



## **Alameda County SB823 Subcommittee Minutes 10.7.21**

12:30pm - 2:30pm

Virtual Meeting Information Below

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### **SB 823 Subcommittee Members in Attendance:**

Interim Chief Marcus Dawal, ACPD

Matthew Golde, ACDA

Alphonso Mance, PD

Juan Taizan, ACBH

Hon. Ursula Jones Dickson

Monica Vaughan, ACOE

Andrea Zambrana, Conflict Counsel

Vamsey Palagummi, JJDPC

Emily Young, DPN

Ericson Amaya, FOK

Caryn Quezada, District 1 Representative

Dauida Scott, District 2 Representative

Erin Palacios, District 3 Representative

Trevor Arceneaux, District 4 Representative

Kelly Thompson, District 5 Representative

Xochtil Larios, Youth Representative

1. Call to Order & Roll Call
  - a. Call to order by Interim Chief Dawal at 12:30
  - b. Deputy Chief Chambers took roll call
2. Approval of Minutes
  - a. 9.30.31
    - i. Minutes will reflect the word "propone" will be changed to "prone."
    - ii. Moved to approve the minutes by Caryn Quezada; seconded by Interim Chief Dawal.
      1. Unanimously approved
3. CANS Assessment
  - a. Discussion & Action
    - i. Motion made by Juan Taizan to adopt the language "which may include the CANS" in the portion of the plan that refers to the biopsychosocial assessment; seconded by Monica Vaughan.
      1. Unanimously approved
4. Discussion of SB 823 Realignment Plan - Edits & Concerns
  - a. Discussion & Action as needed



- i. Antoinette Davis, Impact Justice - Thank you, everyone, for engaging in this process; moving forward, we want to ensure meetings are productive and have a voting forum; the meeting will start and end on time, will follow a prescribed timeline for each agenda item, we will use the raised hand function to call on members; if someone is making the same comment you plan to make we ask that you lower your hand so that the meeting can move along, we are going to allow three minutes for each item that is discussed, the goal for this meeting is to come to a consensus; our goal to make a recommendation based off your feedback today and have a mass vote at the next meeting.
- ii. Interim Chief Dawal, ACPD - I concur with Impact Justice's statement that we stay focused as a group on what we are specifically tasked with doing, taking into consideration the state's timeline and our budget allocation; the primary focus is to complete a plan for the secure track.
- iii. Dani Soto, Impact Justice - Column A has Impact Justice's recommendations; column B has the page number referring to the draft plan, column C has the original text, column D has the suggestion text or issue; column E shows who the suggestion came from, column F shows notes from who suggested the edits.
- iv. Al Mance, PD - In Row number 5, we previously talked about one of our focuses on facilities; I don't see that addressed anywhere else. Do we need to add that our intention is to move this program out of JJC here?
  1. Dani Soto, Impact Justice - It's made very clear in the facilities section.
  2. Al Mance, PD - Does it need to be stated in this section; that this will be part of what is discussed in the quarterly meeting?
  3. Dani Soto, Impact Justice - There's language in the draft plan that says this body intends to remain in the facility planning process; justification being SB 823 youth will spend the most impacted.
- v. Erin Palacios, District 3 Representative - Regarding moving the plan from 2022 to 2023, will we be able to add revisions or updates; have we clarified whether it's due May 1, 2022, or May 1, 2023 yet?
  1. Dani Soto, Impact Justice - We had a consensus around the quarterly meeting.
  2. Interim Chief Dawal, ACPD -, we have to submit the plan on January 1, OYCR will review the plan, and they may require edits to be made to the plan before it is approved; CPOC is seeking clarification HHS for what expectations are; I think it's appropriate to meet quarterly.
- vi. Interim Chief Dawal, ACPD - What should be reflected in the plan is how the target population is defined by the Welfare and Institutions Code; however, based on the timeline we are given, our priority need to be the secure track program and that population; we do have the programs and services that our place for youth adjudicated of 707 offense but got a different disposition than DJJ; long-term this committee should address those population.
- vii. Al Mance, PD - Are we going to vote on the entire document next week?



1. Antoinette Davis, Impact Justice - No, this week we are discussing pages 1-25.
  2. Donna Linto, Impact Justice - The vote next week will be limited to pages 1-25.
- viii. Vamsey Palagummi, JJDPC -How are we going to address the entire target population, which the law calls for?; would like to see language that talks about a clear process the meet that.
- ix. Erin Palacios, District 3 Representative - The language in Row 8 isn't accurate; the law doesn't have an exception for the first round; the funding covers that population as well.
1. Dani Soto, Impact Justice - There is additional language in column F.
- x. Andrea Zambrana, Conflict Counsel - It would be helpful to acknowledge the statute about the target population and add language to the chief's point of view.
- xi. Vamsey Palagummi, JJDPC - Agreed, it makes tactical sense, but the law requires us to look at anyone eligible for DJJ commitment, and I'm asking for a process for that population other than meeting quarterly.
- xii. EP, Even though we might not be including lots of discussion on the services, it should still include the data for this population.
- xiii. Laura Chavez, ACPD - We will include the required data on 707(b) youth demographics.
1. Erin Palacios, District 3 Representative - when will we see the data?
  2. Erin Palacios, District 3 Representative - This is VERY important to get a set of corrections on because it is calculating and projecting the number of youth that will be committed, and if it incorrectly inflates the numbers by dropping a low year or mischaracterizing comparisons between years it will mask increased commitment rates. Which we are tasked with avoiding.
  3. Antoinette Davis, Impact Justice - The data is available, and ACPD will make the revisions.
- xiv. Deputy Cheif Chambers, ACPD - When ACPD is preparing a Transfer Hearing Report, we are adhering to what is required of ACPD, we are not making any recommendations in regards to sentencing; the matter is whether or not a youth can be served in juvenile court and we must answer each of those criteria that are required
1. Andrea Zambrana, Conflict Counsel - In line 10, what is being proposed is that the chief will only review the report when ACPD is making its recommendations, correct?
    - a. Deputy Cheif ChambersAC, ACPD - Anytime a Transfer Hearing Report is being prepared; if there's potential for youth to be recommended for adult court, the chief will review it to ensure we are not sending any youth to the adult system who could be served in the juvenile system.



- b. Antionette Davis, Impact Justice - Impact Justice's recommendation is to reject ACPD recommendation to delete the language, the subcommittee will vote on whether to adopt or reject.
- xv. Emily Young, DPN - Can you explain the Child and Family Team meeting in Row 10?
  - a. Deputy Chief Chambers, ACPD - If a CFT meeting was conducting that information would be included in a Transferring Hearing Report.
  - b. Emily Young, DPN - Is it always included in the report?
  - c. Deputy Chief Chambers, ACPD - They are not always conducted; CFT is conducted prior to disposition.
  2. Al Mance, PD - CFT is required before probation can recommend out-of-home placement. However, a judge recently held that they are not required prior to a recommendation of camp or DJJ/ secure track.
  3. Erin Palacios, District 3 Representative, A CFT is not only a dispositional tool. It is a service planning tool that must be conducted within 60 days of removal.
- xvi. Andrea Zambrana, Conflict Counsel - Youth who work with Conflict Counsel have social workers assigned who are continuing relationships with them while they are at DJJ; it is the practice of defense counsel and social workers to continue ongoing relationships; that is why I think it's important to add them to the MDT.
  1. Antionette Davis, Impact Justice - You're not just saying defense attorney but social workers, correct?
  2. Andrea Zambrana, Conflict Counsel - Yes, defense or social worker; it would be defense decisions
  3. Emily Young, DPN - Is there a way the mental health clinician can collaborate with the defense social worker?
  4. Trevor Arceneaux, District 4 Representative - MDTs should also include youth-identified community supports.
  5. Al Mance, PD - With CFT, attorneys go as support, not acting in their capacity as an attorney; the social worker often knows the youth and their families better than anybody.
  6. Kelly Thompson, District 5 Representative - I hope that the broad participation/input from collateral contacts, including CBOs for the MDTs, will be added to the language for the vote next week.
- xvii. Vamsey Palagummi, JJDPCC - Individual harms don't rise to the community restorative justice process level, but sometimes it does; what I find missing is it's meant for short-term incarceration; it's often tied to earning something which works in the short-term but not in the long-term.
- xviii. Erin Palacios, District 3 Representative - Does Impact Justice have a suggestion for the kind of model Vamsey is describing?
  1. Dani Soto, Impact Justice - It is discussed in the rewards and sanction section.



- xix. Interim Chief Dawal, ACPD - ACPD can't require another county to adhere to our standards in this document.
- xx. Erin Palacios, District 3 Representative - When the Young Women's Freedom Center came to the workgroup, they explained that they don't contract with probation. They would partner but not be seeking a contract, so it doesn't have to go through procurement. We can add the word recommend before it if that helps.
- xxi. Al Mance, PD - Regarding row 27, we run the risk of an equal protection violation if girls aren't provided the same level of care as boys; in regards to row 28, can we take out the program's name and keep the spirit of it?
- xxii. Caryn Quezada, District 1 Representative - We asked to use that "such as" language in other sections - continued use of that language makes sense.
- xxiii. Erin Palacios, District 3 Representative - We're talking about recommending a partnership, not a contract; I don't see why there would be a problem, but I think we should not say "such as" we should say recommend because they are not seeking a contract; if we're joining the consortium are we still making payments if not using those placements?
1. Interim Chief Dawal, ACPD - CPOC suggested 1% of allocations; we are not using our SB 823 allocations to join the consortium; we are using other funds.
  2. Erin Palacios, District 3 Representative - Are we paying the 1%, and is it annual or one time? And what would be the point of joining that if we are not receiving or agreeing to use other facilities at this point?
  3. Vamsey Palagummi, JJDPC - It sounds like we are paying the 1% with other funds; which other funds - JJCPA, YOBG?
- xxiv. Erin Palacios, District 3 Representative - Can we get a copy of this chat after the meeting to track the remaining questions and other items.
- xxv. Vamsey Palagummi, JJDPC - This comment is in relation to the fidelity issue; the conversation is not about evaluation but about supporting the implementation of this process; that way, we still want experts to support the process.
1. Emily Young, DPN - Yes, I agree with Vamsey. That is critically important to implementation. Training alone is not good enough.
  2. Al Mance, PD - We need to have the experts involved to help suggest the training.
  3. Erin Palacios, District 3 Representative - What further research? It wasn't a recommended program to deal with the parole frustration. It was a recommendation to have the appropriate groups discuss and look at ways to address this -- even in real-time or for individual youth. It was a very specific point made by young people that I think we should address.
  4. TrevorArceneaux, District 4 Representative - Yes, I agree with Al and Vamsey. How do we engage an expert consultant if the SB823 funds aren't there?
- xxvi. Erin Palacios, District 3 Representative - There are two issues that haven't been addressed in the chart.



1. Antionette Davie, Impact Justice - If it's something we missed, send it to us, and we will add it to the chart.

xxvii. Andrea Zambrana, Conflict Counsel - It would be helpful if lines were added to the document.

#### 5. Public Comment

- a. Sandy V, Urban Peace Movement & FOK - This committee has a responsibility to put the well-being of young people above all else; I am concerned you are not taking feedback from the community. I ask the committee to create additional opportunities for feedback from youth and their families.
- b. Nicole Lee, Urban Peace Movement & FOK - We have to the recognition that it is harmful to only think about one part of the system without having an opportunity to weigh in on the overall approach to youth justice; we want to express our alarm about probations advocacy on the use of pepper spray, restraints, and room confinement.
- c. Sasha, YWFC & FOK - You want to throw us in cages, you don't care about our age, we're only kids trying to live, but we don't want to lose our lives in your so-called justice; tell me, how does it feel to be a grown man to spray kids in the faces and throw us in cages, is it our race that triggers your rage, does it feel good to see us in pain; we're supposed to be in school but all we see it concrete, even when we're out you find ways to put us back in, I lost my childhood because I took a twenty-dollar shit from a million-dollar company, yes I lost my youth because all I got is trauma instead of guidance, make it make sense.
- d. Yasmine Tager, FOK - The process needs to fully engage the community in workgroups moving forward; the mention of step-down in the plan are insufficient and don't include any non-custodial options; if there are viable options, a key component of the bill can not be achieved, a workgroup should be established to look at options; there needs to be a clear data on the closure of JJC.
- e. Sasha Loria-Atkins, PD Social Worker - Attorney and social worker should be present at MDTs; attorney based social workers are in constant contact with youth and their families; we might not have permission to share information with a clinician from our clients; there are ways we can participate without sharing information; this position is new, and that might be why there isn't research on it; if the youth ask us to be present, I think we should.
- f. Dieudonne, UPM- I call on the subcommittee to ask themselves how committed they are to the planning process; ensure communities and families can have a voice in this process; we need all the data possible.
- g. Esmeralda Rosales, East Bay Community Law Center & FOK - I hope the subcommittee votes for what's best for the child's interest and public safety; we can give youth a better opportunity to live their lives.
- h. Manuel La Fontaine, FOK & Burns Institution - When young people show up to these spaces to speak, how we respond to them can startle them; we are disappointed with the process; the process failed to engage the community.



- i. Kaleb Wilson, Bay Peace Movement - It's apparent this system is not meant to address the problem; we need to come from a place of understanding instead of trying to attack the problem; it doesn't make sense to use combat training tactics against children.
  - j. Laura John Ridolfi, Burns Institute & FOK - The plan need to commit to a process that engages community members; we need clarity around data that is going to be collected; we need to commit to non-secure/non-custodial step-down options; the committee should broaden the definition of the target population
6. Next Steps
- a. Dani Soto, Impact Justice - The link that was sent out today will always be updated; next week, we'll go through core programming and reentry; we will be putting together a list based on where there is consensus and address those items, and we'll figure out a process for addressing other items.
7. Meeting adjourned
- a. Moved to by Monica Vaughan and seconded by Andrea Zambrana.
    - i. Meeting adjourned at 2:27 pm.