



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

October 25, 2022 | 5:15-7:15 pm

Remote Meeting

MINUTES

Commissioners Present: Monroe Labouisse, Chair; Karin Huber-Levy, Vice Chair Administration & Membership; Paul Bocanegra; Allen Bustos; Rebecca Flores; Wesley Liu; Ameya Nori; Sathvik Nori; Johanna Rasmussen; Susan Swope; Appollonia “Dee” Uhila (incoming); Melissa Wilson.

Additional Attendees:

Judge Susan Etezadi – Juvenile Court
Jehan Clark – SMC Probation
Ron Rayes –Private Defender Program
Jennifer Martinez – Juvenile & Family
Specialist, Redwood City PD
Wendy Gwyn – The Art of Yoga Project
Kate Hiester – FLY
Alex Parikh-Briggs – SMC Youth
Commission Liaison

Sharon Cho – District Attorney’s Office
Aurora Pena – Behavioral Health & Recovery
Services
John Fong – HSA, Children & Family Services
Ligia Andrade Zúñiga– SMUHSD Board of Trustees,
Liaison- SMC Commission on Disabilities
Chelsea Bonini – Liaison- SMC Commission on
Disabilities; Board Member, SMC COE
Clara Jaeckel – Community Member

I. Administrative Business

- a. **Call to Order:** Chair Labouisse called the meeting to order at 5:15 p.m.
- b. **Roll Call and Establish Quorum:** A quorum was established at 5:16 p.m.
- c. **Action to Adopt Resolution:** Meeting Location Change - Brown Act Compliance (AB361). It was noted by the Chair that the Commission will need to return to meetings in person starting March 2023, per advice of the County Executive’s Office and in accordance with state law.

MOTION: Swope /SECOND: Huber-Levy
AYES (VOICE VOTE): All present
NOES: none
ABSTAIN: none
MOTION PASSED.

- d. **Action to Set Agenda for October 25, 2022:**

MOTION: Swope/SECOND: Huber-Levy
AYES (ROLL CALL VOTE): All present
NOES: none
ABSTAIN: none
MOTION PASSED.

- e. **Action for Approval of September 2022 Minutes:** Chair Labouisse invited a motion to adopt the September 2022 minutes, with minor amendment made.

MOTION: Swope /SECOND: Wilson
AYES (VOICE VOTE): All present
NOES: none
ABSTAIN: none
MOTION PASSED.



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- f. **Resignation of Commissioner Rocsana Enriquez.** Chair Labouisse noted that Commissioner Enriquez had resigned for personal reasons, and recognized and thanked her for her valuable service to the Commission.
- g. **Swearing in of Appollonia Dee Uhila as Commissioner.** Judge Etezadi swore in Appollonia Dee Uhila as a Commissioner of the JJDC.

II. Oral Communications (Public Comment): none made at this time.

III. System Updates and Trends:

- a. **Juvenile Court (Etezadi):** Court is continuing as normal. Commissioners, especially those who have not yet attended court, are encouraged to attend court to observe in person.
- b. **Private Defender (Rayes):** Activity of program during the past month:
 - **22** appointments, including: 2 – 707(b) offences; 6 petitions for record sealing filed with court
 - **39** calls received from police regarding youth 17 years and younger detained for interrogation and arrest

Mr Rayes summarized the impactful legislation for which he has been advocating and which were recently signed into law, namely: **AB 2361** (youth transfer to adult court), **AB 2629** (juvenile petition dismissal), **AB 2644** (custodial interrogation protections), **AB 2658** (juvenile electronic monitoring), and **SB 1493** (public safety omnibus bill – specific provisions for judicial discretion in ‘wobble’ offenses). Congratulations and thanks were expressed to Mr Rayes for these important advances in juvenile justice.

- c. **District Attorney (Cho):** Ms Cho recognized the work of the Commission in serving youth in the juvenile justice system. As Ms Cho will be sworn in as a judge, this will be her last meeting representing the DA. Nadia Hahn will now be representing the DA at JJDC meetings, starting in December.
- d. **Legislation (Liu):** Commissioner Liu provided a further update on other key legislation impacting juvenile justice, some of which have now been signed into law (AB 2169, AB 2321, AB 2417), and others which he will continue to track and report on going forward. A copy of the update is attached to these minutes.
- e. **Probation (Clark):** There are 16 deputy probation officers in juvenile division.

Status of Youth on Probation:

- Intake (Assessment for Diversion/Investigations): 173– with 25 new referrals in October:
 - 2 youth assigned for petty theft program
 - 19 youth referred to DA’s office (mandatory send to DA for prior probation violations, or incomplete diversion, with new offense)



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- Supervised Probation: 117 (court-ordered formal & informal)
 - Placement: 0
 - With Gang Conditions: 9 (intensive probation)
 - Non-Minor Dependent Status: 4 (AB12 services - previously in placement, now receiving extended foster care with funding and services)
- Electronic Monitoring (EMP): 15 (pre-disposition youth and youth on probation)

Status of Youth at Institutions, Youth Services Center/Camp Kemp (Clark): 17 youth in custody:

- **YSC:** 17 youth (14 male/2 female/1 trans-male)
- **Camp Kemp:** 6 female youth

Hillcrest School has now returned to its pre-COVID practice of allowing youth to change classrooms; also have more providers coming in for in-person services. The de-escalation room should open within the next month; COVID restrictions delayed placement of furniture and clean-up of room. Commissioners will be invited to the formal opening of this important space.

Total youth in SMC juvenile justice system: 302 (59 female/ 243 male)

f. Behavioral Health & Recovery Services (Pena): Currently, BHRS is having difficulty hiring clinicians to fill vacant positions due to a general shift towards more flexible work options through Telehealth services. Although at one point in time youth were introduced to services through the tray slot in the door, this was temporary requirement of the health department to ensure the safe integration of new youth who were required to have medical screening before being brought into juvenile hall. As the requirement has been lifted, now all youth are met with in person.

g. HSA, Children and Family Services (Fong)

John Fong provided insights to the written update on relevant metrics provided prior to the meeting (circulated with agenda packet) and reviewed key changes over past month, highlighting key improvements and trends. Key differences between populations served at Canyon Oaks Youth Centre (residential schooling provided) and Elysian STRTPs were reviewed

Oral Communications (Public Comment): Chelsea Bonini (Liaison, SMC Commission on Disabilities, and Board Member, SMC COE), announced that Chair Labouisse and Principal of Court & Community Schools, Shelley Johnson, will be speaking at the upcoming SMC COE Board meeting (October 26). Chair Labouisse will be presenting a high level overview of JJDP work in SMC. Ms Bonini invited all to attend and noted that the agenda is available at www.smcoe.org.

IV. Inspections Updates:

- a.** Commissioner Rasmussen reported that all inspections are underway or complete. Full reports will be presented at the November meeting. Commissioner Rasmussen also noted that as SAMTRANS has suspended its bus service to Juvenile Court and Youth Services Center, this is an equity issue that must be addressed.

Commissioner Swope introduced a motion to address the lack of public transit service to Juvenile Court and the Youth Services Center, as follows:



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Commissioners Swope, Rasmussen, Bocanegra shall prepare a letter to SAMTRANS requesting the restoration of bus service to the juvenile courts and Youth Services Center, and copying Supervisor Canepa of the SMC Board of Supervisors. This letter shall be reviewed and voted on at the November meeting of the JJDPC.

MOTION: Swope /SECOND: Rasmussen

AYES (VOICE VOTE): All present

NOES: none

ABSTAIN: none

MOTION PASSED.

- b. Commissioners Rasmussen and Huber-Levy provided updates on specific issues identified in YSC and Canyon Oaks Youth Center inspections. The COYC draft report is available for Commissioners to review on the JJDPC google drive.
- c. **Reimagine Juvenile Hall Update:** Chair Labouisse noted that the committee to Reimagine Juvenile Hall will accept suggestions from the JJDPC for renovations to improve juvenile hall. There is \$1.5M in state funding allocated to SMC for this purpose

V. Commission Administrative Business:

a. Nominating Committee for 2023 JJDPC Officers (Wilson): The committee contacted each Commissioner to assess their interest in serving as officers for the upcoming year. At the time of the meeting, the following nominations exist:

- o Chairperson - Labouisse
- o Vice Chair, Membership – Huber-Levy
- o Vice Chair, Administration – A. Nori and Lui (sharing position)

Chair Labouisse noted that any other Commissioners interested in serving may still contact the committee. Voting on the officers will take place at the November meeting.

VI. Recommendations for Secure Track Programming in YSC (Rasmussen, Bocanegra):

Commissioner Rasmussen presented research, conducted with Commissioner Bocanegra, to identify services and core programming needed at YSC to serve approximately 7 youth likely to be in YSC for a longer term, along with any Secure Track youth. The research identified programs that have been successful at DJJ and in other counties' youth services centers. Nine essential components of core treatment programs were identified and discussed: Intensive mental health care, victim impact and awareness, anger management, substance abuse, restorative justice, vocations, life skills, mentorship, and parenting classes.

Commissioner Rasmussen asked the Commission to vote to adopt and approve the Secure Track programming recommendations; once approved, the recommendations are to be presented to the Board of Supervisors to advise them of these critical programming needs and help secure any additional funding needed to implement them into the Secure Track program.

Commissioner Wilson moved to adopt and approve these recommendations, and present them in their current form to the Board of Supervisors.



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Recognizing the time, Chair Labouisse invited a motion to extend the meeting by 10 minutes.

MOTION: Swope /SECOND: Wilson
AYES (VOICE VOTE): All present
NOES: none
ABSTAIN: none
MOTION PASSED.

After discussion, it was recommended that a subcommittee be formed to collaborate with probation and further refine the programming recommendations over the next month to reflect current programming offered at YSC, understand the current Block Grant funding available, and amend the final programming recommendations accordingly.

Chair Labouisse moved to remove the replace the existing motion from Commissioner Wilson with the following:

That the Commission form a subcommittee to revise the Secure Track programming recommendations presented, working in collaboration with Probation to reflect programming currently offered at YSC, in order to present a recommendation to the Board of Supervisors early in 2023.

MOTION: Labouisse /SECOND: Flores
AYES (VOICE VOTE): All present
NOES: none
ABSTAIN: none
MOTION PASSED

Meeting adjourned at 7:25 pm.

Next Meeting: Tuesday, November 29, 2022

San Mateo Juvenile Justice & Delinquency Prevention Commission
October 25th 2022 Legislative Update

AB 503: Limit on Juvenile Probation Supervision to 6 months “End Endless Probation”:

Provides that juvenile who is ward of court cannot be placed on probation supervision in community for longer than six months; exception allowed for up to further six months where court finds, at noticed hearing by clear and convincing evidence that it is ‘in ward’s best interest’; conditions imposed on probation must meet new criteria, including developmentally appropriate and reasonable, and enhancing ward’s reformation and rehabilitation.

Vetoed by Assembly

AB 1615: Expanded Eligibility for Transitional Housing and Homeless Programs:

This bill expands eligibility of former foster youth for transitional housing and homelessness support programs:

- Upper age eligibility for the Transitional Housing Program Plus (THPP) would rise to age 25 from age 24;
- New and expanded eligibility criteria added for housing assistance and support under the “Bringing Families Home” Program (WIC Sec. 16523);
- Upper age eligibility for the renamed “Housing Navigation and Maintenance Program” (provides assistance to former foster youth in securing housing) would rise to age 24 from age 21.
- Makes other changes in housing and homeless support programs.

May 25 - Passed in House of Origin (Assembly), ordered to Senate

May 26 – First Reading in Senate

June 22 – Passed Committee on Housing and re-referred to Committee on Appropriations - HELD

July 13-Senate Committee on Appropriations canceled hearing, no new date scheduled

SB 904:

- This bill would amend the act by removing the requirement that there be reasonable cause to believe that the defendant will not abuse controlled substances in the future in order to be considered as having successfully completed treatment.
- This bill would allow the court to order the defendant, and a juvenile court to order a minor to complete a **controlled substance education or treatment program**, as specified, if available.
- The bill would require the court or probation department to **refer defendants to controlled substance education or treatment programs** that adhere to specified standards.
- The bill would require the county drug program administrator and representatives of the court and county probation department, with input from substance use treatment providers, to **design and implement an approval and renewal process for controlled substance education and treatment programs**.
- The bill would require the court, upon conviction of a controlled substance offense resulting in imprisonment, to recommend that the defendant attend a controlled substance education or treatment program while imprisoned. By imposing additional duties on local entities, **the bill would impose a state-mandated local program**.
- This bill would clarify that the 20 hours or more of education or counseling shall **include education about, among other things, how the use of controlled substances affects the body and the dangers of using controlled substances**, as specified.

5/27: First reading in Assembly

6/14: Passed Comm. on Public Safety

8/11: Committee on Appropriations, hearing canceled

AB 2169: Criminal Procedure

- Existing law allows a person who was arrested or convicted of a nonviolent offense while they were a victim of human trafficking, intimate partner violence, or sexual violence, to petition the court for vacatur relief.
- Existing law requires, to receive that relief, that the person establish, by clear and convincing evidence, that the arrest or conviction was the direct result of being a victim of human trafficking, intimate partner violence, or sexual violence.

- This bill would instead require that the petitioner establish, by clear and convincing evidence, that the arrest or conviction was the direct result of being a victim of human trafficking, intimate partner violence, or sexual violence, which demonstrates that the person lacked the requisite intent to commit the offense. The bill would require the court, under those circumstances, to find that the person lacked the requisite intent to commit the offense and to vacate the conviction as invalid due to legal effect at the time of the arrest or conviction.
- Existing law, under these provisions, authorizes the court to vacate the conviction and arrests if it finds that the petitioner was a victim of human trafficking, intimate partner violence, or sexual violence, at the time the crime was committed, the commission of the crime was a direct result of being a victim of human trafficking, intimate partner violence, or sexual violence, the victim is engaged in good faith efforts to distance themselves from the perpetrator of the harm or human trafficking scheme, and it is in the best interest of the petitioner and in the interests of justice.
- This bill would remove the requirement that the victim is engaged in good faith efforts to distance themselves from the perpetrator of the harm or human trafficking scheme, and would remove the requirement that it be in the best interest of the petitioner. **[Signed into law]**

AB 2321: Confining Youth to Locked Rooms-

- This bill clarifies that 'brief periods of time' minors can be confined in their locked rooms means no more than 1 hour, and ensures minors and wards have adequate access to toilets. **[Signed into law]**

SB 1071: Juvenile Records

- This bill would authorize the attorneys participating in the administrative hearings described above to inspect and receive copies of a juvenile's case file.
- The bill would impose restrictions on the use of the confidential information and require subsequent sealing of the confidential information.
- The bill would require the agency, in certain circumstances, to attach to any position statement prepared for an administrative hearing a copy of portions of the juvenile case file that the agency used in making its decision to take the action that is being appealed.
- The bill would require the state department to provide a process for the fair and prompt exchange of documents between the agency and attorney representatives receiving these documents.
- The bill would require, where regulations require the agency to allow the applicant for, or recipient of, public social services to examine the case record or other relevant nonprivileged information, and the agency has been made aware of the issues in the appeal, the records and information to be available for inspection by the applicant or recipient no later than 5 working days prior to the hearing.

[Signed into law]

AB 2417: Youth Bill of Rights

Under existing law Bill of Rights applies only to youth in DJJ – this bill would extend it to apply to youth confined in any juvenile justice facility, and would further require:

- that youth **have access to postsecondary academic and career technical education and programs and access to information regarding parental rights**, among other things
- the Division of the Ombudsperson of the Office of Youth and Community Restoration, in consultation with other specified parties, to develop **standardized information explaining these rights** no later than July 1, 2023

[Signed into law]

AB 2361 (Update given by Ron Rayes)--**[signed into law]**

AB 2629 (Update given by Ron Rayes)--**[Signed into law]**

AB 2644 (Update given by Ron Rayes)--[Signed into law]

AB 2658 (Update given by Ron Rayes)--[Signed into law]

SB 1493 (Update given by Ron Rayes)--[signed into law]