

MINUTES
State Advisory Committee on Juvenile Justice and Delinquency Prevention

Board of State and Community Corrections
2590 Venture Oaks Way, Sacramento, CA 95833

May 18, 2016
9:30 a.m. – 1:00 p.m.

The State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP) meeting was called to order at 9:40 a.m. by Sandra McBrayer.

The following Committee members were in attendance:

Ms. Sandra McBrayer, Chair	Ms. Carol Biondi	Ms. Susan Harbert
Honorable Brian Back	Mr. James Anderson	
Mr. Gordon Jackson	Ms. Susan Manheimer	

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

Agenda Item C

Chair and BSCC Updates

1. SACJJDP Chair Updates

Chair McBrayer informed the committee that Carly Dierkhising, Ph.D. has been appointed by Governor Brown as the newest member of the SACJJDP. She is a psychologist and professor at California State University Los Angeles with expertise in behavioral health and trauma informed care. Her biography will be distributed to members prior to the next meeting. Additional potential members have submitted applications to the Governor's Office.

Legislative Update – Chair McBrayer explained that the committee would be discussing the differences in the bills that are listed on the SACJJDP Status Report drafted by BSCC staff and the Commonweal list of Juvenile Justice and Related Youth Program Bills.

The conversation moved to the Use of Force Workgroup.

Use of Force Workgroup – Report from first meeting

Sandra McBrayer briefed the committee on the first meeting of the SACJJDP's Use of Force Workgroup. James Bell of the W. Hayward Burns Institute provided the group with an overview of a well-established model that was used previously for researching best practices, collecting relevant and current information, hearing from stakeholders and making recommendations relating to disparities in education. The Workgroup discussed how this model can be utilized for the Use of Force efforts. The model could include surveying probation departments and collecting aggregate anonymous data on the types, extent, and frequency of Use of Force (Counties are required to have Use of Force policies, but are not required to share Use of Force data with the state). The Workgroup proposed to collaborate with the Chief Probation Officers of California (CPOC) to develop a survey, identify national best practices, conduct listening tours with relevant stakeholders and develop a final report. The goal is to be able to inform the governor, legislature and Counties of the current landscape and best practices around use of force. Gordon Jackson made a motion to accept the proposed model and ensure recommendations were included in final report, but the motion was held until later in the meeting so that it could be heard by all members.

Chair McBrayer returned the conversation to the Legislative Update.

Legislative Update continued – Chair McBrayer, Carol Biondi and Gordon Jackson expressed a need for a more comprehensive list of bills that are under the purview of the SACJJDP including those related to Prop 47 and education. Deputy Director Mary Jolls noted that BSCC has a more comprehensive list of bills than what has been provided for SACJJDP. The Committee recommended that that BSCC combine relevant bills affecting juvenile justice and education from BSCC's larger list and the Commonweal list and provide those to the Committee for their review. Chair McBrayer noted some of the bills that are significant to the purview of the committee including, but not limited to: SB 823, 941, SB 1004, SB 1110, SB 1143 (previously SB 124), SB 1157, SB 1174, SB 1322, AB 1843, AB 1945, AB 2813, AB 2005, AB 1998, AB 2813.

Carol Biondi directed the Committee's attention back to AB 2813 and SB 1110, which would require the BSCC to award grants on a competitive basis to up to three jurisdictions to establish Law Enforcement Assisted Diversion (LEAD) programs. Staff was asked to advise the Committee whether any counties have been selected yet.

In relation to SB 1004, BSCC Deputy Director Allison Ganter provided an overview of Juvenile Justice Delinquency Prevention Act (JJDP) regulations on the co-location of juveniles and adults in detention facilities and the role that BSCC staff play in facility inspections. Deputy Director Ganter will do a future presentation on federal and state requirements related to the co-location of juveniles and adults. Judge Brian Back pointed out that there is a difference between housing persons ages 18-21 who are still under the jurisdiction of the juvenile court in a juvenile detention facility and the housing of 18-21 year-olds convicted as adults.

Police Chief Susan Manheimer stated that the human trafficking of minors has become a huge concern and that she would like to present what San Mateo has found and is doing to address it. She referenced several bills related to CSEC contained in the Commonweal and BSCC legislative updates. The Committee requested that BSCC staff prepare a list of all the current bills on this topic for review at the next meeting. Two SACJJDP members, District Attorney O'Malley and Gordon Jackson are members of the task force on Human Exploitation And Trafficking (HEAT). BSCC Field Representative Helene Zentner noted that Michelle Guymon was involved in the Title II project in Los Angeles with probation and the court to address CSEC. Carol Biondi stated that this was such a great example of what the Committee is supposed to be doing – identifying great need and supporting great works. Ms. Biondi noted that the projects Michelle Guymon worked on couldn't have been started without Title II funding, but that they did such a good job that they have been sustained with other funding and have become nationally recognized. It was decided that Michelle Guymon would be invited to make a presentation at the June meeting and that someone from HEAT would be asked to present at the subsequent meeting in the Bay Area.

The Committee discussed how Use of Force, Mental Health and Behavioral Health, and Sex Trafficking of Minors are all part of what the Committee is supposed to look at under the Title II 3-Year Juvenile Justice Plan. Chair McBrayer stated that it is not just the Four Core Protections that this Committee is to oversee, but that the 3-Year Plan also requires the Committee to look at juvenile justice needs and to identify and address emerging issues and trends.

Chair McBrayer shared an article from the LA Times and commended SACJJDP members Carol Biondi and James Anderson for their work on solitary confinement of juveniles in Los Angeles County.

2. BSCC Updates

Highlights from the Coalition for Juvenile Justice's Conference including Updated Reporting Requirements – Chair McBrayer announced that BSCC Deputy Director Mary Jolls would be speaking

about the highlights of the CJJ conference, but that she wanted to let the Committee know that the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Administrator Bob Listenbee had spoken about California as a bell-weather state and had offered his and his staff's services to come out to spend the day with the State Advisory Committee and talk about where we are headed in our work because he does see California and some of the larger counties like Los Angeles and San Diego as a way to help other states as to, "How are you doing your work? How are you changing policies and doing system reform?" Chief Manheimer stated that she serves with Administrator Listenbee on a couple of advisory committees and that he has specifically asked her for an invitation to come out and talk to the SACJJDP.

Carol Biondi stated that we could also brag about SACJJDP member James Anderson who was recently in Washington, D.C. James Anderson told the Committee that he had been contracted to facilitate a training with the International Association of Police Chiefs (IACP), the Department of Justice (DOJ) and CJJ. He said that they had facilitated an open dialogue with youth to help develop a training curriculum for police. James Anderson said that he had talked with Roy Austin at the White House about possibly beginning to have these types of discussions with cities throughout the U.S. Chief Manheimer announced that she was also hosting the IACP in San Mateo June 2nd and 3rd.

SACJJDP members discussed possible dates for an early September meeting in the Bay Area which would be to fill the floating meeting for the year.

Chair McBrayer returned the meeting to Agenda Item C.

Agenda Item C

Chair and BSCC Updates

3. SACJJDP Chair Updates

Use of Force Workgroup – Report from first meeting continued - Chair McBrayer restated Gordon Jackson's motion around the Use of Force Workgroup.

Gordon Jackson moved to propose to the Use of Force Workgroup that strong recommendations for best practices be included in their final report on use of force. Carol Biondi seconded. None abstained or opposed. Motion approved unanimously.

Chair McBrayer returned the meeting to Agenda Items A and B.

Agenda Item A

Approval of the Amended SACJJDP Meeting Minutes

SACJJDP Chair McBrayer requested a motion to approve the February 10, 2016 meeting minutes.

Gordon Jackson so moved. Brian Back seconded. None abstained or opposed. Motion approved unanimously.

Agenda Item B

Approval of the SACJJDP Meeting Minutes

SACJJDP Chair McBrayer requested a motion to approve the March 16, 2016 meeting minutes.

Susan Manheimer so moved. Susan Harbert seconded. None abstained or opposed. Motion approved unanimously.

Chair McBrayer then returned the meeting to Agenda Item 2. BSCC Updates.

2. BSCC Updates

Deputy Director Jolls informed the Committee that due to end of year activity in the state travel system, claims not received by June 3rd will likely not be paid until July.

Proposition 47 & Strengthening Grants - May 13th the Governor released his revised version of the bill which included an updated amount for the estimated savings from Prop 47 from about \$29 million to \$39,449,000. An Executive Steering Committee has been established and will hold its first meeting on June 23-24, 2016. The meeting will include a briefing for the ESC members on the topics that Prop 47 requires them to prioritize. Grants will tentatively be awarded in the spring of 2017. Gordon Jackson (California Department of Education) (CDE) and Mary Jolls (BSCC) will meet to explore collaborative possibilities and to prevent duplicative work by their respective agencies as they develop their respective Prop 47 Requests for Proposals (RFP's). There will be a regional meeting held at the BSCC on the evening of June 23rd from 6:00 p.m. to 8:00 p.m. for the public to provide comment. The ESC members will be invited to attend. The Committee discussed the need for community-based and -operated organizations to provide research- and evidence-based practices and programs. Carol Biondi stated that universities can provide assistance in determining what is evidence-based and evaluating efficacy. Deputy Director Jolls reported that the 5 themes from the community listening sessions were community based treatment, not in custody treatment; mental health and substance abuse treatment and counseling; stable and affordable housing; diversion; and job training. Gordon Jackson informed the Committee that his responsibilities at CDE include student mental health and mental health.

Highlights from the Conference: Inside the Adolescent Brain

BSCC Field Representative Nicole Woodman shared information from a conference she and analyst Michelle Grant attended on April 29, 2016 that was hosted by Sacramento County Probation Department. BSCC Field Representative Lisa Southwell from the FSO Division also attended. The conference included presentations by Ronald E. Dahl, M.D.; Elizabeth Cauffman, Ph.D.; and Frank Kros, MSW, JD. Frank Kros also moderated a panel discussion which included Juvenile Court Presiding Judge Stacy Bouleware-Eurie, who also sits on the Judicial Council and on BSCC's Reducing Racial and Ethnic Disparity (R.E.D.) Committee; District Attorney Anne-Marie Schubert; Assistant Chief Probation Officer Michael Shores; Dr. Dahl; and Dr. Cauffman. Judge Back stated that he believes that everyone working with every aspect of judicial law should have a presentation on the adolescent brain. He stated that trauma-informed care has been included in Judicial Council Conferences. Judge Back also informed the Committee that a whitepaper had been issued by Behavioral Health based on 20-year studies in New Zealand and Australia that showed the percentage of increase of schizophrenia in users of marijuana. BSCC Deputy Director Evonne Garner will prepare a presentation for SACJJDP on the inclusion of adolescent brain development in the Standards and Training for Corrections (STC) division of the BSCC in their development of training curriculum. It was clarified that Peace Officer Standards and Training (POST) is for law enforcement agencies and STC is for probation agencies. Chief Manheimer stated that she feels adolescent brain training is also critical for police personnel. The committee asked that Ms. Woodman reach out to one of the Keynote Speakers, Elizabeth Cauffman, to find out if there are currently succinct materials available on the topic of adolescent brain development that can be used in training of those working in the field of Juvenile Justice, including police officers.

Highlights from the Forensic Mental Health Association's (FMHA's) Annual Conference

BSCC Field representative Helene Zentner briefed the Committee on the 41st Annual Conference of the Forensic Mental Health Association held in Monterey in March. The conference included a meeting of the Council on Mentally Ill Offenders (COMIO) and featured various speakers and presentations including, but not limited to, the final report of the Mental Health Taskforce – The Template for Changing the Paradigm for Persons with Mental Illnesses in California's Court System (December 2015); State investment in the Mental Health Wellness Act and intersections between

criminal justice and behavioral health; and presentations by grantees of the Adult Mentally Ill Offender Crime Reduction (MIOCR) grant such as Santa Cruz and San Luis Obispo. Get Well Productions, under the umbrella of the FMHA, will host a Words To Deeds conference in November. Dr. Jennifer Skeem, who presented on cognitive behavioral therapy at the FMHA conference, will be on-site at BSCC May 19th around 1 – 2 p.m. for a COMIO meeting. The COMIO, housed under the California Department of Corrections and Rehabilitation has historically been focused on adult issues, but has now formed a Juvenile Justice sub-committee with Mack Jenkins as the Chair. Gordon Jackson stated that the CDE provides free training for districts, teachers, and staff to help them recognize the signs of mental illness.

Proposition 47 & Strengthening Grants continued

Deputy Director Jolls explained that the current budget includes \$6 million for the Strengthening Community and Law Enforcement Relations Grant. Another \$6 million was proposed in the Governor's Budget for FY 2016-2017 but both the Assembly and the Senate budget subcommittees voted to reject it. Ms. Jolls stated that the due date for proposals was April 15th and 46 proposals were received, exceeding \$19 million requested. Rater training for the ESC was held on April 28th and the committee is set to meet on June 2nd to develop a list of grantee recommendations for the Board. Program descriptions for grantees should be available by the June SACJJDP meeting.

Highlights from the Coalition for Juvenile Justice's Conference including Updated Reporting Requirements continued

Deputy Director Jolls stated that she was incredibly moved and inspired by the presentations and performances of youth and young adults and their testimonies. Judge Timberlake and other presenters talked about State Advisory Groups (SAG's) and their roles and responsibilities. OJJDP is developing training related to Disproportionate Minority Contact and is looking for feedback from SAGs and others. Ms. Jolls provided a handout on this and a handout on a session related to girls that BSCC Executive Director Kathleen Howard attended. Ms. Jolls attended the Strengthening Conference session and stated that the conversations we are having here mirrored conversations and concerns at the national level. Staff will share the CJJ website link so members can access the conference materials.

Deputy Director Allison Ganter attended a session on solitary confinement and informed the Committee that the Director of the State-run Juvenile Detention Facility in Massachusetts worked with the Council of Juvenile Correctional Administrators (CJCA) to develop a toolkit on the use of things like solitary confinement. She also attended sessions on R.E.D. and spoke on the updated reporting requirements as discussed at the CJJ Conference. There will be a new Compliance Monitoring Tool available on June 1st which is intended to overlay compliance monitoring with R.E.D. reporting.

Chair McBrayer stated that there is an upcoming Western Region SAG meeting October 30th. Out-of-State Travel requests have been submitted for the SAG Chair, R.E.D. Coordinator/Compliance Monitor, and Juvenile Justice Specialist to attend the 2017 CJJ conference and another in Baltimore. Chair McBrayer stated that the conference provided information and tools on Sexual Orientation and Gender Identity Expression (SOGIE) on how youth present themselves and noted that this is different than Lesbian, Gay, Bi-Sexual, Trans-Gender and Questioning (LGBTQ). Staff will obtain a copy of the Massachusetts SOGIE Policy Decision Tree and relevant sections of the Juvenile Detention Alternatives Initiative (JDAI) Practice Guide. Chair McBrayer also stated that CJJ had a session on capacity-building for SAG's looking at By-Laws, revisions, where states were at on their Three-Year Plans, and what was the Juvenile Justice Vision for each State. She also stated that Administrator Listenbee stressed that Juvenile Detention should be rare, fair, and beneficial and that outcome measures should be developed to measure whether or not our young people are leaving our detention

system better off than they were before. Chair McBrayer stated that they also talked about justice by geography, in which opportunities are limited by where youth live, and the need to identify gaps in services.

Carol Biondi noted that Winston Peters is no longer with the Public Defender's Office and asked to speak about the on-going issue of member non-attendance. Chair McBrayer said that it would need to be an agenda item at the next meeting, but asked Deputy Director Jolls to address why management had directed staff to not draft the letter the SACJJD had requested to the Governor's office about the importance of membership and the importance of compliance with the federal requirements. Deputy Director Jolls reported that Executive Director Kathleen Howard had called staff at the Governor's Office and directly addressed the Committee's concerns regarding compliance with Title II funding requirements, their motion and their desire to write a letter to the Governor. Members expressed concern with not having something in writing go to the Governor. Some members also expressed their frustration with what they perceive to be a lack of communication and clarity with management's direction and authority. Chair McBrayer asked that staff provide the SACJJD the current membership, list of required slots, and attendance for all members at the next meeting. The Committee also requested what the state process was for removal of members and if it allows committees to remove members for non-attendance, when they can no longer be found or contacted.

Strategic Planning/Work Plans

Deputy Director Jolls reported that it had not been possible to pull a comprehensive group of stakeholders together under National Reentry Resource Center (NRRC) timelines. When BSCC and CPOC met with NRRC, it was determined that the state of California would not be considered competitive for the tailored technical assistance grant; however, California did have some readiness around two of the four core areas (collaboration and data collection/sharing). Members of the NRRC are currently working on developing a scope of work that would allow our State another competitive opportunity for technical assistance. Deputy Director Jolls stated that the BSCC is continuing with an internal juvenile justice strategic plan. As part of this effort, standing committees are being asked to provide the Board with a work plan that includes their priorities, action items, tasks and staffing needs to be able to better coordinate efforts around juvenile justice. Mary Jolls and Allison Ganter are developing a Work Plan Template for the standing committees. Questions and discussion ensued regarding the purpose of the work plans (to assess resourcing and staffing needs, to identify priority action steps, etc.), the role of the BSCC Board in approving the priorities/work of the SACJJD, and the federal SAG mandates. Members stated that their roles are defined by federal statute and asked for further clarification. Chair McBrayer stated that she already presented the SACJJD priorities at the BSCC Board without objection and that, if anything has changed, she requests the presence of the full SACJJD committee at such future Board Meeting(s). Some members expressed their frustration and strong concern again with what they perceive to be a lack of communication, clarity and respect as a committee. Some members discussed at length their unhappiness with what they state is the convoluted process and changes in management's request and support.

Agenda Item D

California Federal Fiscal Year 2016 Grant Funding Update

Each year, CJJ and Act for Juvenile Justice (ACT4JJ) publish an overview of federal juvenile justice grant funding by state at <http://juvjustice.org/114th-congress> and <http://act4jj.org/federal-funding/funding-states>. The information currently listed at those sites is for FFY 2015. Field Representative Nicole Woodman provided the materials that were submitted for FFY 2016, which included federal and local grant descriptions for the Title II Formula and Local Assistance Grants, Reducing Racial and Ethnic Disparities (R.E.D.) Grant, Title II Tribal Youth Grant, Juvenile Accountability Block Grant (JABG), and Title V. Although the BSCC no longer receives Title V and JABG allocations, OJJDP requested the inclusion of several examples of programs that were

previously funded in order to show the value of those funding streams. The only current JABG project is the Evidence Based Practices Training Project which provides small grants using carryover dollars.

Chair McBrayer moved to Agenda Item F, then returned to Item E.

Agenda Item F**Behavioral Health Workgroup Discussion**

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

Agenda Item E**Title II Reapplication**

BSCC Field Representative Helene Zentner presented an update on the BSCC's reapplication to OJJDP for Title II funds. The application is due on June 1st, while the R.E.D. and Compliance Monitoring pieces are due on June 30th. This application is an update to the 3-Year Plan for Title II. Ms. Zentner stated that staff have updated the narrative and the data from the prior year's application. Minor changes were made to update the discussion of the juvenile justice continuum of care, while major changes were made to the data piece. The most current data from the California Department of Justice was used, which is from the year 2014. The program purpose areas that apply to current grantees and are discussed in the application are as follows: aftercare and reentry, alternatives to detention, delinquency prevention, diversion, and tribal youth. The solicitation for the 2016-2017 federal fiscal year also has new requirements for data to be collected from local assistance grantees including: race and ethnicity on the percentage of youth adjudicated, number of youth diverted, number of youth on probation, and number of youth transferred to adult court. Ms. Zentner indicated that states apply using their prior year's budget and then reapply with adjusted totals in the late summer/early fall once the actual federal allocation amounts are made known. Any feedback can be submitted to Field Representatives Helene Zentner and Nicole Woodman.

Chair McBrayer noted that Agenda Item H would be tabled in the interest of time and moved to Item G.

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

Agenda Item H was tabled and will be agendaized for the next meeting.

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

BSCC Field Representative Shalinee Hunter provided an update on the last meeting of the Juvenile Justice Standing Committee which was held on April 11, 2016. She stated that conversation was focused on the JJSC key priorities, the development of a juvenile justice strategic plan, and legislative issues. Ms. Hunter reported that the Juvenile Justice Standing Committee requested to be included in strategic planning with the BSCC and the NRRC. Staff will check into the status of any legislation that might allow community-based organizations to serve on ESC's regardless of whether or not they may be awarded grant funds. Ms. Hunter reported that JJSC Chair David Steinhart had made a presentation to the BSCC Board on JJSC roles, responsibilities, and priorities. It was an information item, so no action was taken. Judge Back reminded members of the free R.E.D. training to be held in Ventura on June 30th and asked that members planning to attend e-mail him.

Agenda Item I**Future Agenda Items**

Chair McBrayer asked people to hold September 12th as the date for the Bay Area SACJJDP meeting and said that would be the date that she would be offering to Administrator Listenbee. If he is unable to attend on that date, that information would be brought back to the Committee for further planning.

Chair McBrayer announced that the June 15th meeting will be held from 10 a.m. – 1:30 p.m. at the California Endowment in Los Angeles and that parking will be made available.

SACJJDP Membership Roster

Legislation Tracking List

Work Plan Template

Behavioral Health Workgroup Discussion

Status Report on the R.E.D. Capstone Project

Available Training on Adolescent Brain Development

Adjournment

The May 18, 2016 SACJJDP meeting was adjourned at 1:35 p.m.