

## Alameda County SB823 Subcommittee Meeting Minutes 11.04.21

12:30pm - 2:30pm

Virtual Meeting Information Below

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### Subcommittee Members In Attendance:

Interim Chief Marcus Dawal, ACPD  
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  
Kimberly Sanchez, District 1 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 at 12:50 by Interim Chief Dawal
  - b. Roll call was taken by Deputy Chief Chambers
2. Approval of Minutes
  - a. 11.1.2021
    - i. Dani Soto, Impact Justice: We have noticed a couple of errors in the minutes which will be corrected
    - ii. Moved to approve by Andrea Zambran; seconded by Erin Palacios
      1. 10 in favor; 4 abstained
3. Opening Remarks
  - a. Chief Dawal
    - i. None
4. Discussion and Action of any pending Items previously pulled from mass motions
  - a. None
5. Proposed Action: Final vote on Alameda County SB 823 Realignment Plan

- a. Discussion, Public Comment, & Action
- b. Donna Linton, Impact Justice: You have before you the final draft of the SB 823 plan, after multiple hours put in by subcommittee members, ACPD staff, and Impact Justice. It was a heavy lift to get to this point and a particularly heavy lift to make the final edits to the plan that were approved by the subcommittee on Monday. I hope all subcommittee members have had a chance to review the plan and ensure that it is consistent with edits that were approved by the subcommittee. We anticipate a straight up or down on the plan, this meeting will not be used for further edits, comments, or large scale revisions, however, if there are errors or sentences or topics that don't accurately reflect the edits that were approved by the subcommittee then that is open for corrections. I'd like approval of the final draft of the SB 823 plan.
- c. Dani Soto, Impact Justice: On page 62, in regards to reviews that take place of different policies, the body to which that report is given is not named; that will be corrected
- d. Erin Palacios, District 3 Representative: On pages 4-6; why were we not told our personal phone numbers would be listed in a public document? It lists subcommittee members and then it lists additional participants; it should just list subcommittee members.
  - i. Dani Soto, Impact Justice: That topic was discussed, we asked people for the contact information that they wanted to be listed. That header will be removed.
- e. Andrea Zambrana: Page 62, we need more clarity on what will be added there; it's unclear what the final language voting on was.
  - i. Dani Soto, Impact Justice: The language should read: As long as pepper spray and physical restraints are used, reviews of each instance will be conducted **by the Chief Probation Officer and the JJDC** to determine appropriate use and compliance with the policy.
  - ii. Al Mance, PD: Is this the item where we were calling for review at the chief level?
  - iii. Dani Soto, Impact Justice: Yes
  - iv. Al Mance, PD: Did we vote on it? I don't recall
  - v. Dani Soto, Impact Justice: Yes, the minutes from 10/28 reflect it was voted on.
- f. Erin Palacios, District 3 Representative: Was this language we voted on as an amendment to a motion I submitted? I don't think it's the language in the plan.
  - i. Dani Soto, Impact Justice: The language I've placed in the chat will be in the plan.
- g. Interim Chief Dawal: On page 53, the last sentence of the second paragraph should read, "program evaluations will regularly be submitted to the JJDC to help inform the recommendations", not including the language that says programmatic advisory subcommittee.
- h. Andrea Zambrana, Conflict Counsel: I want to take an opportunity to thank everyone on the subcommittee, ACPD, and Impact Justice. I did not think at the beginning of this, or even in the middle of this, that we would be where we are now. I want to express my gratitude and appreciation for that. Crime and attitudes of crime and criminal justice is a pendulum and right now we are all sitting here because the pendulum is swinging one way and it's wonderful to see. But as we all know the pendulum swings, and I have worked really hard to try to make this plan bulletproof to that pendulum so that science, scholars, and evidence dictate what happens to our children. The only thing that I will comment about is the Credible Messenger, I think that the team that is going to be in the program and the team that is currently staffing those roles are amazing and I have all the faith in them. What I will be looking for in the

future, in regards of the Credible Messenger, is that person has a really important role with youth; I want us to think about how we can insulate that person from the political pendulum that is likely to swing.

- i. Emily Young, DPN: On page 32; the family therapy section, has “some families will not desire therapy” “most families won’t want therapy”, I think the previous one was going to be kept. In the staffing section the FTE equivalents were still included; should be eliminated. I’m confused about who counts as being part of the unit? Why isn’t the DPO and reentry case manager and superintendent on there, it’s confusing. Is the reentry case manager and reentry coordinator the same person.
  - i. Dani Soto: In regards to the staffing FTE’s, the clarification that was discussed and approved was to note that ideally, those positions would be full-time. The reentry services coordinator is a probation position that operates out of the Transition Center; reentry case manager in CBO
  - ii. Emily Young, DPN: The reentry case manager employed by probation is mentioned a couple of times if there is also a reentry services coordinator part of the Transition Center that can be clarified, but it sounds like they are two distinct probation roles
  - iii. Emily Young, DPN: It doesn’t feel like it’s inclusive of all the staff we talked about over the course of the plan
  - iv. Brian Ford, ACPD: The intent was to show those who would be in the unit everyday; the PO will be assigned to the unit but not in the unit for a straight hour shift.
  - v. Emily Young, DPN: I think saying that will be helpful.
- j. Brian Ford, ACPD: In response to Andrea’s comments; I appreciate you making those comments because as we think about how the pendulum does swing there are those of us who work on this side of the system who feel like every day we come to work trying to break up the system and change it. But as you know it’s a system and there are so many rules and policies and organizations and entities that push back at some of the things we try to do. It was never our intention to have the Credible Messenger be employed by ACPD; we just signed off on a contract for Credible Messengers to start at the facility, who will be showing up a couple of times a week; what we have to do know in order to be in line with this plan is to have them in the unit more often.
- k. Interim Chief Dawal: pg 47; the last two sentences are duplicative; one needs to be deleted.
- l. Vamsey Palagummi, JJDPC: I want to thank Impact Justice, the subcommittee, and the community. Special thanks to probation, we’ve come a long way; on pg 63, regarding the youth bill of rights, we voted on the 10/21 meeting to adopt the bill of rights.
- m. Trevor Arceneaux, District 4 Representative: I want to echo what everyone has shared, I appreciate the subcommittee and probation and the work we’ve done. The reentry service coordinator and the reentry case manager, are those the same positions? My understanding is that the reentry case manager will come from a CBO
  - i. Dani Soto, Impact Justice: They are in two different positions, the reentry coordinator comes from probation and the reentry case manager comes from CBO.
  - ii. Trevor Arceneaux, District 4 Representative: How does probation see them working together
  - iii. Brian Ford, ACPD: It’s been our experience that not all the time the reentry case manager on the community side is familiar with all of the services and programs we pay for, so the thought is that they will coordinate with each other and share

information; if there is anything we need to do internally to help support they will be doing it in concert with each other.

- n. Monica Vaughan, ACOE: I have a name change on the roster ill put n the chat: Please change roster to list L.K. Monroe (not Karen) as County Superintendent of Schools.
- o. Erin Palacios, District 3 Representative: We have come a really long way, there's been a lot of hard work and I appreciate that very much. I think this plan surpasses a lot of other plans I've read so far and my expectations. I'm proud to put my name on this. I am excited about the credible messengers; I'm really excited about creating a home-like environment and actually added comfort and space for youth to grow, and a long-term plan to move away from JJC; and higher education. I'm still nervous about what will happen for young women, I hope that's one of the first items we discuss. I want to know what the language is going to look like for the rights section. I also want to discuss how the plan is presented to the board, that is the next and last item for this phase. Last time the interim plan went in with a recommendation letter from probation, I would like to know if that's happening again and to see that recommendations letter if that's the case. And to figure how it is being presented and by who.
  - i. Interim Chief Dawal: The board letter is still being drafted, the plan will be attached to the board letter and published with the agenda. If the board asks for a presentation then as chair I would have to be available to answer questions.
  - ii. Erin Palacios, District 3 Representative: The letter that is going in with the plan is recommending adoption of the plan?
  - iii. Interim Chief Dawal: Essentially yes, we need to endeavor to get approval to move this plan forward. I've made clear where my concerns are
  - iv. Erin Palacios, District 3 Representative: What is the essentially?
  - v. Interim Chief Dawal: I have concerns relative to the policies being included in the plan and fiscally when need to be able to move forward because the plan in its totality is going to exceed our allocation that we're getting from the state.
  - vi. Erin Palacios, District 3 Representative: That sounds like the letter going in is saying adopt the plan but here are some major plans the board should consider not adopting. If that's the case, that's the recommendation of the probation, not the subcommittee.
  - vii. Brian Ford, ACPD: The chief has the responsibility for implementing the plan and having oversight of the department, I think it's fair and important for him to inform the board of any impacts that he sees with the plan. At the same time, he can make a recommendation for the board to adopt the plan, both can be true.
  - viii. Erin Palacios, District 3 Representative: My concern is if a letter is going in on behalf of the subcommittee that says adopt the plan but here are some major issues that is not a letter that is going in on behalf of the subcommittee, it will be going in on behalf of probation.
  - ix. Interim Chief Dawal: The board letter is not being submitted on behalf of the subcommittee, it is being submitted on behalf of ACPD with the subcommittee's plan attached.
  - x. Erin Palacios, District 3 Representative: My concern is the letter it is attached to will be an opportunity to provide an argument against part of the plan, if that is going to happen we need to have the argument in favor also attached.
- p. Andrea Zambrana, DPN: When will the meeting be held?

- i. Interim Chief Dawal: It is November 16th
- q. Vamsey Palagummi, JJDPC: We need to understand the process going forward; if we could have a minute to hash that out that would be great.
- r. Donna Linton, Impact Justice: We are hoping to get the approval of the plan today; with a strong recommendation from the subcommittee; that would be noted as the plan is given to the board in terms of the viewpoint and the recommendation of the subcommittee.
  - i. Erin Palacios, District 3 Representative: That would be insufficient, that means it would go in and it would say the subcommittee strongly agreed on this; let us present why those contentious issues should not be adopted. That is the crux of the problem; now it is what it is in the plan and it's going to the board and if it has a litany of reasons why it shouldn't be adopted then there should be a letter sent as to why it needs to be adopted
  - ii. Donna Linton, Impact Justice: Perhaps it would be helpful if there was a motion to approve the plan then a motion to raise those points.
  - iii. Erin Palacios, District 3 Representative: Are there specific items ACPD knows it will not be in support of?
  - iv. Brian Ford, ACPD: There is nothing that stops nor prevents anyone from sending your positions, and a letter to the board is absent from the letter we send. Before the board takes action there is time for public comments.
  - v. Erin Palacios, District 3 Representative: Public comment is different from an agency sending a letter; it is an opportunity to undermine what we have worked on. I want to make sure that people who have spent their time on this subcommittee that they can make a public comment because that is not the same. What I think would be important is to know which things are going to be in the letter that ACPD will not support.
  - vi. Brian Ford, ACPD: There is no attempt on ACPD's part to undermine the subcommittee or the process. We take issue with any issues that are subject to meet and confer. We plan to advise the board to adopt the plan. We will not give up our right or authority to right the board letter
  - vii. Erin Palacios, District 3 Representative: I understand that's your right; I want to make sure the board receives the other side of that information.
  - viii. Brian Ford, ACPD: Your position is in the plan.
  - ix. Erin Palacios, District 3 Representative: It's not in the plan, the plan is the outcome of those considerations, not those considerations themselves.
- s. Andrea Zambrana, Conflict Counsel: Does probation not want to tell us what's in the letter? Kelly put in the chat for us to do two separate letters that would allow space for both issues, is ACPD willing to share its list of concerns?
  - i. Brian Ford, ACPD: We are not spelling out specific issues. It is a general statement about anything that is subject to meet and confer we take issue with.
- t. Vamsey Palagummi, JJDPC: Having the plan and then having the letter on top of it says that our precipitation is that some of these things are subject to meet and confer when the other side says it's not. By doing that can potentially cloud the BOS decision-making. I think it's fair to have a majority write a letter sharing their perspective
- u. Juan Taizon, ACBH: The letter will need to be submitted to the board prior to the board meeting; perhaps it would be helpful too it would help to have that timeline so that an

additional letter can be sent at the same time

- i. Donna Linton, Impact Justice: The general timeline is 72 hours before the meeting
  - ii. Ray Lara, County Counsel: I don't know when they will post it. I will check and let the subcommittee know.
- v. Al Mance, PD: Will it have to be submitted today?
- i. Donna Linton, Impact Justice: They have an earlier time for admissions of material so that they have time to review the board letter.
- w. Andrea Zambrana, Conflict Counsel: How can we get a speaker on the agenda for this item?
- i. Donna Linton, Impact Justice: The open process is when the item comes up for approval on the board's agenda to indicate that there is a speaker that wants to speak to that item.
  - ii. Erin Palacios, District 3 Representative: How do we get a presentation speaker?
  - iii. Interim Chief Dawal, ACPD: I will have to speak to what's submitted, I can't dictate how the board operates their meeting.
  - iv. Shahidah Lacy, BOS District 5: I'm not sure about the process; I can speak to the supervisor.
  - v. Andrea Zambrana, Conflict Counsel: I have watched a lot of BOS meetings; I make a motion to designate Al and Erin to co-present with the chief on 11/16; seconded by Vamsey Palagummi.
- x. Interim Chief Dawal, ACPD: We requested for the plan to go before the board on 11/16.
- y. Michelle Love, ACSS: I'm confused about the current motion. This is a regular board meeting in which case there wouldn't typically be a speaker. Is this a regular meeting on 11/16 or is this a subcommittee meeting?
- i. Interim Chief Dawal, ACPD: It is a regular meeting, whenever we have an item on the board's agenda; me as chief am there to answer questions if called on by the board.
  - ii. Michelle Love, ACSS: I think that's very important; I want everyone to be clear, it's not being presented.
  - iii. Andrea Zambrana, Conflict Counsel: But how does the board know to only ask him questions; my motion is to nominate Al and Erin to also be available to answer any questions if need be.
  - iv. Vamsey Palagummi, JJDPC: Yea they would just be there for clarification.
  - v. Rodney Brooks, PD: I agree with how things normally happen. I have witnessed a number of times when a board member asks for someone to speak on controversial issues.
  - vi. Al Mance, PD: I understand the position of the probation, we've created a difficult position for probation in terms of the chemical spray issue, but we followed the process and had a vote and that was the policy that was suggested. I don't doubt this is going to be a collective bargaining issue for probation, I differ on whether or not it is a collective bargaining issue. Given the process we've gone through, I am disturbed that probation is going to say we can't do this for this reason, I think it's important the board gets both perspectives
  - vii. Interim Chief Dawal: To Al's point; I understand what everyone is saying; it's my duty as the deputy to inform the BOS what the implications of the plan are. I am recommending that they adopt the plan, it's my responsibility to outline what I think the impact of the plan will be. I've been clear with this group what my concerns are.

There will be budget impacts that go beyond our allocation. I would not be doing my job if I did not share those concerns with the board. There has been a tremendous amount of work that has been done on this plan. I understand the concern, but I need you all to know my responsibilities.

- viii. Al Mance: As the chief of probation you have that responsibility but there is a conflict of interest because the subcommittee voted on aspects of the plan that are contrary to probation positions. The person who is representing the plan to the board has a responsibility to present the plan from the position of the subcommittee.
- ix. Juan Taizon, ACBH: I think the plan very clearly states why certain things were passed; it's laid out in the plan why the recommendation was made to stop the use of OC spray; I think the passage of this plan will tell the BOS what the committee has chosen by majority vote. I think the motion is outside what we are trying to do here
- x. Erin Palacios, District 3 Representative: I'm not saying that probation doesn't have those responsibilities; I still don't know if we're only talking about OC spray and prone restraint or other parts of the plan as well. I think we need a letter from the subcommittee on those issues; we need a cover letter on those issues.
- xi. Al Mance, PD: Is the board letter from the subcommittee or probation?
  - 1. Donna Linton, Impact Justice: ACPD
  - 2. Interim Chief Dawal: As a department head i'm attaching this board letter and attaching the subcommittee's plan to the board letter
- xii. Monica Vaughan: I'm comfortable with my name being on the plan. I'm not comfortable with my name being on a probation letter or spokes person on behalf of the subcommittee. I think the plan speaks for our work and recommendation; I'm not comfortable with voting in advance of not knowing what is being submitted in my name
- xiii. Andrea Zambrana, Conflict Counsel: My motion is to have Al and Erin designated as individuals representing the subcommittee who could, if the board has questions, address any question on behalf of the subcommittee.
- xiv. Kelly Thompson, District 3 Representative: Are these two people in addition to the chief? Can we have our own cover letter in addition to the plan?
- z. Nicole Lee: Thank you to all of you on the diligent and tedious work that has gone into this plan. I feel a lot of progress has been made. I agree there needs to be a process that dually represents the intention of the plan; I like the idea of have designees having from the subcommittee who can fairly represent the opposing positions.
- aa. Sandy V, UPM & FOK: I want to express my support for Andrea's motion; It's important to ensure the presentation is not biased. We have seen time and time again actively litigation and settlement acting public health is not in contradiction with labor rights issues. Thank the committee members for your time and understanding of different perspectives; this proposal is as close to the value we want to lid with.
- bb. Yasmine Tager, EBCL & FOK: I want to share my support, I hope everyone can see the common sense of having multiple subcommittee members there on the 16th to share different perspectives if asked for.
- cc. Natasha Mejia, NICJR & FOK: I urge everyone to support the motion. No one subcommittee should be given preference to present the. I think it's common sense that other members of the subcommittee need to be present to answer questions

- dd. Laura John Ridolfi, Burns & FOK: I support the motion before the subcommittee. It's key the comments are not in a public comment but in a dialog with the BOS
- ee. Interim Chief Dawal, ACPD: The board chambers are still closed to the public; will AI be available to be in the chambers in person? Erin would have to join remotely.
  - i. Al Mance, PD: I can be there in person
- ff. Roll call vote was taken on Andrea's motion
  - i. 11 in favor; 4 abstentions
    - 1. The motion passed
- gg. Kelly Thompson, District 5 Representative: I make a motion to have a balanced cover letter from the subcommittee that is attached to the plan; seconded by Vamsey Palagummi
- hh. Trevor Arceneaux, District 4 Representative: Is it one letter or multiple letters?
  - i. Kelly Thompson, District 5 Representative One letter from the subcommittee that is balanced.
  - ii. Emily Young, DPN: The plan speaks for itself, does the letter have to say anything?
    - i. Kelly Thompson, District 5 Representative: There was support for something to be put in writing.
- jj. Ray Lara, County Counsel: Any letter can't be drafted if not in a public setting if more the quorum of subcommittee members are involved in crafting it, it would be a Brown Act issue
- kk. Erin Palacios, District 3 Representative: A solution could be to name what those issues are going to be and the vote to be a letter that presents the position of the members who voted in favor will accompany the presentation of the plan and we can designate a couple of people to write that letter.
- ll. Ray Lara, County Counsel: The Brown Act covers action, deliberation, and discussion; it would encompass discussion and possibly deliberation. If it comes from 2 people or less than a quorum it can't be referenced as a letter from the subcommittee.
- mm. Erin Palacios, District 3 Representative: The letter wouldn't be signed by the subcommittee.
  - i. Ray Lara, County Counsel: It wouldn't be able to go to more than a quorum of the subcommittee. If it's a draft it can't be sent to more than a quorum of the subcommittee.
  - ii. Erin Palacios, District 3 Representative: We designate the people who work on it now.
  - iii. Ray Lara, County: It would be two people drafting the letter and no one else sees it until it goes to the board.
  - iv. Erin Palacios, District 3 Representative: Yes and the vote today would be to see what that letter looks like to the board.
  - v. Ray Lara, County Council: Yes, as long as it's less than a quorum, but the subcommittee should be clear on what's being proposed.
- nn. Hon. Ursula Jones-Dickson, Juvenile Court: We have a plan and we are submitting that to the board, I'm assuming there is a letter going along with the plan from the chair, who happens to be the chief of probation. The request is to add members from other subcommittee members that are not necessarily voted on by subcommittee members with contentious issues. Is that where we are? Why is that necessary if we have a plan?
  - i. Erin Palacios, District 3 Representative: The letter that is going to be in by the chair has reservations to the plan, the letter we are talking about is to counter those reservations.

- ii. Hon. Ursula Jones-Dickson, Juvenile Court: Why do we need a letter from anybody? It shouldn't look dysfunctional when we are putting up our plan on the backend. It is concerning to me why we need anything, it just muddies the water.
- iii. Al Mance, PD: I'd be fine with no letter, but the letter is coming from ACPD and what they say about collective bargaining issues.
- iv. Vamsey Palagummi, JJDPC: Having a letter attached to the plan muddies the water, it makes us look dysfunctional.
- v. Emily Young, DPN: I understand a department head has to submit an item to go in front of the board so there needs to be a letter, but I don't know if there has to be the content. Is it a separate issue that ACPD can bring to the board at another time?
- oo. Shahidah Lacy, BOS District 5: To get something in front of the board there has to be a letter with the subject, what you're asking the board to do, the recommendation from the department, some history, financing, and then say respectfully submitted. You do have to tell the board about the financial impact.
- pp. Vamsey Palagummi, JJDPC: I withdraw my second to the motion
- qq. Ray Lara, County Counsel: A motion can be withdrawn by the maker.
- rr. Kelly Thompson, District 5 Representative: I am willing to withdraw my motion, but I would like a motion made to this point that's in accordance with the Brown Act.
- ss. Emily Young, DPN: I make a motion that the chief act in his capacity as the subcommittee and put forth a letter that does not include probation positions; seconded by Hon. Ursula Jones-Dickson, Juvenile Court
- tt. Interim Chief Dawal: As I've stated previously; I would not be doing my job as the interim chief of probation and the department head by not outlining all the elements in the board letter. I recommend the plan is adopted.
- uu. Hon. Ursula Jones-Dickson, Juvenile Court: Based upon what was stated there are things that need to go into the letter that inform the BOS about the cost of the plan. The question is whether or not that information is slanted; that's not something; what is going to be in the letter so that we don't find ourselves having to do more letters. I think we all are in the same place and space in wanting to help the youth. I just want to know what's in the letter.
- vv. Erin Palacios, District 3 Representative: That was the first question I asked, which was can we know what's in the issues; we can't get an answer to what is in the letter. I move to amend the motion that along with the plan there be a letter addressing the reason for supporting the contentious issues in the plan, designate three people signed by those three people and note that there will be people present who can answer questions; seconded by Kelly Thomspson.
- ww. Erin Palacios, District 3 Representative: The amended motion is to designate three people are in support of the contentious issues in the plan to write a letter and sign a letter in support of that issue that will accompany the plan
- xx. Interim Chief Dawal, ACPD: The board letter is the same process we follow for all of our board letters. It asks the board to approve the plan; it generalizes that there are components of the plan that may be subject to meet and confer and highlights the three policy areas, OC spray, prone restraint, and room confinement. It also highlights the fiscal impact that will likely be beyond what our allocations are going to be on a yearly basis for SB 823. It also highlights the tremendous amount of work that has gone into this plan.
- yy. Interim Chief Dawal, ACPD: I want to call for a point of order, we are already 20 minutes past

our time; we need to vote up or down today.

- zz. Kelly Thompson, District 5 Representative: Can the motion be put in the chat?
  - i. Erin Palacios, District 3 Representative: Designate 3 individuals to draft and sign -- on behalf of themselves-- presenting the supporting position regarding the contested issues (OC Spray, Prone Restraint, and Room Confinement) and submit that letter to the Board with the plan.
- aaa. Hon. Ursula Jones-Dickson, Juvenile Court: Does the subcommittee, minus probation, have an issue with what Erin just said. It sounds like she's in agreement with the chief, is required to send a letter outlining the issues. Where I'm confused is why another letter needs to go along with that?
- bbb. Al Mance, PD: I think he wants to discuss the collective bargain issue which is disputed
- ccc. Hon. Ursula Jones-Dickson, Juvenile Court: My point is that it concerns me a portion of the subcommittee is going to be sending a letter, the subcommittee should be working as a whole; I don't like trying to work around the Brown Act. Probation is required to write the letter
- ddd. Al Mance, PD: I am concerned that the letter is going to say to cut the most contentious issues.
- eee. Kelly Thompson, District 5 Representative: We need to have a balanced letter go to the board of supervisors, either we need to set up another meeting, or we need to trust members of the subcommittee to present a balanced letter
- fff. Interim Chief Dawal, ACPD: I am amending the motion to include an up or down vote on the plan; seconded by Hon. Ursula Jones-Dickson, Juvenile Court
- ggg. Ray Lara, County Counsel: The motion to rescind the motion that is on the table and vote up or down on the plan.
  - i. Interim Chief Dawal: Yes that's correct
- hhh. Erin Palacios, District 3 Representative: Does that mean that we have a new motion?
  - i. Ray Lara, County Counsel: You made your motion first, I don't remember if that was amended in the true sense, the chief made his motion, it was stated and formed to be an amendment but in substance was a motion to rescind and so that is the motion that is on the table. When the subcommittee votes it will be the chief's first, then yours if the chief's motion does not pass
  - ii. Erin Palacios, District 3 Representative: So what we're voting on now is to rescind, not the plan?
  - iii. Ray Lara, County Counsel: His motion is to rescind the motion and vote up or down on the plan.
- iii. Vamsey Palagummi, JJDPC: On page 28, instead of public defenders can we change it to defense counsel?
  - i. Dani Soto, Impact Justice: We will review and make sure that was part of the approved language. If so we will change it.
- jjj. Esmeralda Rosales: I hope that the motion to go straight to voting on the plan without addressing the letter is not passed
- kkk. Sandy V, UPM & FOK: It is confusing which motion is being voted on; I'm not in support of moving for without addressing the letter first.
- lll. Rodney Brooks, PD: If this motion passes then it's a vote for the plan; if it doesn't plan that means we go back to Erin's motion?
  - i. Ray Lara, County Counsel: Yes

- mmm. Roll call vote was taken on Chief Dawal's motion
  - i. 2 in favor; 4 abstain; 8 opposed
    - 1. The motion failed to pass
- nnn. Andrea Zambrana, Conflict Counsel do we have a quorum
  - i. Donna Linton, Impact Justice: Yes
- ooo. Roll call vote on Erin's motion
  - i. 7 yes, 4 opposed
    - 1. The motion passed
- ppp. Hon. Ursula Jones-Dickson, Juvenile Court: For the record, members of this subcommittee have had to leave this meeting because it has been extended by more than an hour. It's inappropriate, it is uncomfortable for me to be involved in these votes. I need to abstain from this process going forward, I've always had concerns about the court's involvement in this process.
- qqq. Erin Palacios, District 3 Representative: I move to adopt the plan; seconded by Vamsey Palagummi
- rrr. Yasmine Tager, FOK: Thank you to everyone for working on this. I want to highlight parts of the plan we are grateful for; the long-term planning; a commitment that JJC can't be used in long-term; minimum standards for girls.
- sss. Dieudonne, UPM: Thank everyone for taking the time on the plan. We are talking about other people's children. If we say we are progressive and the leaders of innovation it's important that we put our money where our mouth is. I hope we are able to get to a point where we are able to submit something to the BOS that is equitable.
- ttt. Esmeralda Rosales, Thank you for everyone's time. I am grateful for including minimum standards for girls and gender-expansive youth. Thank you for the prior vote on designating three members to present to the board if needed.
- uuu. Roll call vote to adopt the plan was taken
  - i. 9 in favor; 2 abstain
    - 1. The motion passed

#### 6. Public Comment:

- a. Sandy V: Any data collection needs to be shared with stakeholders and the community as soon as it is accessible.

#### 7. Next Steps

- a. Al Mance, PD: I'm happy the plan has been adopted. It feels to me that probation is going to try to exclude unilateral parts that they don't like. You are both the chair of this committee and the head of probation which is clearly a conflict. If the end result is probation goes to the board and guts this it's going to be hard to keep this subcommittee together. I'm deeply disappointed in the way this process has ended.
- b. Erin Palacios, District 3 Representative: We need to designate who is going to write the letter and when it needs to be submitted. I designate myself, Al, and Vamsey; seconded by Vamsey Palagummi
  - i. Interim Chief Dawal, ACPD: The date is for the board to answer, we can facilitate getting the letter to them.
  - ii. Shahidah Lacy, BOS District 5: It can come to the board anytime, probation's deadline is today. It would have to get to me today to go with the plan. The board doesn't get the letters until Thursday before the meeting

- iii. Erin Palacios, District 3 Representative: We are asking to have it attached with the plan as a cover letter to the plan.
- iv. Interim Chief Dawal: Based on what the subcommittee voted on, what are their options if today's deadline is not feasible?
- v. Shahidah Lacy, BOS District 5: How much time do you need to write the letter?
- vi. Erin Palacios, District 3 Representative: If we have it for you by Monday can it be submitted with the plan?
- vii. Shahidah Lacy, BOS District 5. Yes

8. Meeting adjourned at 3:45