

Office of the Child Advocate
Juvenile Justice Policy and Data Board
Community Based Interventions Subcommittee
Monday, October 21, 2024
11:30AM-1:00PM
Meeting held virtually

Subcommittee Members or Designees Present:

Kimberly Lawrence (Probation)
Stacey Lynch (DPH)
Katie Perry-Lorentz (DYS)
Rebecca Brink (DCF)
Leon Smith (CfJJ)
Amy Ponte (CAFL)
Jamie Bennett (YAD)
Susan Gill-Hickey (DMH)
Rachel Wallack (Juvenile Court)
Brian Blakeslee (CPCS)

OCA Staff:

Melissa Threadgill
Kristi Polizzano
Morgan Byrnes
Arianna Turner

Other Attendees:

Erin Stewart
Michael Kilkelly
Veronica Fenton
Katherine Hughes
Aracely Alvarado

Meeting Commenced: 11:32AM

Welcome and Introductions:

Ms. Polizzano welcomed the attendees to the Community Based Interventions (CBI) Subcommittee virtual meeting. She welcomed members to introduce themselves.

Review and Approval of Minutes from the September Meeting:

Ms. Polizzano held a formal vote on the approval of the previous Community Based Interventions meeting minutes. Amy Ponte, Rebecca Brink, Stacey Lynch, Kimberly Lawrence, Brian Blakeslee, and Susan Gill-Hickey all voted to approve the minutes. Rachel Wallack and Katie Perry-Lorentz abstained. No one opposed.

The meeting minutes for September 25, 2024 were approved.

Ms. Polizzano then introduced the agenda for the meeting, which centered on a discussion of the pretrial project draft recommendations as well as reviewing feedback on the draft pretrial phase report background and findings section.

Pretrial Project: Potential Draft Recommendations Discussion

Ms. Polizzano reviewed the opportunities for improvement presented at the September meeting, including:

- Change how conditions of release (CORs) are set and what warrants a revocation
- Limit the use of GPS
- Divert more youth
- Limit the use of cash bail
- Increase data availability

Ms. Polizzano also shared a new opportunity for improvement, “reduce pretrial length of time,” and the potential mechanisms for achieving each goal, including:

- Change statute
- Change agency policy
- Modify practice
- Add trainings
- Funding

Ms. Polizzano welcomed questions on the work from last meeting and the agenda for this meeting. None were raised.

Ms. Polizzano then began reviewing each of the opportunities for change, beginning with “Opportunity #4: Limit the use of cash bail” and mechanisms for that change, including:

- Study and report on alternatives to detention for youth involved in DCF, youth who have CSEC concerns, youth with other safety concerns

Ms. Polizzano welcomed questions and feedback on Opportunity #4.

One member suggested studying the role of credible messengers and community-based organizations in navigating solutions for young people with safety concerns.

One member shared that some families with youth in the juvenile court system who are also involved with the Department of Children and Families (DCF) are dissuaded from posting bail because DCF does not have suitable placements for them; this is especially prevalent for

teenagers and those who have potential safety concerns. The member shared that one youth was held in detention for two extra weeks after they could have been released because of the placement shortage. Ms. Polizzano shared that the issue of parental refusal has come up in project interviews, especially in regard to posting bail.

Ms. Polizzano then reviewed “Opportunity #5: Increase data availability” and mechanisms for that change, including:

- Report the number of cases released on personal recognizance
- Report outcome data for 58A hearings and violation hearings
- Report on conditions and length of time
- Report on motions to revisit conditions

Ms. Polizzano welcomed questions on Opportunity #5.

One member suggested reporting on the length of time that youth are held on GPS and with what specific restrictions.

Ms. Polizzano then reviewed “Opportunity #6: Reduce the pretrial length of time” and mechanisms for change, including:

- Increase the number of juvenile court judges
- Study and make recommendations to improve court time standards

Ms. Polizzano welcomed questions and feedback on Opportunity #6. Ms. Threadgill added that a recommendation related to how long the pretrial phase lasts could constitute its own individual study, but the issue of length of time came up in many interviews so it was important to include.

One member shared that the years of 2021 through 2023 still largely reflect the fallout from the impact of the pandemic, such as a backlog of cases from court houses shutting down and staffing issues. The member stated that it may be important to provide that context. Ms. Polizzano shared that the data will be contextualized in the report and include when courts resumed normal operations.

One member asked if there was feedback shared on delays from the crime lab, noting that that is one of many steps in the process that can influence how long it takes to try a case. Ms. Polizzano acknowledged that the length of time of this process is a systems issue, which is a theme that came up in project interviews, and can be incorporated into the next draft of the report.

Ms. Polizzano then reviewed the pretrial report draft findings, including:

1. Youth are Regularly Set Up to Fail with Pretrial Conditions that are Developmentally Inappropriate
2. Restrictive Conditions, most Notably GPS and Home Confinement, are Over-used
3. The Pretrial Process Lasts Too Long, Causing Harm to Youth
4. Pretrial Practice at Times Operates Outside Legal Requirements, Particularly with Regards to Use of Cash Bail
5. There are Vastly Different Regional Practices at this Stage, Leading to Concerns about Equity
6. There are Disparities in Who is Detained Pretrial, who Gets Placed on Pretrial Monitoring/Supervision, and Who is Released on Personal Recognizance
7. There are Cohorts of Youth Who Could be Diverted Away from Pretrial Detention, Pretrial Supervision/Monitoring, or the System Entirely

Ms. Polizzano then welcomed members to share feedback and edits on the draft report.

One member shared information about GPS reform in California, including the fact that the adopted statute considers GPS to be a type of “confinement.”

Members then discussed rewording the first draft finding.

Members discussed suggesting alternatives to GPS and detention, such as creating a pilot program in courts when a judge is considering holding a youth.

Members then discussed how to best utilize community-based supports to ensure they are well-funded, well-known, and available to those who may want to utilize them.

Pretrial Project Next Steps:

Ms. Polizzano shared the next steps in the project, including:

- November: CBI reviews and finalizes draft report
- December: Full board discusses and, pending discussion, votes on the report
- January: The report is submitted to the Legislature

Ms. Polizzano shared that the next meeting of the CBI subcommittee will take place virtually on November 20 at 11:00AM.

Closing Comments:

Ms. Polizzano thanked the members for their participation, welcomed them to reach out with thoughts before next meeting, and adjourned the meeting.

Meeting adjourned: 12:19PM