

# County of Santa Clara Office of the County Executive




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PSJC-CE01 060409

Prepared by: Kathy Maniaci  
Principal Executive Advisor to the  
County Executive

DATE: June 4, 2009

TO: Supervisor George Shirakawa, Chairperson  
Supervisor Donald F. Gage, Vice Chair  
Public Safety & Justice Committee

FROM:   
Gary A. Graves  
Acting County Executive

SUBJECT: Report Back: Review of Juvenile Hall Advisory Board

## **RECOMMENDED ACTION**

Accept report from the County Executive relating to the Juvenile Hall Advisory Board and forward a favorable recommendation to the Board for it to be abolished with measures to ensure continued focus on the safety and conditions of Juvenile facilities and participation from the public.

## **FISCAL IMPLICATIONS**

There is no fiscal impact to the general fund associated with this action.

## **REASONS FOR RECOMMENDATION**

County Charter, section 506, states: "The Board of Supervisors shall periodically evaluate the need for the boards and commissions established pursuant to this section and shall abolish those which no longer serve their intended function." In February 2009, the Public Safety and Justice Committee sought guidance on whether the Juvenile Hall Advisory Board (JHAB) could be consolidated with an existing commission or committee that relates to its charge.

On March 5, 2009, after considering reports from the County Counsel and County Executive and listening to public comments, Supervisor Shirakawa asked for more dialogue between the County and the community about the future of JHAB. Accordingly, on March 16 and, subsequently, on April 20th, the JHAB held two separate Executive Committee meetings to discuss this topic. Attendees varied at each of the meetings, however, they were mostly comprised of the following entities: Probation Chief, Public Defender, District Attorney, a Juvenile Court Judge, County Executive's Office representative, a few parents and community-based organizations, a Local 1587 representative, and several Juvenile Justice Commissioners (JJC).

At both meetings, it was acknowledged that, since 2008, the JHAB has struggled to find a unique voice to contribute to ongoing juvenile detention reform (JDR) efforts, thereby making it difficult for this body to reach quorums and a challenge for members to meet its work plan goals. On the other hand, the time and commitment of past and present commissioners was recognized as providing a forum for parents and community members to discuss various issues and concerns pertaining to juvenile hall and the ranches.

JJC Commissioners reported that there are currently no openings on the Commission; however, parents and community members are welcome to apply for future positions. The JJC's purpose is to inspect juvenile facilities, conduct public or closed hearings on matters relating to juvenile law in the County, and advocate for needed services for youth in the juvenile justice system. Hearings are usually related to court proceedings. To ensure the public has access to JJC agendas and minutes, the JJC Chair agreed to post them on the Superior Court website and has done so since April 2009. The JJC also committed to consider creating an ad hoc, or subcommittee, of parents and community members; and they requested a new meeting location, one more accessible to parents and community partners. Effective May 2009, the JJC now holds its meetings in the new Crime Lab's conference room, which is more accessible. A cost-sharing agreement between the County and Court remains in place to support the JJC.

Following these discussions, on May 6th, the JHAB Executive Committee reported its findings to the full JHAB and a motion was made to make a recommendation to PSJC to

disband. The motion was unanimously accepted. The County Executive endorses the decision to abolish JHAB and offers the following two recommendations, which are explained below:

1. **Direct the Chief of Probation to submit JJC inspection reports and the Department's responses to the Board through PSJC.** It is important that the County continue to be vigilant about safety and conditions at Juvenile Hall and the Ranches. By law, the JJC regularly inspects juvenile facilities, including the Hall and Ranches, and provides its reports to the Board and Chief of Probation. Those reports and Probation's responses were typically reviewed and forwarded by the JHAB to the Board through PSJC.
2. **Direct the JJSC to develop a communication and outreach plan to include a public forum for parents and the community to encourage more involvement.** Public participation was helpful to the JDR effort. It is important for the County to continue its dialogue with parents and the community, including community-based organizations on these efforts. Multiple opportunities currently exist through different forums for parents and community members to talk openly about youth issues. The Juvenile Justice Systems Collaborative, a fairly new Board Committee, focuses on the "juvenile justice system as a whole" - which is different from the JJC's focus - and encompasses prevention. The JJSC reports quarterly to the Board through PSJC. Its membership includes a parent and several community-based organizations, such as the Silicon Valley Community Network; Bill Wilson Center; EMQ; Fresh Lines for Youth (FLY); La Raza Roundtable; and FACES-Victim Witness Assistance Center for Silicon Valley. Employee bargaining units, such as Locals 521 and 1587, and CEMA, are also members. Equally important, any member of the public, including JJC commissioners, are invited to attend monthly work groups and quarterly Collaborative meetings.

## **BACKGROUND**

In March 2004, Santa Clara County voters approved Measure A, which transferred the authority to appoint, supervise, direct, suspend, or remove the chief of Probation from Superior Court to the County Executive. The measure included the establishment of a JHAB to improve the safety and conditions for children at Juvenile Hall, based on independent audit recommendations.

Full ballot text: "Shall Section 504 of the County of Santa Clara be amended to read as follows, and shall the Board of Supervisors upon passage of the charter amendment establish a Juvenile Hall Advisory Board which shall include the following composition: One judge from Juvenile Court; the District Attorney or his or her designee; the Public Defender or his

or her designee; the Sheriff or his or her designee; two health professionals designated by the Executive Director of the Santa Clara Valley Health and Hospital System with expertise in the area of child psychiatry and child development, respectively; one member from each of the three bargaining organizations in the Probation Department; two persons who were incarcerated at Juvenile Hall and who completed probation successfully; and two parents of persons who were or are incarcerated at Juvenile Hall."

After several public hearings, on September 28, 2004, the Board approved Ordinance No. NS-300.736 to establish the JHAB (Attachment A). By October 2004, the County began accepting membership applications and appointments made in January 2005.

On February 12, 2009, the Public Safety and Justice Committee sought guidance on whether the JHAB could be consolidated with another body that has similar oversight to both improve efficiencies for the Probation Department and enhance the public's participation.

On March 5, 2009, the County Executive and County Counsel reported back on whether the JHAB could be consolidated with an existing commission or committee that relates to its charge, along with three options for consideration. Several members of the public spoke and asked the PSJC to consider in its decision a continued focus on the safety and conditions of juvenile facilities, and a pledge that parents and community members will maintain a voice on juvenile detention issues. Supervisor Shirakawa asked the County Executive to continue his dialogue with the community to ensure the community's issues are considered.

### **STEPS FOLLOWING APPROVAL**

Forward recommendations to the Board of Supervisors.

### **ATTACHMENTS**

- JHAB Ordinance NS.300.736