE modules, that person fails the entire CORE training, because one must pass all required courses.

Ms. Garner stated that STC spent last year conducting a statewide job analysis to determine both the selection standards and types of training that would be helpful and then formed an ESC (covering ACOs, JCOs, and POs) to guide the development of broad instructional standards. The list of ESC members is available on the BSCC website. The ESC then forms workgroups (which Chair McBrayer Ms. Garner noted that it can easily be a three year process. Ms. McBrayer asked if either trauma informed care or adolescent brain development was included in the CORE or Annual training and if the ESC would be looking at that. Ms. Garner stated that those topics are not included in the current core standards but there are several trainings that are STC certified and delivered to corrections staff

as part of their annual professional development training (handout provided). Ms. Garner reported that the core curriculum revision process included identifying topics that should be added to the current curriculum, needed more emphasis, or needed substantial change. That list was presented to the members and included trauma informed care. Ms. Garner stated that she would add adolescent brain development to this list for further assessment in the curriculum review process. She also asked members to let either her or Ms. Jolls know if they have additional topics they want STC to look at. Susan Harbert said there should be more on de-escalation techniques. Ms. Garner noted that some counties supplement the required 196 hours of CORE and 40 hours of Annual Training with their own. Ms. Brown stated that San Bernardino does provide its own 8 hour course on trauma informed care and noted that she would like to have a further conversation with Ms. Garner on the cross-over between Peace Officer Standards and Training (POST) and STC.

Agenda Item C**Status Report on the R.E.D. Capstone Project**

Agenda Item C was tabled and will be agendized for the next meeting.

Agenda Item E**SACJJDP Membership**

Carol Biondi noted that some of the dates of last attendance listed on the SACJJDP membership roster are inaccurate, including those of Jose Rivera and Tiffany Winn who she stated actually last attended January 2014 and March 2013. Ms. McBrayer stated that she will work with Nicole Woodman to look at the actual minutes to correct the dates and to provide some indication of the frequency of attendance.

The Committee discussed when and how non-attending members could be removed from the SACJJDP roster so the Committee could return to compliance with Title II. The Committee again asked management if there was any process by which the Committee could remove members for non-attendance after a certain period of time from the roster of active members. Carol Biondi stated that some committees can do this. Ms. Penner advised that appointments and removals are at the pleasure of the Governor, not the Committee. The Committee reiterated that they are very aware of this and are in full support, but the Committee is very concerned that they are not and have not been in compliance with federal requirements for both youth membership and selected slots and do not want California to lose federal dollars and support. The Committee asked if the letter they had previously requested be drafted for the Governor's office to express their concern for the federal requirements and for priority appointments was completed. Ms. Penner informed the Committee that she told staff not to draft the requested letter on behalf of the SACJJDP because management has already conveyed the Committee's concern. Ms. Penner told the Committee that she and Executive Director Kathleen Howard had met with Nettie Sabelhaus twice and are confident that she understands the priority this Committee places on it.

Agenda Item F**Behavioral Health Workgroup Discussion**

Agenda Item F was tabled and will be agendized for the next meeting.

Agenda Item G**Update from the Juvenile Justice Standing Committee**

Agenda Item G was tabled and will be agendized for the next meeting.

Agenda Item H**Future Agenda Items**

Ms. McBrayer stated that Nicole Woodman will send out a breakdown of the Byrne JAG funding, a link to the job descriptions covered by CORE, and a reminder about upcoming meetings on Monday, September 12, 2016 and November 9, 2016. Ms. Jolls noted that BSCC is still waiting to hear if

OJJDP Administrator Robert Listenbee can attend the September 12, 2016 meeting tentatively planned for San Mateo. Carol Biondi noted that she really liked the California Endowment set up and asked that future meetings in Los Angeles also be scheduled at this location.

Ms. McBrayer stated that future Agenda Items may include:

Governor's Initiative

Status Report on the R.E.D Capstone Project

Behavioral Health Workgroup Discussion

Update from the Juvenile Justice Standing Committee

Adjournment

The June 15, 2016 SACJJDP meeting was adjourned at 1:45 p.m.