



**JUVENILE JUSTICE COORDINATING COUNCIL
MEETING MINUTES
Friday, October 5, 2007
ROYAL SCANDINAVIAN INN – SOLVANG, CA**

Members in Attendance:

Kevin Smith for **Banales, Frank**, Zona Seca
Lennie Kwock for **Barton, Doug**, ADMHS
Nancy Ranck for **Batty, William**, Family Service Agency
Richard Morgantini for **Brown, Michael**, County Executive Officer
Jack Boysen for **Centeno, Joe**, 5th District Supervisor
Dabney, Timothy, Chief, Lompoc Police Department
Forman, Fran, Community Action Commission
Ken Jensen for **Gallagher, Kathy**, Director, DSS
Lt. Dan Ast for **Macagni, Dan**, Chief, Santa Maria Police Department
N. Ken Friesen for **Rogers, Will**, SMVYFC
Michael Gonzalez for **Sarvis, Brian**, Santa Barbara School District
Gene Martinez for **Stanley, Christie**, Santa Barbara District Attorney
Stewart, Patti, Chief Probation Officer
Wolf, Janet, 2nd District Supervisor

Members Absent/Unrepresented:

Adams, Thomas, Presiding Judge Juvenile Court
Brown, William, Sheriff
Cirone, Bill, SBCEO
Furlong, Mike, Ph.D., UCSB/CSBYD
Herman, James Presiding Judge Juvenile Court
Jenkins, Penny, Council on Alcoholism and Drug Abuse
Hearn, Jeffrey, Santa Maria Joint Union High School District
Lara, Hugo, Guadalupe School District
Lynch, Frank, Lompoc Unified School District
McLafferty, J. William, Presiding Judge, Superior Court
Menchaca, Teresa, Fighting Back - Santa Maria Valley
Paraskou, Greg, Public Defender
Sanchez, Camerino, Chief, Santa Barbara City Police Department
Schulman, Elliott, Director, Public Health
Tucker, Jerry, Chief, Guadalupe Police Department
John Greer for **Weinstock, Rita**, JJDPC

Staff Present:

Brickley, Mark, Probation Manager, Juvenile Services, Santa Barbara
Conoley, Martin, Deputy Chief Probation Officer, Juvenile Services
Czuleger, Jerry, County Counsel
Heitman, Tanja, Probation Manager, Juvenile Services, Santa Maria/Lompoc

Guest:

None

The meeting was called to order at 9:05 a.m.

- Patti Stewart welcomed members and guests to the meeting.
- Patti Stewart introduced and welcomed Melanie Davis as the new minute taker and meeting coordinator and Jerry Czuleger from County Counsel who will be advising the JJCC.

1. Approval of April 6, 2007 Minutes – All

- Amendments to the April 6, 2007 Juvenile Justice Coordinating Council (JJCC) minutes were proposed. A motion was made to approve the minutes as amended, a vote was taken, and the minutes were approved. The minutes will be posted to the Probation Department's internet site.

2. Public Comment

- None

3. Chief Probation Officer Comments – Patti Stewart

- The Probation Department's strategic plan is available on the County web site. A hard copy can be obtained by contacting Melanie Davis. The strategic plan is a 5 year plan but is updated on an annual basis.
- There is upcoming training on Restorative Justice in Lompoc with an additional training day in Santa Maria. There is also a three day training for facilitators. Flyers were distributed.
- The Probation Department is in the planning phase of an Alternative Detention Program (ADP). The program concept was presented at the last meeting. The one significant change is the Phase 1 focus on probation violators.
- The Probation Department was before the Board on June 16th for an expansion request to develop the ADP, to ease the over population concerns of the Santa Barbara Juvenile Hall. The ADP will be implemented in Santa Barbara and Santa Maria for after school and weekend supervision, so only those minor in need of 24 hour secure detention would be housed in Juvenile Hall. This program will include Lompoc minors with transportation provided to and from the Santa Maria site. The initial plan is for four hours after school Tuesday – Friday and eight hours on Saturdays. Probation will return to the Board to request funding for two additional staff to implement the program. Once the Camp housing project has been completed, two staff will be redirected from the Camp to the ADP in Santa Barbara.
- The Department has formed a committee with institutions and field service representatives to develop a service plan for minors who will no longer be sentenced to the Department of Juvenile Justice (DJJ), due to recent legislation (SB81 and AB191). It will become a county function in California to house wards and to supervise DJJ parolees who do not have an adjudicated 707(b) WIC offense. There were planning grant funds included in the original legislation but these potential grants have now been cut.
- Currently there is one DJJ parole violator in the SBJH who went to court in Santa Barbara and is now on probation instead of parole. It is possible that the County will have to be prepared to provide longer term institutional beds and programming for those that have been released from DJJ. Although SB81 allows for Juvenile Halls to hold offenders up to the age of 21 with approval from the Corrections Standards Authority (CSA), we do not intend on requesting certification to house subjects over the age of 19 years. The Department's intent with these wards is to provide rehabilitative services and meaningful programs and interventions; however this newer more sophisticated and higher risk/need population will have an impact on the programs and general operations of our juvenile facilities. The Youthful Offender Block Grant (YOBG) is not specific as to how the money will be spent,

which allows for each County to create a plan specific to the needs of effected facilities and identified wards.

- CSA is concerned that their resources will be so taxed by AB900 demands that they might not be able to conduct routine biennial inspections of County detention facilities or review and direct local projects in regard to DJJ realignment.

4. **DJJ Realignment Legislative and Project Update – Tanja Heitman/Patti Stewart**

- Tanja Heitman is participating in a work group with other Southern region Probation departments to collaborate regarding DJJ realignment plans.
- There is a lot of activity around this topic with the signing of the budget and legislation coming later than expected and clean up legislation causing further implementation issues.
- This County is well positioned because we have worked hard to keep our DJJ commitments to a minimum, where other counties are looking at large groups of wards being committed to or returning to their local facilities, or being paroled to their communities with Probation being responsible for supervision.
- Some counties may work together to target specific populations to create multi-county collaboratives with specialized programs for those kids whose needs exceed services that are available in individual counties. Programs to serve females, Sex Offenders, and Mental Health cases will be the focus of the collaboratives.
- Lennie Kwock (ADMHS Manager) is working on our local plan and helping us understand therapeutically how to incorporate the best programming.
- There is a three judge panel that is reviewing the potential release of up to 40,000 inmates from our CDCR prison system due to alleged over crowding, inhumane conditions, and poor medical/mental health care. It is known as the Coleman/Plata case and there are intervenors in that case. Groups/associations can not intervene, only individuals. The Board of Supervisors and the Presiding Judge have approved Patti to submit her name as an intervenor. The Sherriff, District Attorney, and County Counsel are also intervenors.
- Christie Stanley spoke at a news conference relative to the seriousness of the potential release of inmates.
- CPOC's message is that Probation does have a plan to effect front end changes to the system and related population relief while AB900 finances the building of re-entry facilities which will relieve the backend over crowding issues. The three judge panel is concerned that four years to build local re-entry facilities is too long. CPOC's message is that the front end investment to effectively serve the 18 - 25 age group, will immediately and positively reduce over crowding by reducing commitments to CDCR.
- There are three Chief Probation Officers(representing a small, medium, and large county) the intervenor Probation Chiefs have selected to communicate with to the three judge panel.
- It was noted that Santa Barbara County is ahead of most counties in exploration into re-entry programs.
- It was addressed that a large number of inmates proposed for potential release would have substance abuse issues and would be seeking treatment and competing for already limited services.
- A pilot program in Orange County is utilizing an early discharge from parole. Non-violent offenders with lower risk levels are being discharged after six months of parole supervision rather than a year. This is disconcerting for Probation and local law enforcement as parolees that are terminated early and not fully stabilized will likely enter the local system instead of being returned to the CDCR system as a parole violator.

5. JJCPA Utilization – Tanja Heitman

- The July 1st - September 14th JJCPA utilization and services report was provided.
- The money provided by JJCPA is allocated into three service components, School Based/Truancy Program, Early Intervention Program, and Aftercare Program. Each of these programs has access to services through the community based organizations from which we contract. The distributed report addresses the utilization of the slots that are paid for by JJCPA.
- A regional comparison of the utilization of the slots and percentage of sessions the minors actually attend were reviewed.
- Santa Maria had the in home counseling services starting last year whereas the other regions have only begun to implement this program. Utilization in Lompoc and Santa Barbara will likely increase as they become more familiar with the model.
- The general counseling component in Santa Barbara is currently low due to not having a counselor at the inception of the program. Consequently, it will take a while to build up to full utilization of slots.
- The gang intervention/prevention continues to be a strong component. Lompoc had a slow start with filling up slots due to shifts within the probation staff and caseloads.

6. School Based Officers – Implementation Update – Tanja Heitman

- Handout provided to all participants with an update on the roll out of School Based Officers.
- The program has been very well received. The Probation Officers working at the schools are enjoying working more closely with law enforcement and being on school campuses with more interaction with the minors on their caseload.
- There have been some challenges related to moving officers away from the traditional office setting, trying to arrange offices on the school campuses, using hand held PDA's (as they no longer have routine access to desktop computers with access to probation data bases), and interfacing with the probation office to coordinate preparing reports for the court.
- These officers were reconfigured from the truancy officers so Probation is not able to have a presence at School Attendance Review Board (SARB).
- In Santa Barbara there are two officers that split their time between the various high schools.
- In Lompoc there is one officer who visits all the high schools, with the majority of time spent at Lompoc High School, where there is the highest concentration of issues.
- In Santa Maria, an officer is assigned to each high school. There is a strong presence at Pioneer and Santa Maria High School, with an officer on each campus five days a week. The other high schools have officers visiting twice a week. Only two of the three officers are funded through the JJCPA School Based Officer program. Because of the way Probation was able to reconfigure the officers in that region, there is a higher level of presence. Because the Early Intervention Officer (funded by JJCPA) has a high prevalence of younger clients on the caseload, they are visiting the junior high schools.
- Due to the number of general supervision officers in Santa Maria we are able to balance the caseload and allow for more school visits; presently we are not able to do this in the other regions.
- Several of those present at the meeting expressed appreciation for the School Based Officers and wanted to reaffirm the need to include the presence of the School Based Officers in the Junior Highs in all regions.

7. Selection Process for 2 Year Term (non-permanent) JJCC Members – Martin Conoley

- In the JJCC by-laws it states there will be twelve permanent members and up to ten non-permanent members. A selection process for the non-permanent members needs to be established.
- A proposed Selection Process Form was distributed. There are four categories (Community-based drug and alcohol programs, County Law Enforcement Chiefs (CLEC) - city Police Departments, School District coalition, and non profit community-based organizations) eligible for non-permanent membership. The current members will be encouraged to present this document to their respective group meetings who will then nominate the representatives.
- The non profit/CBO representatives may be more difficult to select as there is not only one meeting venue from which to select proposed members. Fran Foreman will get the word out about the council. A one page letter of intent will need to be submitted to Melanie Davis that will be brought before the group for selection of the non profit/CBO's non-permanent members.
- Essentially we are trying to solicit names for the non permanent members before January 15th and have a process for how those names are presented to the permanent members for review and approval scheduled for the February 2008 agenda. To move this process to the next level, it is important to have named delegates, monitor attendance, ensure commitments, and oversee absences resulting in disqualification for membership.
- All three areas of the county should be represented.
- Various organizations can be placed in multiple categories so it is important to balance the non permanent members keeping in mind diversity, geographic location, and services.
- The attendees all concurred to move forward with the use of the proposed form to submit non-permanent members to serve on the JJCC.

8. Conflict of Interest Issues – Jerry Czuleger

- It was previously discussed that this committee is an advisory board making recommendations to the Board of Supervisors.
- There are two primary areas of the law that deal with conflict of interest. One is Section 1090 of the Government Code. Generally it indicates that a public official who has a financial interest in a contract can not participate in any portion of contract development.
- There are numerous exceptions that would allow for participation by public officials if they meet one of the exceptions, however it becomes time consuming and cumbersome to establish exemptions in large groups. This is why this council is looking at the Brightline rule as a better process. Often times it is necessary to step away from participating because it might be presumed inappropriate or just appears wrong.
- Another reference is the Political Reform Act, 87100 of the Government Code. This generally states you can not participate in making a public decision if you have a financial interest in that decision.
- If an entity is considered to be an advisory body there are certain exceptions regarding Section 1090 and the Political Reform Act. These exceptions only relate to committees/councils that do not have final decision making authority. For example, the JJCC makes recommendations to the BOS and the BOS makes the final approval. However, if the advisory council recommendations are routinely approved without modification as they have been with the JJCC, this exception may not apply.
- Use of a Brightline rule does not mean the council is off the hook for complying with the other conflict of interest rules, but it gives the council a guideline which is simpler and easier to administer when dealing with conflicts.

- A sample Brightline rule: A JJCC member shall abstain from participating in Council discussions and voting on any JJCC funding issues, which involve their agency, company or department, or in which they have a personal financial interest.
- In some instances, a representative of the department or agency from which a Council member has a conflict may make a presentation or participate in discussions before the Council.
- Adoption of a Brightline rule is strictly optional. Although, it may prove challenging to implement a Brightline rule, it could lessen the risk of having the Council's processes questioned when recommendations are submitted to the Board.
- Patti suggested that County Counsel be present whenever there are any motions planned relative to funding decisions.
- If someone was to abstain due to a conflict, there is a disclosure requirement. You would need to disclose on the record what your conflict is and then remove yourself from participation.
- This makes attendance and the participation of the membership even more important because our voting capabilities could change numerous times during a single meeting.
- "Rule of Necessity" in limited situations, when a quorum of a public body has a conflict, a member or members maybe randomly selected to reconstitute a quorum, in order for the action to go forward.
- Questions were posed regarding how matters would be moved forward if too many members had a conflict; what level of involvement a member with a potential conflict could play in a work group discussion, and/or a presentation to the Council; how the size of the quorum could play into these issues and what potential options exist that might simplify the situation.
- It was suggested that the Probation staff meet with County Counsel to advise how the work groups are utilized so they are aware of the JJCC process.

8. Approval of Draft JJCC By-Laws – Patti Stewart

- The concurrence of the group was to postpone the approval of the JJCC By-laws to include the discussed changes. Patti wants to ensure that the creditability of this Council is not questioned due to the conflict of interested issues and the advisory capacity versus policy making role of the JJCC.
- We will provide a draft to committee members for distribution to the non permanent members selection committees.
- Tabled until the next meeting and placed on the agenda with a recommended vote at the next meeting.

9. Public Ethics Training Status Update – Martin Conoley

- Members are required to complete a public ethics training course, there is an on line version available. Hand out was provided for the on line version.
- Members are to provide their certification of completion to Melanie Davis.

10. Roundtable – All Members

- Judge Melville's retirement event will be Sunday October 21st, at the Santa Maria Elks lodge.

Meeting adjourned at 11:10 a.m.

Respectfully submitted by Melanie Davis, Executive Secretary

Next Meeting: February 1, 2007 – Santa Ynez Valley Marriott – Del Mar Room, Buellton, CA