



San Mateo County
Juvenile Justice and Delinquency Prevention Commission
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June 14, 2019

Dear San Mateo County Board of Supervisors,

It is the mission of the San Mateo County Juvenile Justice & Delinquency Prevention Commission (JJDP) to be a public conscience in the interest of juveniles. The Commission is dedicated to delinquency prevention and the promotion of respect for the human dignity of all minors who come under the jurisdiction of the Juvenile Court. We, the JJDP, write to you in our role as your community-collaborators for Juvenile Justice and Delinquency Prevention in San Mateo County.

San Francisco is considering closing its juvenile hall in the next 3 to 5 years.¹ Our own juvenile hall, which has a capacity of 178, has typically held 50-60 youth in custody over the last few years. The County's Grand Jury has expressed concern that the cost per youth in the present circumstances is unsustainable.

Research shows, in spite of the best intentions and trauma informed² caring, diligent work by the front line - **our national criminal legal system is burdened with historical racial and gender discrimination and continues to criminalize poverty and mental health issues.** We believe it is time for a local adoption of the national discussion about evolving juvenile incarceration toward twenty-first century, evidence-based solutions. In light of this research, and in the face of our County's budget realities, **we urge you to convene a committee to actively study alternative uses to the County's current facility and alternative methods for providing rehabilitative services to youth.** This offers the opportunity for a multi-county partnership to consider other approaches that would be more effective in dealing with juvenile criminality while keeping our communities safe.

¹ https://www.huffpost.com/entry/san-francisco-close-juvenile-hall_n_5cad2096e4b0d6eb63c0ffb6

² <http://traumatransformed.org>

Proposal

We urge the Board to consider creating a committee to explore what should be done about our juvenile hall over the next 3 to 5 years, looking at other options that would provide comprehensive, therapeutic treatment in keeping with budget realities and current best practices around youth incarceration.

This committee should represent the wide range of stakeholders. It should explore alternatives, and develop a thoughtful, comprehensive plan. In our opinion, these stakeholders include (but are not limited to) previously incarcerated youth and their families, Juvenile court judges, juvenile probation officers, non-profit service providers, pre-K through 12 educators, job retraining experts, Health and Human Services colleagues, law enforcement, and mental and pediatric health experts.

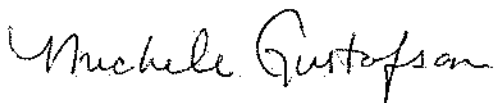
In our opinion, the proposed Committee's goal would be to chart a plan for our County that is informed by recent published research and literature, learnings from other counties' experiences, and collaborate with our neighbors in order to achieve:

1. Better short-term and long-term outcomes for incarcerated juveniles and the community at large;
2. Financial savings for the County; and
3. Respect for the dignity of minors, anchored in the ideals towards which our community aspires.

We are open to collaborating with and/or advising the County Board of Supervisors on this initiative.

We look forward to working with you – why lag when we can lead?

Respectfully,



Michele Gustafson
Chair, San Mateo County Juvenile Justice and Delinquency Prevention Commission

Spearheaded by Sonoo Thadaney Israni and Daniel Casillas Ocampo

Background

Why Now?

In March 2019, the San Francisco Chronicle reported: “Juvenile halls built for a rise in crime are now nearly deserted but spending on them remains stunningly high.”³ This prompted three members of the San Francisco Board of Supervisors to draft “legislation that would close the facility, which has 150 beds but typically has fewer than 50 youths held inside, by the end of 2021.”⁴ Supervisors Shamann Walton, Hillary Ronen and Matt Haney authored the legislation, and Supervisors Gordon Mar, Aaron Peskin and Sandra Lee Fewer have signed on as co-sponsors. On June 4, 2019, the San Francisco Board of Supervisors voted 10 to 1 to adopt the ordinance.⁵

Our own current Youth Services Center (YSC) was built in 2006 to house 180 youth; however, the average number of youths incarcerated for the last year has been 50-60. The reduction of the average occupancy reflects, in part, new thinking about the effectiveness of detention versus alternatives to detention for juveniles.⁶ The City’s public defender’s office and District Attorney George Gascón have both come out in support of the San Francisco measure, with Gascón saying in the supervisors’ news release: “For too long, we have been placing our young people in large, institutional detention facilities that run counter to everything we have come to know about positive youth development and trauma. I believe that the days of big juvenile halls should be behind us and I am eager to start this important conversation.”

This moment thus presents a unique opportunity for our County to work with our San Francisco and possibly other neighboring counties by sharing committee findings, and then leveraging that shared research to draft legislation appropriate for each county. For example, San Mateo County has a unique resource in what used to be Camp Glenwood which could potentially be re-developed, informed by the committee’s research, as a shared, multi-county resource to produce better outcomes for all of our youth. At the very least, the committee’s findings would help inform the Phoenix Re-entry Program that is under development at our juvenile hall.

Incorporating 21st Century Research

A comprehensive study of diversion programs⁷, compared to juvenile detention in 69 out of 83 counties in Michigan found lower costs and reduced recidivism associated with diversion programs. Youth in pre-arrest diversion programs are 2.5 times less likely to reoffend.

³ <https://projects.sfchronicle.com/2019/vanishing-violence/part-2/>

⁴ <https://www.sfchronicle.com/bayarea/article/3-San-Francisco-supervisors-vow-to-close-juvenile-13707500.php?psid=gaXL>

⁵ <https://www.sfchronicle.com/bayarea/article/Closure-of-SF-s-juvenile-hall-less-than-one-13936500.php>

⁶ <https://sfbayview.com/2019/04/youth-and-sf-board-majority-back-shamann-waltons-proposal-to-close-juvenile-hall-because-all-you-learn-is-how-to-survive-in-prison/>

⁷ https://humanimpact.org/wp-content/uploads/2018/10/HIP_MichYouthArrests_2017.06.pdf

The progress made in King County, Washington⁸ (the greater Seattle area) informs our proposal. King County is similar to San Mateo County in that there are pockets of immense wealth and privilege, due to tech titans and innovation (Microsoft, Amazon, Boeing, etc.) as well as disheartening poverty and racial differences leading to inequality in income, crime, educational opportunities, and health outcomes. King County, like many other counties around the country (including San Mateo and our Bay Area neighbors) is experiencing decreased occupancy in expensive juvenile detention facilities associated with harmful outcomes.

After observing this decrease, King County conducted research and found that there is little relationship between youth incarceration and overall youth crime in the community. The use of youth detention decreased by 77 percent in King County between 1998 and 2017, while at the same time youth felony offenses decreased by 75 percent. But even as overall detention rates fell, disproportionality by race rose. In 1998, on an average day, 79 white youth and 109 youth of color were in detention; in 2017, 8 White youth and 38 youth of color were in detention. That is, youth of color went from 58 percent to 83 percent of incarcerated youths. The County also found that crime survivors prefer investments in programs for at-risk youth, community supervision, and accountability via means other than incarceration and isolation from the community. As a result of this research, King County has put forward a [Road Map to Zero Youth Detention](#).^{9,10}

King County's findings are in line with research that shows incarcerated youth are more likely to commit crimes than those without criminal legal system contact. **Neuroscience and developmental psychology research** shows that a normal part of adolescent brain development is to make risky choices for a period of time before reaching adulthood. It also shows that most youth have a better chance at a positive adulthood when they do not interact with the juvenile legal system. When members of affluent families experience adverse childhood experiences (ACEs)¹¹ such as addiction or abuse, they can access support services and interventions such as counseling, medication, and legal support. Low-income families often lack this access to logistical and therapeutic supports when facing trauma. Untreated and unrecognized trauma, from parental separation and family violence, for example, can lead to behaviors that may result in arrest. Trauma rates as high as 84 percent have been found among arrested youth.

Experience has shown that that **wrap-around services** in communities are an effective, holistic, preventive intervention for communities and youth facing trauma. For example, a public school in Akron, Ohio, which received private funding from LeBron James for services saw impressive results over only three years: "The academic results are early, and at 240, the sample size of students is small, but the inaugural classes of third and fourth graders at I Promise posted

⁸ <https://datausa.io/profile/geo/king-county-wa/>

⁹ King County, Road Map to Zero Youth Detention, 2018:10, <https://www.kingcounty.gov/depts/health/~media/depts/health/zero-youth-detention/documents/road-map-to-zero-youth-detention>.

¹⁰ Materials provided by Kirsten Wysen, MHSA, Policy Analyst, 2018-2019 CASBS Fellow at Stanford University, Communities of Opportunity and Health Policy & Planning, Director's Office, Public Health-Seattle & King County

¹¹ https://www.prisonpolicy.org/scans/Prevalence_of_ACE.pdf

extraordinary results in their first set of district assessments. Ninety percent met or exceeded individual growth goals in reading and math, outpacing their peers across the district.”¹²

By establishing a committee to advise on restorative alternatives to juvenile detention, San Mateo County can be a leader in the State of California. **A centerpiece of the California Endowment’s Building Healthy Communities demonstration project is a policy shift to investing in schools rather than prisons for California youth.** The Endowment has committed \$1 billion and ten years to this project. Polling data shows this shift has broad and potentially growing support: “When first asked about youth prisons, 61% of respondents say they support the goal of total closure, and after hearing just a few facts about the system, that number immediately jumps to 68%. Such dramatic movement is unusual and indicates that opposition to youth prisons runs very deep among Californians,” says Dave Metz, Principal at FM3 in California Endowment-funded research.¹³

¹² https://www.nytimes.com/2019/04/12/education/lebron-james-school-ohio.html?emc=edit_th_190413&nl=todaysheadlines&nid=465947950413

¹³ The California Endowment, “Poll: Californians Support Closing Youth Prisons,” August 9, 2017, <https://www.calendow.org/press-release/poll-californians-overwhelmingly-support-closing-youth-prisons>.

Our letter has benefited from input and support from members of the community, stakeholders, informed supporters. They could also be possible Committee members or advisors:

1. Sonoo Thadaney Israni, Co-Vice Chair, San Mateo County Juvenile Justice Delinquency and Prevention Commission (JJDCP)
2. Daniel Casillas, Commissioner, San Mateo JJDCP
3. Elizabeth Calvin, Senior Advocate, Children's Rights Division, Human Rights Watch
4. Ryan Matlow, Ph.D., child clinical psychologist, Director of Community Research Programs for Stanford's Early Life Stress and Pediatric Anxiety Program.
5. Karen Grove, Housing Commissioner, City of Menlo Park
6. Kirsten Wyses, MHSA, Policy Analyst, 2018-2019 CASBS Fellow at Stanford University, Communities of Opportunity and Health Policy & Planning, Director's Office, Public Health-Seattle & King County
7. Carrie Cihak, Chief of Policy, King County & 2018-19 Research Affiliate, Center for Advanced Study in Behavioral Sciences at Stanford University
8. Gloria Principe, Human Rights Watch Bay Area Leader & County Resident
9. John O'Farrell, UNICEF Board Member & County Resident

Resource Materials:

1. Women's Foundation of California - <https://womensfoundca.org/>
2. <http://criticalresistance.org/resources/the-abolitionist-toolkit/>
3. Women's Foundation of CA and Race Gender Human Rights coalition event recap, with references to young women who run organizations related to incarceration of girls - and are formerly incarcerated themselves <https://www.ebcf.org/event-recap-women-and-the-criminal-justice-system-session-1/>
4. GARE [1] [ST2] (Government Alliance for Racial Equity): <https://www.racialequityalliance.org/>
5. Flourish Agenda, <https://flourishagenda.com/>
6. Trauma Transformed, <https://traumatransformed.org/>
7. The Harvard Law Review April Journal Volume 132, April 2019, Number 6, DEVELOPMENTS IN THE LAW <https://mailchi.mp/harvardlawreview/kpgpe5gba3-2637901?e=349e3383ea>
8. https://www.prisonpolicy.org/scans/Prevalence_of_ACE.pdf
9. Human Impact Partners, *Reducing Youth Arrests Keeps Kids Healthy and Successful: A Health Analysis of Youth Arrest in Michigan*, June 2017, 5, https://humanimpact.org/wp-content/uploads/2018/10/HIP_MichYouthArrests_2017.06.pdf
10. https://www.nytimes.com/2019/04/12/education/lebron-james-school-ohio.html?emc=edit_th_190413&nl=todaysheadlines&nid=465947950413
11. <https://www.nytimes.com/2019/04/17/magazine/prison-abolition-ruth-wilson-gilmore.html>
12. <https://www.sfchronicle.com/opinion/openforum/article/Open-Forum-Let-s-transform-juvenile-hall-into-13799575.php>