



COUNTY OF SAN MATEO  
Juvenile Justice and Delinquency Prevention Commission  
222 Paul Scannell Drive • San Mateo, CA 94402

**Minutes of the Juvenile Justice & Delinquency Prevention Commission**  
**April 30, 2019**  
**5:15-7:15 pm**  
**455 County Center, 4<sup>th</sup> Floor, Room 405, Redwood City**

**MINUTES**

**Commissioners Present:** Chair Michele Gustafson; Co-Vice Chair Rebecca Flores; Co-Vice Chair Sonoo Thadaney; Susan Swope; Doug Winter; Christine Ford; Melissa Wilson; Toni Barrack; Valerie Gibbs; Daniel Casillas; Clara MacAvoy;

**Commissioners Absent:** Debora Telleria

**Probation Staff Present:** Deputy Chief Probation Officer Rich Hori; Institution Services Director Jody DiMauro; Deputy Probation Officer Mignon Page-Broughton; Administrative Secretary Tony Burchyns

**Additional Attendees:**

Judge Susan Etezadi – Juvenile Court  
Rebecca Baum – DA’s Office

Arely Cardenes – Fresh Lifelines for Youth  
Tara Ford – Stanford Youth & Education Law  
Project

Elisabeth Ocampo – Project Rebound

Judith Holiber – County Counsel’s Office

Bill Silverfarb – Supervisor Canepa’s Office

Sgt. Kimber Joyce – San Mateo Police Dept.

**I. Administrative Business:**

- a. Call to Order: Chair Gustafson called meeting to order at 5:15 p.m.
- b. Roll Call and Establish Quorum: A quorum was established at 5:15 pm.
- c. Introductions
- d. Agenda Review: **Approved** as distributed.
- e. Approval of Minutes of March 26, 2019: **Approved** as distributed.
- f. Approval of Minutes of April 6, 2019: **Approved** as distributed.

**II. Oral Communications:**

*None*

**III. 2019 Inspections**

The Commission sought input from the Court and the Probation Department about whether the Commission should continue to inspect group homes. Chair Gustafson mentioned it was her understanding Your House South did not seek nor receive Short-Term Residential Treatment Program status. DCPO Rich Hori said he believed the Probation Department was no longer placing youth at Your House South. Judge Etezadi expressed on behalf of the Court that if a juvenile is placed in a group home because of a court order, then that group home should be inspected. She added if a group home was no longer providing a viable placement option because of its licensing status, then an inspection may not be necessary. Gustafson asked DCPO Hori if he if could provide later a list of group homes in San Mateo

County in which the Probation Department is placing youth. DCPO Hori said he would follow up.

Gustafson said there are still some slots open on this year's inspection teams and she encouraged Commissioners to sign up if they hadn't already.

#### **IV. Presentation by San Mateo Police Department Diversion Program**

Sgt. Kimber Joyce of the San Mateo Police Department gave a presentation on SMPD's juvenile diversion program. The program targets youth ages 11 through 17 that have committed minor offenses. SMPD works collaboratively with the Probation Department, the San Mateo Police Activities League, and other service providers to run the program. Deputy Probation Officer Mignon Page-Broughton spoke on behalf of the Probation Department about the program's success in keeping some youth in the community out of the juvenile justice system. Sgt. Joyce said the program includes biweekly classes, monthly community service, counseling sessions, school and homework check-ins, and a weekly MDT "Youth Talk." It also includes an individualized program path for each youth, as well as three- and six-month post-program check-ins. The program typically services 15 to 20 youth at any given time.

#### **V. Consideration of JJDPC Applications**

At the April 30, 2019 JJDPC meeting, JJDPC applicant Paul Bocanegra told the Commission he is on parole for a first-degree, gang-related homicide he committed in Santa Clara County at the age of 17. Since the last meeting, Mr. Bocanegra allowed his parole officer to provide further information to the Commission regarding his parole status and the specific offense for which he was convicted.

Commissioner Ford expressed concern that Mr. Bocanegra's application to join the Commission is premature due to the nature of the offense, the recency of his release, and the fact that he is on parole. Ford said parole is a period in which a formerly incarcerated offender is being monitored until he can demonstrate he can abide by laws, that he no longer presents a danger to the community, and that he has been rehabilitated. Ford said she views the period of parole as a "test time" and she believes the Commission should defer Mr. Bocanegra's application until he completes his period of parole. Ford also said she thinks it is concerning that Mr. Bocanegra would not be able to fulfill some of the duties of the Commission because he would not be allowed to enter the Juvenile Hall or girls camp, according to Chief Probation Officer John Keene.

Chair Gustafson said Mr. Bocanegra has a life parole term, according to his parole agent. However, he has a discharge review scheduled in September 2024.

Commissioner Swope asked when Mr. Bocanegra was paroled from prison. Gustafson said he was released on parole last year.

Co-Vice Chair Thadaney said Mr. Bocanegra does not have any conditions of parole prohibiting contact with juveniles, according to his parole agent. She also said Mr. Bocanegra has been granted passes to travel to Salinas State Prison, Mule Creek State Prison, and Sierra Conservations Corps State Prison, and all three State Prisons have granted gate clearances for Mr. Bocanegra to be a guest speaker. Thadaney said she thinks our justice system is based on

reform, and if you are released it is because the system believes you have reformed. Given County Counsel's advice that Mr. Bocanegra's conditions of parole don't bar him from serving on the Commission, Thadaney said she respectfully disagrees with Commissioner Ford's viewpoint.

Commissioner Winter said even though Mr. Bocanegra wouldn't be allowed to enter the county's youth detention facilities, he could still bring valuable insights to the JJDPC's annual inspection process. He added Mr. Bocanegra seems passionate about his work with at-risk youth and could be an asset to the Commission.

Commissioner Swope said Mr. Bocanegra's actions since being released on parole indicate he's passionate about helping others avoid the problems he created for himself. She said her only concern is that Mr. Bocanegra would not be able to participate in the JJDPC's juvenile detention facility inspections.

Juvenile Hall Director Jody DiMauro confirmed Chief Keene has indicated Mr. Bocanegra would not be allowed to enter the Juvenile Hall and Camp Kemp while on parole. Thadaney inquired if the chief could legally bar someone from entering these facilities. Chair Gustafson said while the Commission did not have an official legal opinion on the matter, she believes it is at the discretion of the facility to permit or prohibit a person from entering the facility.

Commissioner Casillas said the fact that Mr. Bocanegra applied for and was granted a transfer to reside in San Mateo County speaks to his desire to explore a new path and access opportunities he might not have in the community in which he offended.

Co-Vice Chair Flores and Commissioner MacAvoy both expressed concern that rejecting Mr. Bocanegra's application would go against what the Commission advocates for, which is giving juvenile offenders a second chance. He should not continue to be judged by something he did more than 20 years ago as a juvenile.

Co-Vice Chair Thadaney added she believes Mr. Bocanegra would bring a valuable lens as a formerly incarcerated person who now works with at-risk youth.

M:/Swope, S:/Thadaney: **Approved** by the following vote to recommend the Superior Court and the Board of Supervisors accept and appoint Mr. Bocanegra as a Commissioner:  
Ayes: 9 – Gustafson, Flores, Thadaney, Swope, Winter, Wilson, Barrack, Gibbs, Casillas and MacAvoy.  
Nays: 1 – Ford.

Commissioner Wilson voiced her support of Monroe Labouisse's application to join the Commission, citing his professional experience and volunteer work as a Court Appointed Special Advocate in San Mateo County.

M:/Wilson, S:/Swope: **Approved** unanimously to accept Mr. Labouisse as a Commissioner.

## **VI. Update on Phoenix Reentry Program**

DCPO Hori said the Phoenix Reentry Program at the Juvenile Hall is still in the planning stages. The first step is to define which youth would be suitable for the program and to work with the Courts to establish a review calendar for youth participating in the program. Another step is to finetune which reentry programs and services will be available to youth and families both during and after the youth's period of incarceration. Hori said the Department will engage stakeholders as the planning process moves forward. He said the Department hopes to complete the planning phase in about 60 days.

Commissioner MacAvoy asked if the female youth would be eligible for the program. Juvenile Hall Director Jody DiMauro said she envisions the program initially serving male youth because the female youth in custody still have the option of being placed at Camp Kemp, whereas the camp option no longer exists for the boys. However, DiMauro said that doesn't mean the Phoenix Reentry Program couldn't accommodate girls in the future as the program is built out. Meanwhile, she said the Department would find other ways to offer the new enhanced reentry services to the female youth in the facility.

Commissioner Wilson asked if the program would assess the needs of families, including help with basic economic needs, housing, et cetera. Director DiMauro said the evidence-based assessment they'd be using for post-dispositional youth will be multi-faceted, covering education, home environment, family relationships, and peer group associations. She added the Department will still be partnering with San Mateo County Behavior Health and Recovery Services to connect youth and families with mental health and substance abuse services.

Rick Halpern of the Private Defender Program said diverting kids from the justice system often produces positive outcomes. However, once kids are in the system, it can be very difficult to get them out, he said. He urged the Commission to focus its attention on programs and services that can help get youth out of the system once they're in it. Gustafson said it sounds like this is a challenge the Phoenix Reentry Program is poised to take on.

Commissioners MacAvoy and Swope suggested community service could be a good way to help incarcerated youth develop empathy and establish personal connections with adults as they transition back to their communities. Swope emphasized the need to provide opportunities for meaningful community service.

## **VII. Consideration of Proposal to Board Regarding Juvenile Hall Closure**

The Commission discussed a proposal by Co-Vice Chair Thadaney and Commissioner Casillas to send a letter to the San Mateo County Board of Supervisors urging them to convene a committee to 1) explore closing the Juvenile Hall over the next three to five years and 2) reinvest in alternatives to detention that would have a therapeutic and restorative focus.

Casillas talked about a strategic planning effort underway in King County, Washington to reduce and perhaps ultimately eliminate the use of secure detention for youth. Casillas said he would like to see San Mateo County explore a similar approach to juvenile justice reform.

The Commission reviewed a draft letter to the Board of Supervisors by prepared by Thadaney and Casillas, as well as a shortened version prepared by Commissioner Swope.

Tara Ford of the Youth and Education Law Project at Stanford University voiced her support of the idea of requesting the Board of Supervisors to convene a committee to look at improving support for vulnerable youth in San Mateo County.

Bill Silverfarb, legislative aide for Supervisor David Canepa, told the Commission Supervisor Canepa would be interested in pursuing the idea of convening a committee if it were Commission's will to do so.

Chair Gustafson proposed deferring any action on the matter to the next JJDP meeting to allow more time to review the proposal.

Commissioner MacAvoy suggested modifying the language of the proposal since the idea of closing the juvenile hall may be perceived as too radical. MacAvoy said she agrees there are disparities in the juvenile justice system that favor affluent youth. She also said she would have hesitations around specific suggestions such as reopening Camp Glenwood because disadvantaged families may have difficulty accessing the remote facility.

Commissioner Wilson said she backs the draft letter as prepared by Thadane and Casillas. Wilson asked Silverfarb if he would consider preparing a short summary of the letter. Silverfarb said he would be willing to do so.

Commissioner Ford asked for clarification on whether the proposal would seek to close juvenile hall or look at issues surrounding reformatory justice. Ford said she thinks the juvenile hall serves a purpose because some crimes are enormous dangers to the community. Chair Gustafson agreed with Ford's desire for clarity on the core intention of the proposal.

Commissioner Swope raised the issue of the financial cost of running the Juvenile Hall considering declining youth incarceration rates in the County and across the state. She referenced a 2016 San Mateo County Civil Grand Jury report that questioned the cost of operating the juvenile hall. Swope added one of her concerns about the possibility of Bay Area counties closing juvenile halls would be what to do with the small percentage of youth who are dangerous and cannot be allowed out on the street.

Vice Co-Chair Thadane agreed the issue is complex. She said she would like the proposed committee to study the issue and make well-informed, evidence-based recommendations.

Commissioner Wilson said she has read a news article reporting a proposal in San Francisco County to close San Francisco's juvenile hall includes a provision to maintain a smaller locked facility for dangerous youth offenders.

Commissioner Barrack said she supports the concept of the proposal but thinks the wording should be changed.

Gustafson said she would like the proposal to reflect a desire for radical reform and reference movements in other counties toward reducing or eliminating youth incarceration.

Thadane said she would draft a revised letter and share it with the Commission prior to the next JJDP meeting. Ford asked if commissioners could forward suggestions to Thadane.

Thadaney said suggestions should be forwarded to her a timely manner, so she could incorporate them into the letter.

Deputy County Counsel Judith Holiber said if the Commission votes to send the final letter to the Board of Supervisors, it would need to make sure the letter, the draft, and all the suggestions that are proposed are part of the Board packet for the meeting.

### **VIII. County Office of Education Remarks and Discussion**

*No report.*

### **IX. Private Defender Program and Remarks**

*No report.*

### **X. Court Remarks and Discussion**

Presiding Juvenile Court Judge Etezadi said Commissioner Telleria had attended the Court's monthly meeting with the Probation Department, the DA's Office and the Private Defender's Office.

Judge Etezadi swore in Co-Vice Chair for Sonoo Thadaney for her second term.

### **XI. Youth Commission Update**

*No report.*

### **XII. Probation Updates**

Juvenile Hall Director Jody DiMauro reported the following juvenile detention statistics:

- 6 girls at Camp Kemp and 6 GEP girls attending school at Kemp.
- 66 youths at Juvenile Hall (55 boys, 11 girls; average age 16.7 years)
  - 69.7 percent Hispanic or Latino.
  - 10.6 percent black
  - 7.6 percent white
  - 6.1 percent Hawaiian or Pacific Islander
  - 3 percent other race
  - 1.5 percent Asian
  - 1.5 percent Native American

Deputy Chief Probation Officer Rich Hori reported there are 12 youth currently in general placement.

In response to a question that came up at the last JJDPC meeting, DCPO Hori said the Juvenile Services Division currently has 35 deputy probation officers and 8 managers. The division supervises 291 cases – a number which has declined significantly in the last five months.

DCPO Hori announced he will be transferring to the Institution Services Division effective May 5, 2019. The Department will backfill his position in Juvenile Services with rotating work-out-of-class deputy chief assignments held by different directors.

### **XIII. Project Updates**

*Deferred to next meeting*

### **XIV. Commissioner Comments/Announcements**

Commissioner Wilson said she will be sending an email out to the Commission with information from the recent Community Collaboration for Children's Success meeting.

Commissioner Casillas announced there will be a screening of the "From Incarceration to Education" documentary at College of San Mateo from 6 to 8 p.m. on May 1, 2019.

Commissioner Winter announced Marin County YMCA's youth court is holding a summit from 2:30 to 5 p.m. on Thursday, May 9, 2019. He said he would email the details to the Commission.

**Meeting adjourned 7:30 p.m.**