

CITY AND COUNTY OF SAN FRANCISCO
JUVENILE PROBATION COMMISSION



PROGRAM COMMITTEE VIRTUAL MEETING
Meeting Minutes
Tuesday, October 18, 2022, 4:00-5:10pm

Meeting held by teleconference pursuant to the Governor's Executive Order N-29-20 and the Twelfth Supplement to Mayoral Proclamation Declaring the Existence of a Local Emergency.

Commissioners

Johanna Lacoë, Chair
Linda Martley-Jordan
James Spingola

Meeting Minutes

1. Roll Call
Chair Johanna Lacoë called the meeting to order at 4:01pm.
Present: Commissioners Johanna Lacoë and Linda Martley-Jordan
Others Present: Katherine Miller, Chief Probation Officer, JPD Staff, staff from Community-based Organizations (CBOs)
2. Resolution Making Findings to Allow Teleconferenced Meetings Under California Government Code Section 54953(e) (ACTION ITEM)
Motion to approve by Commissioner Martley-Jordan, second by Commissioner Lacoë.
No public comment.
AYES: (2) Lacoë, Martley-Jordan - Motion passes.
3. Public Comment – None.
Confirmation in this meeting everyone is in WebEx as a panelist.
4. Approval of July 19, 2022, Program Committee Minutes.
Linda Martley-Jordan moves to approve as written, Chair Johanna Lacoë seconds.
AYES: (2) Lacoë, Martley-Jordan - Motion passes to approve July 19, 2022, Minutes.
5. Update from Juvenile Probation Department (JPD) about CARC Eligibility (Center for Assessment and Resource Center)
Chief Katherine Miller:
Happy to give update on where we are, and update will cover some of the next items on the agenda as well. In terms of expanding CARC eligibility, after analysis from the June 2022 meeting held at CARC, the Department decided to move away from policy that had excluded some young people we work with, and starting August 15, we redirect Deputy Probation Officers (DPOs) that any young person cited during CARC hours of operation was to be sent to CARC regardless of probation status.

Met with labor, Deputy Probation Officers Association (DPOA), to make sure they were

aware of this expansion in eligibility by removing that existing prohibition.

Met with Juvenile Justice Providers' Association (JJPA) to remove the existing prohibitions.

Conducted an analysis since this went into effect August 15th to present day; huge thank you to Derek Hom for his hard work on this analysis - up to yesterday - for a solid 2 months (43 young people). Main takeaways do relate to where we go next.

Highlight is that since the JPD directive to staff went into effect in August, every young person cited has gotten to CARC. 43 young people cited and released during last 2-months. 24 young people referred while CARC was open - 11 felonies, 13 misdemeanors - all connected to CARC. Main takeaway is that 19 of cites happened while CARC was closed.

Second topic - We need to talk about either expanding hours of operation or (her favorite) having mobile case managers when CARC is not open. 24 when open and 19 when closed. During time CARC was open, it was relatively even split between felonies and misdemeanors 11 felonies, 15 misdemeanors. This radically shifted during closed hours, 16 felonies and 3 misdemeanors, so even more reason we want these felony cites to be connected to CARC.

Also of note, that young people during closed times, are being arrested on drug sales and also unaccompanied minors. 13 arrested on drug related charges, went to CARC, but we need to make sure Huckleberry has the ability to address these needs.

Had meeting with Supervisor Safai, Kisai Henriquez and Hillary Buren from Huckleberry and Instituto last week as we want to make sure we can build the capacity to serve these youth.

Takeaways:

We know we need to find a way to refer young people during outside CARC hours.

We need to make sure that we are paving way to serve/help unaccompanied minors and how do we deal with felony charges?

Need more clarity with out-of-county youth arrested on misdemeanors; variable we need to pin down. This is a variable we need to address.

Short term patch: What we want to do, is to work on how do we notify CARC during closed hours? How do we give CARC contact information?

We are working with City Attorney. Jana Clark had some questions about confidentiality in sharing information. We need to make sure that CARC has live-time access to services no matter when youth is arrested.

Other topics that tie to eligibility:

In terms of out-of-county resources, how do we serve young people from out-of-county? We have not yet had the bridge back to services in their county of residence. Since the last meeting, Chief Miller has reached out to other Chiefs in 5 local counties for their resource lists: Alameda, Contra Costa, San Mateo, Marin, and waiting for resources from Solana. They have shared their lists of services. Some services are funded by their probation departments and other funded by other city and county funding sources, and they shared their recommendations for what are good matches for CARC to use.

She mentions talking about who moves forward to make these relationships; prepared to sit down to talk about how to start building these lines of communication with these organizations in other counties.

Chief Miller states this raises questions does San Francisco need to have some grant agreements with other counties as we make our funding decisions, or can we just leverage their existing services funded other ways?

Re Mobile CARC: Defers to Huckleberry; mentions how much she wants this, but states this is an organizational decision and states that we need to talk about capacity.

Johanna Lacoë: States this was helpful update.

Re: 19 youth, asks if they were mostly coming in on weekends or weeknights?

Chief Miller: Combination. Cross section, but mentions that many from the Tenderloin.

Mentions that CARC really cannot have a youth come to their doors after 9:00pm currently.

Chief Miller also mentions holiday capacity and states they need the Sheriff's Dept. there.

Chair Lacoë – Opens floor to discussion. Would like to talk about recommendations from this meeting but not make recommendations for things that are already happening.

Dan Macallair, CJCJ – re 41 cases being referred to CARC, were the kids processed through CARC were they brought in by police officers for intake, and where was intake done?

Chief Miller – They can have both; 43 cites and releases over 2-months, 24 went to CARC directly, 19 didn't. If Felony, they would go to CARC and they have notice to appear here at YGC. If Misdemeanor, with some exceptions, handled entirely at CARC. Sometimes (with misdemeanors), during outside of hours – needed to verify this with Derek Hom - said we'll have the officer cite them to just report to CARC during normal business hours. Generally, if misdemeanor it stays at CARC, then if felony, they will be transported in the moment but intake at JPD.

CARC does intake assessment, taking the young person in as client, but they are still meeting with a Probation Officer about whether their case is going through the juvenile court.

Dan Macallair – Used to be with felony the police officer would take to the Admissions Office at Juvenile Hall.

Chief Miller states they are not being taken to Juvenile Hall for processing, they are taken to CARC. Defers to Hillary Buren at Huckleberry to how often they are doing ID (finger) printing, if CARC is not, JPD can do ID processing when they come to visit their DPO. Answering your questions, the day of arrest, they are being transported to CARC, having intake assessment at CARC, potentially having their ID processing, then released to parent or guardian from CARC with their ticket in hand, stating within a date range they must meet with their Probation Officer. This is for felons.

For misdemeanors, with some exceptions, they are being handled just at CARC without coming to JPD. If they are probation, they will get a cite to meet at probation because they are already under the supervisor of juvenile court. 2nd misdemeanor DUI would be other exception when they would be brought to Juvenile Hall.

Dinky Enty, CJCJ & JJPA – First, in previous sessions, you had mentioned that CARC can now support all kids on probation, and this would no longer inhibit a youth going to CARC, and has happened since August 15th. Second thing, during closed CARC hours, when youth come in (weekends), that CARC is informed, so they know about the youth on Monday morning. She

appreciates work for out-of-county kids. Excited this has been happening since August 15, 2022. Curious about the weekends and the informing to CARC.

Chief Miller – Time of day/day of week was quarter of kids; don't have that now. Next phase will be how to notify CARC - this is what we are working with the City Attorney now - what legal authority does JPD have, to send identifying information to CARC without a release of information. We don't want to have to wait to tell CARC, we want the on-duty officer to call at the time, but is there an existing code section that allows us to do this? Do we need a standing court order? This what we are trying to figure out. City Attorney raised issue that even what JPD is doing now, there is no legal basis for taking kids to CARC since the DPO is no longer on site at CARC as they had been previously.

Dinky Enty – Curious about AB2644; Probation needs to inform Public Defender's Office and attorneys within 2-hours of booking. Can San Francisco fashion this notification email about the booking be implemented that other CBOS are also on these emails?

Chief Miller – States this is about 2 things; this is about bookings. We already notify Defense attorneys so it will be easy for San Francisco to be compliant with AB2644. Great example of absence of a court order giving us permission, but we cannot push out to other groups. One thing that came up, Chief Miller stated she already asked Emily Goldman, Public Defender's office, is when public defender's office reaches out to CJCJ/DDAP, do they have a legal release to do that? Dinky Enty states they do not wait for a physical document, Dan Macallair states that once they get a referral from the attorney, it falls under attorney-client privilege.

Dan Macallair states once the attorney gives them the information, they are free to provide services. Johanna Lacoé asks about if the attorney can just send? Chief Miller states one problem being there is a lag before the attorney is assigned; especially if just a cite, might be 10-day lag. We don't want to wait for this.

Chief Miller is confident we can overcome these obstacles and that we can do this in timely way, so that the young person has support services immediately.

Johanna Lacoé – Have you heard from CARC that they are able to process this volume of young people? Chief Miller – Will defer to Huckleberry, but only 24 kids over 2-months.

Linda Martley-Jordan – Asks about expanded hours and possibility of mobile case management. Is it correct that Huckleberry would lead?

Chief Miller, for now, Huckleberry holds the contract for CARC and do a great job. Chief Miller would love to have a mobile unit, but this is Huckleberry's call, and she does not want to speak for them.

Linda Martley-Jordan – Sees this as a win-win. Talks about transition time between when they are first brought in and cited, to when they are meeting with DPO, to when they are released. Having mobile case management – even with low number now - would be crucial. She wants to hear more about the planning and implementation.

Kisai Henriquez, Huckleberry – Has a quick follow-up about information when youth get booked.

Not opposed to expansion of CARC in general, including extending hours potentially, days of the week, having mobile response, or even on-call response. Not against the ideas, but, they have not had the internal time to think about what this would look like, including staffing. We

can take youth actively on probation, we know we can take youth out-of-county, but we do not provide services – because we are not currently set up for this. However, if we have partnerships in other counties, then we can directly connect those young people at time of arrest in their own counties.

Huckleberry will be having internal discussions to focus on these issues including looking at staffing, hours of operation, and data sharing – how often are young people getting arrested outside hours. Mentions that when she was a case manager when they were open to midnight, they rarely got kids after 10:00pm. States that CARC does not yet have a plan, but not opposed. Also mentions, that if they were open, they may get more young people. Reminds all that they are just not sure at this point.

Johann Lacoë states that out-of-county means youth has residence out-of-county. Chief Miller states they have funding resources that come through probation that do not have out-of-county restrictions, so this is not a barrier.

Johanna Lacoë – 2 issues about referrals:

- CARC being able to refer to out-of-county resources.
- How CARC does San Francisco referrals, how will this system work, and if the number of kids going through CARC expands, that we have a good mechanism, to take advantage of all these agencies ready to work with kids. Wants to make sure we are bringing in all these resources.

Chief Miller mentions that the JJPA Weds morning mtgs mentioned at last JPC meeting, seems most logical mechanism to check that needs are being attended to.

Margaret Brodtkin – Member of public, not as commissioner, to be clear.

State her amazement that “Didn’t we just agree that all kids go to CARC?”

Chief Miller said we agreed that all kids cited going to be able to go to CARC regardless of probation status. Yes. We’ve already started doing this in August. Reminds all that this is still a relatively low number of kids being arrested. In 2 months, only 19 didn’t make it because it outside CARC hours of operation. Says they will start to see the numbers shift to CARC and they are working with other providers. CARC is an assessment and referral center.

Margaret Brodtkin - Mentions that now “the devil is in the implementation” at a time when DCYF is in planning. This is whole concept of developing a much better system of referrals. We have opportunity to revamp funding to get to a mobile unit, to get to case manager in core CBOs. What an incredibly exciting opportunity. Tell us what you need, we can send letters to DCYF, etc.

Chief Miller states they are open to all.

Margaret Brodtkin states she wants to get to 3 things: Mobile Unit, Connections to out-of-county resources, and a referral system that really gets kids to CBOs.

Mollie Brown – Wants more clarification about bookings. Seems like citations encompass their historical CARC kids and low-level felony kids, during CARC hours when they can be cited, released, and referred back. Then, there is another group of young people who go to juvenile hall, so we don’t know how to refer those young people to CARC, once they are booked at 375.

Chief Miller – Not talking about that now. We are talking here about the young people who

are cited. There are short term and long-term ways to go to connect all cited youth to CARC. These are the conversations I am having w DCYF, and mentions there is a whole year before these funding cycles come up – so we have time to get it right, to see what works in the next year and a half.

For booked youth, mentions mobile case manager concept, she believes having somebody from CARC come to the hall is the way to do it. Thinks young people on way to juvenile hall, in this stressful time, should not have to physically stop first at CARC, then drive to the hall. Thinks it is very important to connect the young person right away with CARC once they arrive at the hall instead. (Have mobile/on-call CARC go to them.)

Chief Miller continues to say this is why we are working on CARE TEAM PILOT Program, as kids get released to home detention, their story goes to the WEDS mtg, where their needs are discussed, and services can be chosen.

What we don't have is that first "in the moment" connection for after CARC hours or at JPD. Notes that anyone cited and released will automatically get referred to CARC and connected to CBO. We're making a lot of ground.

Hillary Buren, Huckleberry - Would like to clarify some points. Adds: 1) In relation to getting information, if they were open, they would just get the information since JPD calls them with any contact they have with young people. Would love us to think about how to still have that happen when they are not open. 2) Pre-arrest diversion – in beginning stages but part of their expansion as well, misdemeanor charges now only included, but there are 4-5 charges where police officers would normally arrest a youth, but now, in pre-arrest, they are taking to CARC. Still figuring out the kinks.

Kisai Henriquez, Huckleberry – CARC is in the process of expansion now and states this is very "tiered." They are working on pre-arrests, unaccompanied minors and in conversations with Chief Miller now. Yes, we are doing this, but very tiered and needs planning.

Hillary Buren - Also states that this includes uplifting other organizations. Example - mentions having someone from Courage twice weekly, or on-call too, to help with out-of-county youth.

Chair Johanna Lacoé states that if they hit roadblocks where JPC can offer help, please bring back to JPC.

Commissioner Linda Martley-Jordan asks for Huckleberry and CARC priorities; states expanding is heavy lift.

Hillary Buren – All being done in collaboration. Feels supported by JPD, JJPA. For the moment, holding everything as priorities. Having multiple meetings about unaccompanied minors to be able to do things at different levels, like having young person contacting the Public Defenders' office while they are at CARC, mentions police are supposed to do that, but mentions some kids are distrustful of police. We don't want to wait until next year.

Dan Macallair, CJCJ – What he is hearing is positive, moving in right direction. Reflecting on last week's Commission meeting, referral process complaints, being ad hoc, mentions being the decision of DPO, etc., Anything that takes us closer to cases beginning to CARC, referral center (centralized) then goes to a Case Manager CBO would move the process along and removes a lot of the fragmentation.

Mollie Brown – Seems like incredible progress is being made on front end. Still obsessing on kids booked at the hall. What doesn't that call go to DDAP? CARC was one area, and DDAP is the other. Why wouldn't we lead on DDAP to provide that service?

Chief Miller states sure, DDAP can be in the conversation, however, we don't need more than one person on-call at 1am. She worked at CARC when it was opened until 2am and there just weren't kids. What is the efficiency of that front end person? For example, we'll already have a CARC member ready to go into the field to meet youth. We are figuring out what the future will look like, what does funding structure look like?

Mollie Brown mentions putting together the HEART 24-hr response. Seems that even the next day might be okay even if it meant people were on-call over weekends.

Dinky Enty – Mentions splitting populations into citations and bookings. CARC citations, done, but concerned about kids being booked. She thinks there should be a CBO in there, a "day one person" who is that for the kid that's booked.?

Hillary Buren – Huckleberry Clarifies if kids have SF address or enrolled in SFUSD, they are local. Mentions she cannot be on call 24-hrs.

Chief Miller clarifies that she didn't say that young people shouldn't be connect w CARC when booked, but rather that they don't need to physically be transported to CARC first; CARC can come to them. Thinks they are all talking about a lot of the same things.

Margaret Brodtkin – Speaking of direction, wonders about reaching out to police where is it decided that a kid is arrested, but who decides? The whole idea is to have a diversion system – where is that discussion happening? Same thing with felonies, who decides? Maybe not a felony, maybe we can do something different. Struggling with the next step; how do we divert as many kids as possible.

Chief Miller thinks this is different question with different people at the table. States there are a lot of recommendations to complete, there are 39 recommendations on the Close Juvenile Hall Working Group. They identified earlier in the year that eligibility to CARC needed to be changed, and today, this is what she is focused on.

Chair Johanna Lacoë – States they didn't talk about Warrants today, will move topic to next meeting. Doesn't think we need to make recommendations, as it seems these had been made previously and which JPD is trying to implement and already being done.

Commissioner Linda Martley-Jordan – Thanks everyone for being present and those who brought information to the table. Thanks Huckleberry, and thanks Chief Miller for keeping us "grounded." Also appreciates how the group is having this conversation.

Margaret Brodtkin doesn't agree with Chair; thinks it needs to go back to the full commission for JPC to insert recommendations for a mobile unit and connections in every county.

Chair Lacoë states she hears her but thinks that Huckleberry is "on it" in the planning phase already and thinks they already do understand they have Commission support.

Meeting adjourned 5:14pm

DRAFT