

Alameda County SB823 Subcommittee Minutes 11.1.21

3:00pm - 5:00pm

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Conference ID: 244 013 16#

Subcommittee Members in Attendance:

Interim Chief Marcus Dawal, ACPD

Mechelle Corriero, ACDA

Alphonso Mance, PD

Michelle Love, ACSS

Juan Taizan, ACBH

Hon. Ursula Jones-Dickson, Juvenile Court

Monica Vaughan, ACOE

Andrea Zambrana, Conflict Counsel

Vamsey Palagummi, JJDPC

Emily Young, DPN

Ericson Amaya, FOK

Caryn Quezada, District 1 Representative

David Scott, District 2 Representative

Erin Palacios, District 3 Representative

Trevor Arceneaux, District 4 Representative

Xochtil Larios, Youth Representative

1. Call to Order & Roll Call
 - a. Meeting called to order by Interim Chief Dawal at 12:30 pm
 - b. Roll Call was taken by Deputy Chief Chambers
2. Approval of Minutes
 - a. 10.28.2021
 - i. Moved to approve by Al Mance; seconded by Juan Taizon
 1. Unanimously approved
3. Opening Remarks
 - a. Interim Chief Dawal
 - i. Good afternoon, thanks to everyone for making yourself available for today's special meeting. At our last meeting, we had a lot of public comments, it was difficult at times but it was an important conversation and vote. Today the plan is two-fold; one to vote on the rest of the line items for inclusion into the plan and two to discuss and vote on the high priority items that were leftover. Today is the final day for discussion; the next meeting will be on 11/04 for an up and down vote on the final plan; there will be no line item removals at that meeting.
 - b. David Scott, District 1 Representative
 - i. Good Afternoon, I wanted to make a statement regarding my vote to Subcommittee member Erin Palacios Motion A regarding Discipline & Behavior Management. To be clear, I am not against ending the use of OC Spray, room confinement, or prone restraints. I voted "no" because I didn't agree with the requested time frame given to Probation to implement these changes. When our subcommittee is recommending changes, we need to involve all voices and collaborating partners. That

includes our direct workforce, our Juvenile Institutional Officers, who are working with our young adults in custody. We are all here, with the intent to protect and prepare our young adults for their bright future.

4. Proposed Action regarding items pulled from 10/14/21 Mass Motion: Rows 4, 5, 8, 18, 23, 27, & 35
 - a. Discussion, Public Comment, & Action
 - b. Erin Palacios, District 3 Representative: I move to adopt rows 4 and 5 with the addition in Motion C; seconded by Vamsey Palagummi
 - c. Erin Palacios, District 3 Representative: Add, for the first revision of the plan it will include addressing items not discussed or did not have time to discuss; non-custodial step-downs, custodial alternatives and step downs, A complete array of programs, services, placements, and facilities for girls and gender-expansive youth, Programs, services, placements, and facilities for the target population other than those youth committed to the Secure Youth Treatment Facility, A comprehensive plan to review and assess data, including data that will assist in determining whether there is an actual and/or percentage increase in the target population or of any sub-group within the target population. The idea is to commit to these when we revise the plan. And there is an addition to creating and adopting by-laws.
 - d. Emily Young, DPN: Can you clarify the timeline? The dates look different than what Impact Justice has presented.
 - i. Erin Palacios, District 3 Representative: 2022 should be 2023 except for the first one.
 - e. Andrea Zambrana, Conflict Counsel: Can you repeat the lines that are being voted on?
 - i. Erin Palacios, District 3 Representative: Rows 4 & 5
 - f. Interim Chief Dawal, ACPD: You are saying this plan would remain in effect through April 30th of 2022?
 - i. Erin Palacios, District 3 Representative: No 2023; delete convening monthly through 2022 and thereafter. Adopt the suggested changes made by Impact Justice
 - ii. Interim Chief Dawal, ACPD: The Next plan, if revised will be May 2023?
 1. Erin Palacios, District 3 Representative: Yes.
 - g. Al Mance, PD: In the second paragraph it says able, it should say unable. In the same paragraph where it says "convening at least quarterly", is that what it's going to say?
 - i. Dani Soto, Impact Justice: Yes
 - h. Emily Young, DPN: I agree with adopting by-laws. If we have efficient meetings quarterly meetings will be enough.
 - i. Roll call vote was taken by Deputy Chief Chambers
 - i. Unanimously approved
 - j. Erin Palacios, District 3 Representative: I move to adopt motion G for row 8; seconded by Vamsey Palagummi

- k. Erin Palacios, District 3 Representative: Add the language that says why we are looking at the youth that was committed to DJJ; will also contain an overview of the data for 707b offenses; together the groups that are described make up the target population; however given the time restraint it makes clear the primary purpose of this plan is to define the SYTF and the associated programs.
- l. Mechelle Corriero, DA: Are the numbers directly from probation? With regard to services to three separate groups; why are we tailoring services for youth who are transferred to adult court?
 - i. Erin Palacios, District 3 Representative: Part of this describes the population that is in the data section which are those who were previously committed, 707b offenses who were not committed, and those who were previously transferred; the reason it includes those who were previously transferred is as you address services, the statute wants you to look towards avoiding future transfers.
- m. Roll call vote was taken by Deputy Chief Chambers
 - i. Passed 13 in favor; 1 abstention
- n. Trevor Arceneaux, District 4 Representative: Row 18; will we be including the community-based reentry case manager into the MDT
 - i. Dani Soto, Impact Justice: Yes that language will be added for clarification.
 - ii. Trevor Arceneaux, District 4 Representative: Yes, thank you
- o. Al Mance, PD, PD: Add, at the youths' request the MDT will also include youth's defense social work and or other relevant community supports.
 - i. Dani Soto, Impact Justice: When we've talked about including community members and other social workers in the MDT or stance has been to push back because the MDT meets weekly and are involved at a high level; it's not known if community members can commit to that level of involvement.
 - ii. Al Mance, PD: I understand that I want them to be able to attend at the request of the youth. Add, "regularly included".
- p. Andrea Zambrana, Conflict Counsel: We want at a minimum for social workers to be able to participate at MDT meetings.
- q. Andrea Zambrana, Conflict Counsel: I move to approve Row 18 with the edits; seconded by Caryn Quezada.
- r. Interim Chief Dawal, ACPD: Is the motion for row 18 or does it include the remaining line items.
 - i. Donna Linton, Impact Justice: Only Row 18.
- s. Erin Palacios, District 3 Representative: I move to amend to include adoption suggestion for row 23 and to adopt row 35; seconded by Al Mance
- t. Brian Ford, ACPD: Row 35; Youth in secure track won't have a parole hearing; the law says youth will appear in court every 6 months; that is the process. I'm not sure what additional process this group of stakeholders will develop.

- i. Erin Palacios, District 3 Representative: It should say progress review hearings instead? This doesn't call for any specific process; it's to address youths' concerns from the focus groups.
- ii. Brian Ford, ACPD: I understand and see the intent to address the concerns of the youth. I'm not certain what process or practices we can develop to avoid something that is not going to occur anymore, the process is eliminated.
- iii. Erin Palacios, District 3 Representative: Is there still a hearing where you can have time removed?
- iv. Brian Ford, ACPD: Maybe this can be addressed within the MDT process.
- v. Vamsey Palagummi, JJDPC: This can be a demoralizing process for families as well. I think this is a way for us to call it and to address feedback from youth.
- vi. Xochtil Larios, Youth Representative: Youth I work with felt dehumanized coming to hearing wearing JJC clothing; one youth wrote a suggestion that I want to share with ACPD: Family will bring in suits with the approval of ACPD, the suit will be placed with the youths' personals until their court date, on a youths' court he will be brought to a holding cell, ACPD will bring the youth their suit and he will be given the opportunity to change into the suit for court after court youth will change back into JJC clothes and the youths' suit will be returned to their personal belongings. Roll call vote was taken by Deputy Chief Chambers on rows 18, 23, & 35
- vii. Unanimously approved
- u. Monica Vaughan, ACOE: I have a request. Some of the revisions we are seeing in real-time; were sent right before the meeting and some of us have not had time to review them. In cases where we are making changes to items that haven't been previously to today been made, can we consider those line items separate as opposed to including them in a mass motion?
- v. Erin Palacios, District 3 Representative: Rows 27 and 87, I move to adopt motion B; seconded by Vamsey Palagummi
- w. Interim Chief Dawal, ACOE: Were these changes tracked changed in the draft plan that was shared with the subcommittee?
 - i. Erin Palacios, District 3 Representative: I copied this text from the draft plan and then put in the original suggestion.
 - ii. Interim Chief Dawal, ACPD: Is there new language?
 - iii. Erin Palacios, District 3 Representative: No there is no language after the first draft I sent in.
 - iv. Dani Soto, Impact Justice: IJ would make the same recommendation, adopt the first paragraph, noting that there are some additions here and repetitive elements and elements relating to Santa Clara.
- x. Juan Taizon, ACBH: On page 4; where did the "systems players" language come from?
 - i. Dani Soto, Impact Justice: That language is in a section IJ recommends rejecting.

- y. Erin Palacios, District 3 Representative: In the workgroup, we reached out to the YWFC; they recommended language that they presented to us which gave us the ability to reflect those best practices for services and programming for young women
- z. Hon. Ursula Jones-Dickson, Juvenile Court: This is a lot of information to have just distributed an hour before this meeting; I will have to abstain because this is a lot of information and I'm not sure what it all means. the system players' language is doesn't make sense to me. I don't think it appropriate to throw this language out an hour before the meeting.
 - i. Erin Palacios, District 3 Representative: This language is from the original language that I submitted previously.
 - ii. Hon. Ursula Jones-Dickson, Juvenile Court: My point is that portion doesn't make sense; the court doesn't exist to sever a relationship between youth and an organization if that organization is appropriate.
- aa. Emily Young, DPN: The motion we passed earlier deals with girls and gender-responsive programs; this is a topic area that deserves more attention and should be revisited in the future.
- bb. Emily Young, DPN: I move to reject the language, this conversation needs more time to discuss; seconded by Erin Palacios
- cc. Al Mance, PD: We don't say anywhere that we will have an equal program for girls or gender non-conforming youth; can we add that language?
 - i. Dani Soto, Impact Justice: We do have language that's already been adopted around ACPD working with YWFC to create a plan. We also have already adopted language around ACPD ensuring other jurisdictions are providing equal programming.
 - ii. Al Mance: Row 27; there is language that touches it but I don't think it's strong enough language.
 - iii. Erin Palacios, District 3 Representative: This was not new language; we never discussed the language that came from the YWFC; we don't have enough for young women in this plan; I will adopt just the first paragraph; with consideration, that program components will be reviewed in the next plan.
- dd. Nicole Lee, UPM & FOK: I want to reiterate the importance of creating space to come up with a plan for girls, young women, gender-expansive young people; we want to make sure that we emphasize that girls are not left without a plan and sent out of county; we want this process to be equitable across genders and that girls have equal access to programming and local placement options.
- ee. Mel, YWFC: I ask that more effort and time be put into this plan for girls and gender-expansive youth; When I think of the girls and gender-expansive youth in Alameda County, I think about how they have been received or how they have never been received, this is there home, we owe them something, they belong here. I urge ACPD to make the time and space so that they can be received
- ff. Roll call vote was taken by Deputy Chief Chambers on Emily Young and Erin Palacios amendment

- i. Unanimously approved
- 5. Proposed Action items pulled from 10/21/21 Mass Motion: Rows 44, 45, 46, 58, & 63
 - a. Discussion, Public Comment, & Action
 - b. Moved by Al Mance to approve rows 44 and 63; seconded by Hon. Ursula Jones-Dickson, Juvenile Court
 - c. Erin Palacios, District 3 Representative: Row 44; what are the impediments to paying young people for their work that would require this to be switched to exploring?
 - i. Brian Ford, ACPD: the reason we put exploring is that we are open to it; there are fiscal concerns, we need to see what that process will look like working with other county stakeholders. We don't know it can actually be done.
 - ii. Erin Palacios, District 3 Representative: We should say ACPD is committed to doing this; what will be explored is the mechanism to create such a plan.
 - iii. Brian Ford, ACPD: ACPD doesn't have any objections to that; ACPD needs to know if it can be done.
 - iv. Vamsey Palagummi: Would the same be true for row 45; are fiscal concerns the only concerns?
 - 1. Brian Ford, ACPD: ACPD sees Rows 44 and 45 as one and the same, can you clarify?
 - 2. Vamsey Palagummi, JJDPC: Row 44 is about the actual work youth do. Row 45 is about how do we create youth income plans that can be used as a nest egg when they get out. It could take time to create a workforce; it's tied to the program participation.
 - 3. Erin Palacios, District 3 Representative: It may make sense to have similar language on exploring as we did in Row 44; tied to programming instead of work.
 - 4. Mechelle Corriero, ACDA: Are we talking about adopting the language as shown in green on 44 and voting separate on Row 45, is that correct?
 - a. Donna Linton, Impact Justice: The current motion is on Rows 44 and 63.
- 5. Davida Scott, District 1 Representative: Can we spend more time at a future meeting on row 45. I see the benefit of Row 44; giving our youth real hands-on work experience. I feel if we best want to prepare our youth we need to be able to align them with a career that they will be able to have when they are released from custody.
- 6. Trevor Arceneaux, District 4 Representative: In regard to Row 63, on line 30; why can't the reentry case manager be assigned in phase 2?
 - a. Dani Soto, Impact Justice: The way that phases are intended to layout is that phase 3, the community

reintegration phase, begins well before release. We name 6 to 9 months before release, it's at that point the reentry case manager is assigned and starts coming to MDT meetings.

- b. Trevor Arceneaux, District 4 Representative: Who is responsible for resource connections?
 - c. Dani Soto, Impact Justice: Resource connections begin in phase 3; it might be a different matter if you think phase three starts 12 to 9 months before release, but this aligns with the literature and best practices
 - d. Trevor Arceneaux, District 4 Representative: Personally I do believe that reentry should start as soon as possible; there are some things that reentry case managers can do to ensure that reintegration is successful; I think we need to revisit the reentry case managers having access to youth before phase 3
 - e. Erin Palacios, District 3 Representative: In Row 4; can we change community representative to community supports?
 - f. Brian Ford, ACPD: We have no objection to that; that already occurs now.
- 7. Nicole Lee: I think this is an important approach, it is important to pay youth for work and for meeting goals. There are CBOs, The Family Independence Initiative, that has evidence-based data collected through their work that supports providing financial incentives; there are evidence-based models that show that you can create success for people's lives by incentivizing folks to meet goals and educational attainment.
 - 8. Evelyn C: For the guaranteed income, it is important for youth to receive, most the so-called crimes that are committed are committed out of necessity, youth live in communities that lack necessary resources, go to schools that do not equip them with proper skill.
 - 9. Sandy V, UPM: I want to vocalize the urgency to provide true support for youth in their reentry. This means giving youth the economic stability to fully reintegrate back into their communities. The stipend youth could receive could go towards deposits or transportation. We know these young people and their families and community; youth need economic skills and stability; I want to urge you all to provide support and stability.
- v. Roll call vote was taken on Rows 44 and 63
 - 1. Unanimously passed
 - vi. Brian Ford, ACPD: We move to include the language in Row 44 into Row 45; seconded by Vamsey Palagummi
 - vii. Xochtil Larios, Youth Representative: I would like to see the opportunity of job training and programs in this SB 823 program unit; however the \$500

stipend for the work they're doing in the juvenile hall can also be beneficial in case if youth don't successfully complete the job training. Youth can use that money to help families and create self-agency and can help them reintegrate back into the community.

- viii. Roll Call vote taken on the amendment made to row 45
 - 1. 15 in favor, 1 opposed
 - a. The motion passed
- ix. Erin Palacios, District 3 Representative: I move to approve Motion F for row 58; seconded by Caryn Quezada
- x. Monica Vaughan, ACOE: We refer to students needing foundational courses on page 2 of the motion that was put further, on the last past we say college course offerings include UC/CSU transferable courses. I am proposing an amendment to include foundational courses in that bullet point.
 - 1. Erin Palacios, District 3 Representative: I accept that amendment
- xi. Monica Vaughan, ACOE: I liked the proposed suggestion that stated that ideally, these services would provide by programs such as the ROC; I think it's important to not over-commit or not limit ourselves to ROC; I would like to see such as language included in the motion
 - 1. Erin Palacios, District 3 Representative: If we added "or other similar programs" does that work?
 - 2. Monica Vaughan, ACOE: Yes
- xii. Xochtil Larios, Youth Representative: Will this be open for partners from SEEP to do similar programming? For example, if there is a workshop or program that is going well in the SEEP program can it be made available to SB 823 youth?
 - 1. Monica Vaughan, ACOE: Yes, it is the intent to make as much programming possible to as many youths as possible.
- xiii. Roll call vote was taken on the amended Motion F.
 - 1. Unanimously approved.
- xiv. Erin Palacios, District 3 Representative: I move to approve motion D; seconded by Vamsey Palagummi
- xv. Monica Vaugh, ACOE: I like lifting up youth voice in providing recommendations; It is unclear what the roles and responsibilities I don't understand why JJDPC would be named as a body to provide recommendations for programming, I thought that was the role of this subcommittee. I would hope that our subcommittee would be able to make recommendations for programming and not another body.
- xvi. Erin Palacios, District 3 Representative: We were trying to place it in a location where there is the body that already has jurisdiction in this area, the JJDPC does review facility and facility programming regularly, it would require more of this subcommittee if it was brought back to the subcommittee.
- xvii. Hon. Ursula Jones-Dickson, Juvenile Court: My concern is most of the folks on the JJDPC are involved with CBOs; it may be that JJDPC is evaluating or making recommendations in some way that may potentially affect how ACPD is looking at those CBOs to potentially provide services. We've changed the language to say reviewing the program and advise ACPD regarding program needs and requirements, but the question is the JJDPC going to know who the stakeholders are and if there is a conflict there. The JJDPC job is to ensure facilities are up to par; the question is

- how to formulate this in such a way that it doesn't create conflict for organizations that are looking to do work with this population because they have some level of representation on the JJDPC, that is my concern
- xviii. Erin Palacios, District 3 Representative: I think that's a consideration that could be said for the subcommittee as well; is there language that you can suggest that leaves space for these entities?
- xix. Hon. Ursula Jones-Dickson, Juvenile Court: I'm hoping that the JJDPC comes to the table with, these are the types of services SB 823 need-based upon our connections in the community; not so much that these are the organizations that do this better. In the paragraph that starts with "in consultation with the Chief of Probation", "A" seems appropriate and seem sufficient.
- xx. Hon. Ursula Jones-Dickson, Juvenile Court: I make a motion to strike b, c, and d from motion D; seconded by Interim Chief Dawal
- xxi. Erin Palacios, District 3 Representative: Can we add "and the overall provision of existing services"
1. Hon. Ursula Jones-Dickson, Juvenile Court: Yes.
- xxii. Roll call vote was taken on adoption on the amendments made to Motion
1. 15 in favor, Approved
- xxiii. Donna Linton, Impact Justice: We are past 5:00 pm, how would the chair like to proceed?
1. Interim Chief Dawal: I request we get through the last few items if we can maintain quorum.
- xxiv. Dani Soto, Impact Justice: This section includes a discussion of clothing and outside food. The last two items are in regards to long-term facilities planning.
- xxv. Erin Palacios, District 3 Representative: For lines 84 & 86 I move to adopt the language in Motion E that I submitted; seconded by Andrea Zambrana.
- xxvi. Nicole Lee: I think its important to examine the system as a whole, I understand this subcommittee has a specific task; I think its important to emphasize that by only looking at one part of the system and not having broader context we run the risk of creating harm in a system in which we're not looking at youth are treated from the shallow end of the pool to the deep end of the pool in this system.
- xxvii. Roll call vote was taken on Motion E
1. 9 in favor, 3 abstention
- a. The motion passed
- xxviii. Interim Chief Dawal: I make a motion to adopt column C; seconded by Monica Vaughan
- xxix. Xochtil Larios, Youth Representative: We are adopting C and removing B?
1. Dani Soto, Impact Justice: Correct
- xxx. Erin Palacios, District 3 Representative: I move to amend add, ACPD in partnership with the YAC and relevant stakeholder will explore and to the extent possible implement a clothing policy that maximizes access to civilian clothing; removal of the remainder of the sentence; seconded by Trevor Arceneaux.
- xxxi. Erin Palacios, District 3 Representative: in Row 6; what is the issue with food being brought in?
1. Brian Ford: Potential food allergies and safety precautions as well.

2. Erin Palacios, District 3 Representative: If it reads “maximize the ability of” families to bring outside food, would that work?
3. Brian Ford, ACPD: We don’t have any issues with that.
4. Xochtil Larios, Youth Representative: I’ve seen processes where if there’s a month in advance of that food being brought in or if there’s an appropriate process for IS2 and for the kitchen to be aware I’ve seen it happen successfully, so thank you for adding those suggestions.

xxxii. Roll call vote take on row 78

xxxiii. Motion approved 12-0

6. Discussion and Action of High Priority Items and any pending items pulled from mass motions

- a. Discussion, Public Comment, & Action
- b. Erin Palacios, District 3 Representative: A number of these have been taken care of in the motion we’ve passed tonight. No mention of items 8, 9 & 11 in the document I sent out.
- c. Juan Taizon, ACBH: Autism and spectrum disorders are not the primary diagnoses of our services, that done by outside specialist mental health services. I don’t disagree that it should be addressed. I don’t think the data show that a high number of our clients who have autism or spectrum disorders in our facility.
- d. Erin Palacios: BHT services, which are indicated for that population, are a covered specialty mental health service; making sure the services are available in the issue.
- e. Juan Taizon, ACBH: The only lock treatment facility I’m assuming it’s referring to Willow Rock or John George; a young person can be committed to willow rock or John George while they are detained or incarcerated.
- f. Al Mance, PD: We talked about this being one of the regional hubs in the mental health workgroup; we talked about if a youth was significantly disabled that they required housing in a locked facility that a level of mental illness that we won’t be seeing. We further said by contracting for services we would be able to handle other needs.
- g. Interim Chief Dawal, ACPD: If there are items on Erin’s list that are actionable they need to be addressed now; we need to know where the priorities are so we have time to address them between now and our next meeting.
- h. Erin Palacios, District 3 Representative: When will we see a final plan?
 - i. Dani Soto, Impact Justice: We are anticipating having to ACPD by 9:00 am tomorrow.
- i. Vamsey Palagummi, JJDPC: In terms of process, there won’t be any changes made after the final vote, correct?
 - i. Dani Soto, Impact Justice: Correct
- j. Erin Palacios, District 3 Representative: What I want between now and Thursday is to get an answer to the questions on the secure treatment facility that we’re referring to and an answer to the other two questions 8 and 11; and a deadline that the document can be reviewed before the vote
- k. Andrea Zambrana, Conflict Counsel: When does the plan have to be made available to the public
- l. Donna Linton, Impact Justice: it would be available to subcommittee members and the public at the same time.
- m. Dani Soto, Impact Justice: We hope to get the draft out tomorrow; I don’t know the time requirement.
- n. Scott Dickey, County Counsel: There is no time requirement.

- o. Andrea Zambrana, Conflict Counsel: Can we agree to 24 hours in advance
 - p. Interim Chief Dawal, ACPD: Yes, that is feasible
 - q. Juan Taizon, ACBH: The lock treatment facility that is referenced in the document is Star View
- 7. Public Comment
 - a. None
- 8. Next Steps
 - a. Interim Chief Dawal, ACPD: ACPD will get the final draft distributed to the subcommittee 24 hours in advance of the Thursday meeting.
- 9. Meeting adjourned at 6:08 pm