



ALAMEDA COUNTY

Juvenile Justice and Delinquency Prevention Commission

MEETING MINUTES
Wednesday, July 12, 2023 | 12:00 PM – 2:00 PM
2500 Fairmont Drive, San Leandro, CA 94578
Room C-1002
ZOOM Teleconference

Commissioners Present:

Palagummi, Vamsey (Chair) Anderson, Louise Noma, Sally Peralta, Gina
 Metz, Elana (Vice Chair) Ervin, Kareem Nunley, Patricia

Youth Commissioner: Larios, Xochtil **Member Emeritus:** Nair, Kamal

Collaborative Partners Present:

<input checked="" type="checkbox"/> Badiey, Naseem, ACPD	<input checked="" type="checkbox"/> Emmons, Craig, ACPD	<input checked="" type="checkbox"/> Pappas, Carissa, ACPD
<input checked="" type="checkbox"/> Barton, Crystal, ACPD	<input checked="" type="checkbox"/> Ford, Brian, Assist. Chief ACPD	<input checked="" type="checkbox"/> Ross, Javay, ACPH
<input checked="" type="checkbox"/> Burke-Taylor, Yasmin, ACPD	<input type="checkbox"/> Golde, Matthew, DA	<input checked="" type="checkbox"/> Tate, Hattie, OUSD
<input checked="" type="checkbox"/> Buckner-Preston, Mia, SSA-CWS	<input checked="" type="checkbox"/> Gershow, Christine, ACBH	<input type="checkbox"/> Vaughan, Monica, ACOE
<input type="checkbox"/> Cercone, Dante, ACPD	<input checked="" type="checkbox"/> Gratz-Lazarus, Zach, CAAP	<input checked="" type="checkbox"/> Walton, Robert, ACPD
<input checked="" type="checkbox"/> Conner, Shauna, ACPD	<input checked="" type="checkbox"/> Jackson, Scott, ACSC	<input type="checkbox"/> Wegley, Rebecca, ACPD
<input type="checkbox"/> Crawford Jr., Earl, ACOE	<input checked="" type="checkbox"/> Konover, Kimberly, ACBH	<input checked="" type="checkbox"/> Williams, Shahidah, BOS
<input type="checkbox"/> Donovan, Allyson, DA	<input checked="" type="checkbox"/> Mance, Al, Public Defender	<input checked="" type="checkbox"/> Wilson, Jacq, DA
<input type="checkbox"/> Dawal, Marcus, Chief ACPD	<input checked="" type="checkbox"/> Mitchell, Alicia, ACPD	<input type="checkbox"/> Zambrana, Andrea, CAAP
<input checked="" type="checkbox"/> Ebrahimi, John, ACPD		

Recorder: Shavers, Andrea, ACPD

I. Administrative Business

1. **Call to Order:** Chair Palagummi called the meeting to order at **12:12 pm**.
2. **Roll Call**

II. 2023 Commission Inspection Report Presentation

Background

- Collectively the members of the Commission have over 100 years of experience in juvenile justice. The Commission is comprised of people with lived experience, formerly incarcerated individuals, college professors, volunteers, a youth organizer, attorneys, civil, criminal and dependency, a director of a nonprofit as well as workforce development. We are unique because we have a lot of technical experience and an understanding of the law.
- The Commission is empowered by the Welfare and Institutions Code section 225-236 (WIC §225-236).

Legal Mandates

- WIC §229 allows the Commission to annually inspect all county Juvenile Halls and placement facilities.
 - The Commission shall have access to all publicly administered institutions.
 - The Commission shall report the result of such inspection in writing to the presiding judge of the Juvenile Court and the Board of State and Community Corrections (BSCC).
 - The Commission will consult BSCC regarding the operation and maintenance of the Juvenile Halls.

- The Commission shall make recommendations and decide if those recommendations will be made public (WIC §229.5 – 230).
 - The Commission may inquire into the operation of any group home in the county that serves wards of the Juvenile Court or dependent children and review the safety and well-being of the wards and dependent children.
 - The Commission may inspect any jail or lockup facility within the county used for confinement of any minor for more than six (6) hours.
- The Commission may coordinate on a countywide basis the work of governmental and nongovernmental organizations engaged in activities designed to prevent juvenile delinquency (WIC §234)

Report Process

- Includes multiple Juvenile Hall inspections both in-person and virtual, during which programming and facility operations were observed. Additionally, both formal and informal interviews with system partners, stakeholders, ACPD leadership and line staff were conducted as well as interviews with incarcerated youth.
- Data review of youth grievances on a quarterly basis was conducted; probation presentations, partner reports, JJDPC and Juvenile Justice Coordinating Council (JJCC) SB 823 minutes were also reviewed.
- There was community outreach to interview recently released youth and their families as well as communication with local and statewide coalitions to better understand their concerns and priorities.

Staffing & Hiring

- At the time of this report, staffing and hiring are the greatest issue of concern.
- There is a staffing crisis. This past Mother's Day, visitation was canceled due to staffing. There were shifts where there were only 8 staff.
- Staffing severely impacts programming. Without enough staff in Juvenile Hall, you cannot provide programming; consequently, the youth are locked in their rooms more often. Young people cannot leave their rooms in groups, they are taken out one at a time.
- In a report given to the Board of Supervisor in April 2023, there were 55 Juvenile Intentional Officers (JIOs) and 31% vacancies. Currently, there are 39% of vacancies. From July 2021 through April 2023, Probation was able to hire and train 42 JIOs, but lost 36 to attrition. That is a net gain of 3 staff per year. At this rate, it will take 18.3 years to reach Probation's staffing goal of 90%, which is fully staffed.

Factors contributing to ACPD's Attrition

- Antiquated and overly cumbersome hiring practices. On average it takes approximately eight (8) months for JIO candidates to go through the hiring process.
 - Some of the backlog and inefficiency comes from the medical review and psychological assessment.
 - There should be an audit of the recruitment process to further identify delays in the hiring process.
- High turnover rates – many JIOs leave within weeks of being hired, citing it was not the job they expected.
- Shift bidding – JIOs bid into when and which unit they will work (based on seniority). The newer staff tend to work during the most challenging times, swing shift.
 - Some JIOs bid into empty units.
 - The swing shift has the most inexperienced staff working during the most critical time. There are 18 staff members with 0 to 2 years of experience. This is the time when the most issues happen, when most OC Spray usage happens, when the young people are not having their programming needs met.
 - Friday through Sunday is when youth have the most free time. They should be out of their rooms; they should be programming. However, staff do not want to work the weekends, thus there are not enough staff for those shifts.

- Lack of true mandatory overtime policy – the involuntary hold policy is riddled with exceptions. If staff voluntarily work over 80 hours, they cannot be held over for overtime; eligible staff can only be mandated to work one 8-hour shift on a day that is not their last day in the work week; there is a 2-hour prior notice requirement.

Staffing Recommendations

- Hire an outside recruiter.
- Revise the job description.
- Conduct exit interviews for any staff that leave within two weeks of hire. We should understand why they are leaving, what is going on, and what is the culture. The data should be reviewed to identify resources, efficiencies, and changes that can be made based on the data collected.
- Although it is a labor issue, we should end shift bidding.
- Offer financial incentives to experienced staff to bid into the critical shift.
- Enact a true mandatory overtime policy.

Labor – Meet & Confer

- ACPD’s practice of meeting and conferring with labor to make policy changes has taken up to three years. Often there is not a legal obligation to confer with labor on fundamental managerial decisions like use of force, outdoor policy, etc.
- The meet and confer process currently impedes the ability to comply with Title 15 Minimum Standards of Confinement such as room confinement, programming, and outside time.
- During the meet and confer process youth rights and interest are not at the bargaining table.

Labor Recommendations

- Hire outside counsel for second and third opinions on legal requirements.

Conditions of Confinement

- According to BSCC’s Minimum Standards for Confinement, the placement of a youth in room confinement shall be accomplished in accordance with the following guidelines.
 - Room confinement shall not be used before other, less restrictive, options have been attempted and exhausted, unless attempting those options poses a threat to safety or security of any youth or staff.
 - Room confinement shall not be used for the purposes of punishment, coercion, convenience, or retaliation by staff.
 - Room confinement shall not be used to the extent that it compromises the mental and physical health of youth.
- A consequence of staffing challenges, young people are locked in their rooms for hours on end, missing programming, recreation, etc.
- The Commission is concerned the length of time a young person is confined to their room following an incident. According to Title 15, the maximum length of room confinement following an incident is four (4) hours.
- The Commission believes Juvenile Hall is out of compliance with
 - Room confinement
 - Programs and recreation, specifically outside time.

Access to Outdoor Time

- Title 15, §1371 state, “Juvenile Hall facilities shall provide the opportunity for programs, recreation, and exercise a minimum of three hours a day during the week and five hours a day each Saturday, Sunday or other nonshcool days, of which one hour shall be an outdoor activity, weather permitting.
 - The youth do not regularly go outside, in many cases youth have not gone outside in six or more months.
- The Commission believes Juvenile Hall is out of compliance with the spirit and intent of this regulation as they offer time in the attached enclave.
 - Furthermore, research indicates the importance of extended time outdoors on youth healing, rehabilitation, physical and mental health. Without access to fresh air, sunlight and large motor movement, young people experience increased depression, worsened vision, lack of motivation, and decreased social and cognitive development.

Questions / Statements & Responses

1. **Probation’s Response:** We are actively addressing a lot of the problem areas you identified. There is nothing in the report that is a surprise to us. He hired 42 JIOs in two years, which was a great increase from past years. We accelerated our hiring. However, what you see now is an exodus.

We are having exit interview. We are finding staff feel unsafe at work. A lot of people coming into this work are unaware of is the impact to their safety. With the staffing shortage, new JIOs have to be in units by themselves or with staff that are just as new and experienced as they are. They are faced with youth that are physically bigger than they are, that have deep trauma.

There is a lot of outside community influence on the work that has an impact on whether people want to work here. Additionally, there are a host of issues, labor, Memorandum of Understanding, and contract that determine our limitations. We go back and forth frequently to improve things for all sides.

Another issue that impacts staffing is the number of staff that are out on leave. We are doing everything we can to get people back to work.

2. **Question:** How much is money an issue? Will increasing salaries help?
Probation’s Response: The Juvenile Institutional Classification is at the median rate of all the bay area counties. It is not the lowest. In their new contract, JIOs received a 25% increase over a 5-year period this last contract. From the county’s perspective, that was significant compared to what other labor unions received.

At this current junction, we are discussing pay differentials, salary adjustments, hiring bonuses, retention bonuses, and referral bonuses. We remain open to ideas and suggests. It is our top priority.

III. Courts

Court, Judge Scott Jackson

1. In response to staffing at Juvenile Hall, have you all considered incentive to hiring like student loan forgiveness after working 2 to 5 years with Probation?
2. This seems to be a quieter summer. Usually, when school is out the kids have less structure and we see an increase in numbers of court cases.

District Attorney, Jacq Wilson

1. The information provided today is a lot to process.
2. To Probation, I have been a little critical in the past. This presentation has helped me understand the problems. Considering what I heard today, Probation is doing an extraordinary job with limited staff.
3. There are staffing shortages all over the county, even in the District Attorney's (DA) Office. As adults we deal with it, but the kids are paying the price.
4. Stephanie Tablante, Safety Net Coordinator, was going to come today to give a report on Safety Net, Girl's Court and where we are going. Unfortunately, something came up, but she will be here in September, as well as Tiffany Gipson.
5. April Smith is now in the DA's Office; she will be handling all the resentencing, transfer cases, and things of that nature.

Public Defender, Alfonso Mance

1. In here, we do not know what each other does. So, the conversation today is important so we better understand each other. Everyone is doing the best that they can and they have the best intentions.
2. The public does not understand how things work in here. People's idea of criminal justice comes from TV.
3. Society in general needs to work on prevention before it gets to this point, the criminal justice system.

IV. Probation

General Updates, Shauna Conner

1. Behavioral Health, Medical, and some CBOs are partnering with Probation in a town hall that will be led by the youth in discussions about challenges with substance abuse and programming.
2. The July 4th celebration was staff run. The staff barbecued for the youth and themselves.

Demographics

1. Number of youths in Juvenile Hall – 45
 - a. Males – 38
 - b. Females - 7
2. Number of youths on Secure Track – 27
 - a. 5 youth stepped down at Camp
 - b. 1 youth on GPS

SB 823 Update, Yasmin Burke

1. On July 19, we will have a meeting with the Credible Messengers and our staff. We will discuss what it will look like when the messengers join us.
2. Deputy Sheriffs Activity League (DSAL) understands our staffing issue. If we have enough staff to have the youth on the blacktop DSAL will program outside. If they have to get the youth moving in the gym or unit, they are flexible to the needs of the facility.
3. Blue Water Sailing – there will be a Blue Water Sailing graduation on Friday, July 14, 2023.

Programming

1. Programming for Secure Track youths includes the following.
 - a. Family Spring is an intensive substance misuse program. They also provide programming for anger management.
 - b. Financial Literacy, an 18-week course with 2-hour sessions.

- c. George Smith teaches life mapping and journaling.
- d. True Academy focuses on anger management and gang intervention.
- e. ROP provides culturally responsive Cognitive Behavioral Therapy (CBT).
- f. Youth Beat concentrates on multimedia arts.
- g. Write to Read
- h. Restore Our Communities (ROC) hosts a basketball clinic for Units 1 and 3 every Friday from 10:30 am to 11:30 am.
- i. The MC3 cooking program is held each Wednesday from 12:00 pm to 2:00 pm. Staff assist the youth with preparing meals of their choice.

Questions / Statements & Responses

1. **Question:** When will the café reopen?
Probation's Response: That is in the works. It is apart of our plans to have youth from camp work in the café and pay them through Raising Leaders.

V. Medical & Behavioral Health

Medical Updates June 1 – 30, 2023, Dr. Christine Gerchow

1. Medical
 - a. 25 Dental Intakes
 - b. 24 History and physicals
 - c. 100 sick visits to the RN

Guidance Clinic Updates, Dr. Christine Gerchow

1. The Optometry van is coming on August 3, 2023. Following that, it will come once a month.
2. We are holding interviews next week for clinicians.
3. Behavioral Health numbers for June 1-30, 2023
 - a. 100 other referrals.
 - b. 51 Intakes

Questions / Statements & Responses

1. **Library's Statement:** There needs to be mental health support for staff. They are affected when tragic things, bad things happen to the youth post release. Staff form relationships with the youth. There is profound worry and angst about what will happen to the youth when they leave the facility. This work we all do in different capacities wears on the spirits and souls of the staff.

Behavioral Health's Response: When it comes to any behavioral health needs of the staff, we would like to provide support. If we are going to have clinicians support the JIOs, I am open to collaborating with those persons trained or competent in supporting staff, more specifically those need a background in supporting police and public safety staff that are seeing hearing, feeling and working endless hours of overtime.

If the clinician does not understand the work and stressors of the job, it defeats the purpose and may lead to more alienation.

Library's Response: In the past few months, a youth that frequented the Juvenile Hall Library was killed after release. The youth had formed relationships with the staff. I had Claremont EAP come in to help staff. The experience was retraumatizing. Staff could not stop crying after the session.

The people that counsel staff who experience trauma have to know what they are talking about. The person that came to counsel the staff had an opinion about everything we did. It left people questioning what am I doing.

Because we care so deep, the loss of the youth hurts us. We carry that grief; we are affected each and every time.

Probation's Response: Over the past year, we have been working on staff wellness with peer-support, building a decompression room so staff may leave their unit to process on their own in a quiet space after an incident. We remain open to ideas and we are prioritizing staff mental health.

VI. Commission Updates

Beginning in August, the Commission meeting will be held on the third Wednesday of the month at 12 pm.

VII. Public Comment

None.

Next Meeting is scheduled for Wednesday, September 20, 2023.

Location: Hybrid meeting format.

In-person: Juvenile Justice Center, 2500 Fairmont Drive, San Leandro, CA, Conference Room C1022

Virtual: via Zoom.

Meeting adjourned at 2:09 pm.