



JOINT MEETING JUVENILE JUSTICE COMMISSION DELINQUENCY PREVENTION COMMISSION



Carole D'Elia
Chair

SUMMARY OF MINUTES

December 15, 2015

PRESENT: Carole D'Elia-Chair; Dan Okada, Gwen Jackson-Tucker, Stephanie Nguyen, Gini Maulfair, Jane Claar, Steve Streeter, Hillary Gaines, Rachel Rios, Judge Boulware Eurie, Chief Seale, Rick Heyer, Dawn Isais, Robin Claren

ABSENT: Dennis Dulay, Fred Mills, Meer Lihony

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1. **CALL TO ORDER:** A quorum was present, and the meeting was convened at 10:02 a.m. Commissioner D'Elia welcomed participants and introductions were made.
 2. **APPROVAL OF MINUTES FROM THE NOVEMBER MEETING:** Commissioner Okada moved that the minutes of the November meeting be approved; the motion was seconded by Commissioner Jackson-Tucker and unanimously approved. Commissioner Gaines and Commissioner Rios abstained, as they were not in attendance at the November 7th meeting.
 3. **ANNOUNCEMENTS:** None
 4. **COMMENTS FROM THE COURT:** Judge Boulware Eurie reported that the youth detention facility decoration contest was held on December 14, 2015 and it was a very nice event.
 5. **COMMENTS FROM PROBATION:** Chief Seale reported that Probation is currently working on a proposal for a youth center this summer. The project will focus on prevention and be diversionary in nature. Probation will keep the commission updated as they progress forward.

Current areas of development include working to better serve crossover youth. Areas specifically targeted are youth coming out of child welfare that are also being served in the juvenile justice system. Chief Seale will re-visit the subject with the commission at a future meeting.

6. **PUBLIC COMMENTS:** No public comments were made.
7. **RICK HEYER – COUNTY COUNSEL RECOMMENDATIONS REGARDING THE BROWN ACT:** Rick Heyer had previously discussed three options that were available to the commission for consideration regarding the possibility of merging the JJC and DPC together.

The three options previously presented were as follows:

1. Continue as two separate commissions.
2. Change the County Code to construct the membership differently.
3. Combine the two commissions into one joint commission.

At the November meeting, a decision was made to combine the two commissions into one joint commission.

Rick Heyer recommended that the commission be structured as two separate bodies having one combined meeting. For matters that are JJC only, such as personnel matters, there would need to be a carve out in which only the JJC members would participate and vote. JJC only items are not subject to the Brown Act and therefore do not require a public meeting. Rick Heyer recommended discussing all JJC only issues at the beginning of each meeting and then allowing the public meeting to take place for all joint open public agenda items. Rick Heyer reminded members that the DPC is subject to the Brown Act. Consensus was to have both commissions remain as separate entities with a joint meeting and a joint agenda.

Discussion was held regarding how the Brown Act pertained to sub-committees. Rick Heyer clarified that the Brown Act does not apply to Ad Hoc committees; however the Brown Act does apply to standing sub-committees.

Commissioner Gaines volunteered to develop a guide that will outline which topics are considered JJC only topics and which topics are considered joint topics. Rick Heyer agreed to review and provide opinion on the guide once it has been developed.

Discussion was held regarding the possibility of amending the county ordinance. Rick Heyer stated that he was not aware of any other county that has an ordinance like Sacramento County. Rick Heyer stated that the current ordinance is legally changeable; however there is the larger question of practicality.

Additional discussion was held regarding whether a DPC was needed. Rick Heyer stated that he is not aware of any statute that requires a DPC, however on the practical side; it may make more sense to have one. Commissioner D'Elia informed the commission that the original intent of the DPC was to use it as a pass through for county funding, however that is not the intended purpose any longer.

It was recommended that members research what other counties are doing and what their structure looks like. Consensus was to put this topic on a future agenda so that the commissioners would have time to research the topic for additional discussion.

Judge Boulware Eurie and Chief Seale are meeting in the near future to discuss the process of combining the two commissions in further detail and will bring back recommendations. Judge Boulware Eurie will also be meeting with leadership to develop a process for admin support.

Rick Heyer provided a written opinion relating to the applicability of the Brown Act to the two commissions. The opinion was included as a handout with the Agenda prior to today's meeting. The handout was also published on Probation's website and discussion was held on whether or not legal opinions should be posted on a public website. Consensus was to obtain counsel approval prior to posting any opinions.

Discussion regarding filling open commissioner positions and performing advocacy was held. Rick Heyer informed the commission that nominations to JJC still remain as Non-Brown Act agenda items and would therefore not be open to the public. Rick Heyer stated that in order for DPC to provide advocacy, the body should agree by majority vote and nominate someone from the commission to provide the advocacy. Rick Heyer cautioned members not to engage in active discussion when there is a quorum group while performing advocacy, as this could be perceived as having a meeting. Consensus was to have any speaking points for advocacy receive prior approval by Probation and/or Judge Boulware Eurie depending on the subject matter.

The JJC bank account was discussed with final consensus being to change the current bank account name to, "Friends of the Juvenile Justice Commission." The history of the account was discussed and it was noted that the funds in the account derive from voluntary donations from the current Juvenile Justice Commission members. Commissioners discussed the option of having a fiscal intermediary or fiscal agent control the funds in the bank account. It was agreed that the commission's treasurer, elected annually, would be the fiscal agent to avoid paying fees for a fiscal intermediary. Currently the Chair and the Treasurer are signatories on the bank account. Adding a third commissioner for additional accountability and transparency was discussed. Members currently donate their stipend checks to the account in an effort to create a scholarship fund for youth. Rick Heyer recommended that the commission consider voting each year on whether or not members would like to continue to donate their stipend checks to this account.

8. COMMITTEE UPDATES:

- a. Inspections: All of the inspections have been completed and the YDF inspection team members have submitted their reports to the YDF team lead Commissioner Okada. The inspections committee is hoping to have a final report by the January meeting. The committee is currently researching whether or not they have to add the sheriff's sub-stations to their inspection list.

Discussion was held regarding the length of time youth are being held in juvenile detention. This topic was discussed at the November meeting and the commission looked into whether or not youth were being held an inordinate amount of time. Reference was made at that time to a San Francisco Chronicle article that stated there were juveniles being held over 500 days in San Francisco County. Commissioner Streeter stated that the committee did look into this and found that Sacramento County was doing a good job and there were no issues with oversight or neglect.

Judge Boulware Eurie informed the commission that there is currently only one youth that has had an extended period of time due to juvenile competency not adult competency. The issues with this youth will most likely be resolved within the next two weeks. Commissioner

D'Elia stated that a concern being raised by the district attorney's office in a meeting with commissioners earlier this year was whether or not there are not enough staff resources available to determine competency, which may be why some youth are being held longer than anticipated in some cases. Chief Seale stated that the system itself is adversarial in nature and that there will be different approaches and strategies based on who the decision maker is – public defender or district attorney. Chief Seale reported that he did engage in a discussion with the public defender's office and the district attorney's office and felt the discussion was very productive. All parties involved in the process are keeping the issue on radar and are reviewing it on an ongoing basis.

Judge Boulware Eurie stated that she has a monthly data sheet that she reviews regularly to ensure that youth entering detention facilities are not detained an inordinately excessive amount of time. Judge Boulware Eurie stated that the average length of stay is approximately two months. Chief Seale pointed out a two month length of stay is not long and many cases tend to be litigated, which adds to the length of stay. Chief Seale informed the commission that everyone is working together and they are all committed to finding solutions to this issue. Chief Seale informed the commission that he reviews a data report every month and while it is an important metric, it quickly becomes very complex when looking at individual cases. Commissioner Streeter stated that he felt Sacramento County does a good job of working together to ensure that youth do not slip through the cracks.

Consensus was to have a quarterly update on this agenda item. Judge Boulware Eurie volunteered to provide Juvenile Justice 101 training to all commissioners, which will cover the judicial process from time of arrest through adjudication.

b. Nominations:

Discussion was held regarding the current applications that have been received. One of the applicants was not qualified and the other applicant had a conflict of interest.

Discussion was held regarding the need to develop a formal application process to ensure all applicants are notified of the receipt of their application as well as the final decision regarding their status. Judge Boulware Eurie will work with admin staff to develop a process.

Discussion was held regarding the need to recruit new members from the northern part of the county, as that area of the county is under-represented.

c. Budget:

Commissioner Nguyen reviewed the bank statement and donation report with the commission.

d. Scholarships: Two scholarship applications have been received. One of applications received was incomplete. Consensus was to deny the incomplete application and review the complete applications for possible awards. The committee will discuss ways to improve the overall scholarship process after the February meeting. Commissioner Streeter stressed that he would like to see a more formal structure developed around the scholarship program and accounting of funds.

9. **WORKGROUP UPDATES:**

- a. Youth Involved in Juvenile Justice System: No report
- b. Detention & Re-Entry: No report
- c. Commission Visibility: No report.
- d. Education: No report
- e. Pre-Involvement in Juvenile Justice System: No report.

10. **COMMUNITY PROGRAMS INFORMATIONAL UPDATES:**

- a. AB922: No report
- b. Children's Coalition: No report
- c. CPPCA: No report.
- d. Juv. Institutions, Program & Court Committee (JIPCC): No report
- e. Reducing Racial and Ethnic Disparities (RED): No report.

11. **AGENDA BUILDING FOR NEXT MEETING:** Agenda item incorporated into main discussion. 2016 meeting dates and times were discussed as there is a holiday on the third Monday in both January and February and commission practice has been to move the meetings to Wednesday when there is a Monday holiday. Judge Boulware Eurie indicated she was unable to attend on Wednesday, January 20, 2106; therefore the commission decided to keep the meeting on Tuesday, January 19, 2016. The February meeting will be held on Wednesday, February 17, 2016. It was agreed that the JJC would meet from 9:30 a.m. to 10:00 a.m. each month to discuss items solely under the purview of the JJC and the JJC/DPC would meet jointly each month from 10:00 a.m. to 11:00 a.m.

Commissioner Gaines moved that the meeting be adjourned at 12:00 Noon. Commissioner Claar seconded the motion, which was approved unanimously.

Respectfully submitted,
Robin Claren, Judicial Secretary III

NEXT MEETING: **Tuesday, January 19, 2015 – 9:30 a.m. – 11:00 p.m.**
 Juvenile Courthouse – Walter Barkdull Conference Room
 9605 Kiefer Blvd., Sacramento 98527