



**Hon. Susan Etezadi**  
Presiding Juvenile  
Court Judge, Superior  
Court

**Judith Holiber**  
Deputy County  
Counsel

**Commissioners**

**Michele Gustafson**  
Chair

**Rebecca Flores**  
Co-Vice Chair

**Sonoo Thadaney**  
Co-Vice Chair

**Paul Bocanegra**

**Antoinette Barrack**

**Valerie Gibbs**

**Susan Swope**

**Debora Telleria**

**Melissa Wilson**

**Douglas Winter**

Juvenile Justice and Delinquency Prevention Commission  
December 10, 2019  
5:15pm – 7:15pm  
455 County Center – Room 405  
Redwood City, CA 94063

**AGENDA**

*Public comment will be accommodated under Item II for items not on the agenda. The Commission requests that members of the public, who wish to comment on items on the agenda, submit a request to the Chair prior to the start of the meeting so that they may be recognized at the appropriate time.*

**I. Administrative Business (5:15-5:20)**

- a. Call to Order
- b. Roll Call and Establish Quorum
- c. Introductions
- d. Agenda Review
- e. Approval of Minutes of October 29, 2019

**II. Oral Communications (5:20-5:25)**

*This item provides an opportunity for public comment on items not on the agenda (Time limit – two (2) minutes per person). There will be opportunity for public comment on agenda items as they are considered.*

**III. 2019 Election (5:25-5:35)**

- a. Nominees:
  - a. Co-Chairs: Debora Telleria and Toni Barrack
  - b. Co-Vice Chairs: Rebecca Flores and Sonoo Thadaney
- b. Election

**IV. Consideration of Application of Sathvik Nori (5:35-5:40)**

**V. 2019 Inspections (5:40-5:55)**

- a. Status, Remarks, Questions, Concerns
- b. Review of YSC Education Team Report
- c. Call for Inspection Lead for 2020

**VI. Probation Report (5:55-6:05)**

- a. Probation liaison report (Barrack)
- b. Melissa Wilson meeting with Chief Keene
- c. Probation stats and responses to written questions

**VII. Court Remarks and Discussion (Judge Etezadi, Judge Jakubowski) (6:05-6:10)**

- d. Judges' Remarks
- e. Court liaison report (Telleria)

- VIII. Private Defender Program Remarks and Discussion (Rayes) (6:10-6:15)**
- IX. District Attorney Remarks and Discussion (Baum) (6:15-6:20)**
- X. County Office of Education Remarks and Discussion (Littrell) (6:20-6:25)**
- XI. Youth Commission Update (Nori) (6:25-6:30)**
- XII. Discussion: Strategic Planning for 2020 (6:30-6:50)**
- XIII. Discussion: JJPDC's Delinquency Prevention Mission (6:50-7:00)**
- XIV. Report Outs (7:00-7:10)**
  - a. Follow Up Letter to Board (Thadaney)
  - b. Youth Court (Winter)
  - c. Parent Guide (Wilson, Swope)
- XV. Commissioner Comments/Announcements (7:10-7:15)**
  - a. January 13, 2020: Paul Bocanegra speaking at ACLU Meeting; San Mateo Public Library (Oak Room) — 55 W. 3rd Ave., San Mateo; Reception at 6:30; RSVP at <https://tinyurl.com/aclunp2020>

**Next Meeting: Tuesday, January 28, 2020 5:15 – 7:15 p.m.**  
**Location: 455 County Center, 4<sup>th</sup> Floor, Room 405, Redwood City**

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MEETINGS ARE ACCESSIBLE TO PEOPLE WITH DISABILITIES. INDIVIDUALS WHO NEED SPECIAL ASSISTANCE OR A DISABILITY-RELATED MODIFICATION OR ACCOMMODATION (INCLUDING AUXILIARY AIDS OR SERVICES) TO PARTICIPATE IN THIS MEETING, OR WHO HAVE A DISABILITY AND WISH TO REQUEST AN ALTERNATIVE FORMAT FOR THE AGENDA, MEETING NOTICE, AGENDA PACKET OR OTHER WRITINGS THAT MAY BE DISTRIBUTED AT THE MEETING, SHOULD CONTACT SECRETARY TONY BURCHYNS (650) 312-8878 AT LEAST 72 HOURS BEFORE THE MEETING AS NOTIFICATION IN ADVANCE OF THE MEETING WILL ENABLE THE COUNTY TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING AND THE MATERIALS RELATED TO IT. ATTENDEES TO THIS MEETING ARE REMINDED THAT OTHER ATTENDEES MAY BE SENSITIVE TO VARIOUS CHEMICAL BASED PRODUCTS.

If you wish to speak to the Committee, please fill out a speaker's slip. If you have anything that you wish distributed to the Committee and included in the official record, please hand it to the Commission Secretary who will distribute the information to the committee members.

**Minutes of the Juvenile Justice & Delinquency Prevention Commission**  
**October 29, 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 Sonoo Thadaney; Co-Vice Chair Rebecca Flores; Susan Swope; Debora Telleria; Paul Bocanegra; Douglas Winter; Monroe Labouisse

**Commissioners Absent:** Toni Barrack; Valerie Gibbs; Melissa Wilson

**Probation Staff Present:** Administrative Secretary Jannet Bonilla

**Additional Attendees:**

Aurora Pena – Behavioral Health & Recovery Services	Judge Susan Jakubowski – Juvenile Court
Ally Hoppis – Behavioral Health & Recovery Services	Sathvik Nori – Youth Commissioner Liaison
Kate Hiester – Fresh Lifelines for Youth	Rebecca Baum – District Attorney
Ron Rayes – Private Defender Program	Vikram Seshadri – Youth Commission
Asante Spencer – Youth Commission	Jasmine Milles – Youth Law Center
Jenee Littrell – San Mateo County Office of Education	Rebecca Baum – District Attorney

**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 September 24, 2019: **Approved** as amended.
- f. Membership: Clara MacAvoy resigned as JJDPC Commissioner. There are currently four open commissioner slots and two of those are youth slots.
- g. Elections reminder: Chairs and Vice Chairs will be elected at the December 10<sup>th</sup> JJDPC meeting.

**II. Oral Communications**

*None*

**III. Swearing of New Commissioner Monroe Labouisse**

Judge Jakubowski swore in Commissioner Monroe Labouisse

#### IV. Update and Discussion: AB 1793

District Attorney Rebecca Baum stated AB 1793 is a follow up of Proposition 64 in order to dismiss or reduce prior marijuana convictions. AB 1793 required the California Department of Justice to provide the District Attorney's Office with information on marijuana convictions to decide whether the DA would oppose the dismissal/reduction and notify the private defender. Except for 1 case, Ms. Baum stated all marijuana charges were reduced to infractions for San Mateo County. The District Attorney's office is working on analyzing data received from the Department of Justice to figure out whether they have any information on juvenile marijuana offenses.

Private Defender Ron Rayes stated all attorneys who handled juvenile cases were asked to review their files to identify clients affected with marijuana offenses and to file petitions to reduce the offense and seal the file. Chair Gustafson raised concern about those with marijuana cases charged as felonies and resulting in hiring disqualifications. Mr. Rayes stated the Private Defender's Office moves to seal juvenile files for those who complete Probation; sealed files should not appear in background checks. They do not have access to cases handled outside of the Private Defender's office, so this could not be a blanket assurance that all records are sealed, nor that petitions were filed to reduce all eligible marijuana offenses in our County. Judge Jakubowski also cautioned against being able to make any blanket statement about the whether all eligible juvenile marijuana offenses in the county were reduced or sealed, as it could depend on the case.

#### V. 2019 Inspection

- a. Commissioner Winter stated the San Bruno Police Department (SBPD) inspection was standard without any major concerns. Commissioner Labouisse found that from July 2018-December 2018, 25 youth were in unsecured detention and from January 2018 – July 2019 it spiked to 55 youth. SBPD did not have an explanation for this spike as they stated their numbers fluctuate. SBPD has an orientation process, but it is not formal.  
M:/Winter: Accept the San Bruno Police Inspection Report as submitted. **Approved** unanimously.
- b. Commissioner Winter stated the inspectors were overall impressed with the Camp Kemp Education inspection. Juveniles in the Girls Empowerment Program (GEP) stated they felt they were missing out on their High School experience by attending school with youth who are in custody. Responding to the suggestion that GEP youth could benefit from attending the orientation that the youth in custody at the Youth Services Center (YSC), Chair Gustafson raised concern about GEP youth having to attend a 3-day orientation at YSC. Aurora Pena with Behavioral Health & Recovery Services stated most GEP youth were in custody at the YSC and completed the orientation while there.  
M:/Winter: Accept the Camp Kemp Education Inspection Report as amended. **Approved** unanimously.
- c. Commissioner Winter reported juveniles at Hillcrest do not have access to computers in school or on the units as they do not have enough staff to monitor all computers. Youth felt that most teachers were engaged and cared about their educational experience, but some teachers just handed out packets and showed movies. During the

time of the inspection, the YSC was on lockdown due to an incident and school was being held on the units as opposed to the classroom. Youth also felt that some of the work they were doing was repetitive.

Jenee Littrell with the San Mateo Office of Education stated there has been updates since the report was completed. With the closure of Camp Glenwood there were changes for the teaching staff and Hillcrest now has teachers teaching their credentialed areas. Regarding the lack of technology, the school department had issues with the WiFi connection in the YSC, but their IT department is working on installing hardwires for the internet connection and Chromebooks have been ordered. Ms. Littrell also reported that youth attending school at Hillcrest now remain enrolled in their school district for 30 days in order to avoid having to restart the time-consuming process of re-enrollment.

Chair Gustafson stated they will hold off on approving the Hillcrest inspection until the recommended changes are made.

- d. The Canyon Oaks inspection found that the classrooms are very small and this can cause irritability with the youth. One of the youth interviewed felt that he was not given enough time to complete his work, but overall youth were satisfied with the teachers. All youth at Canyon Oaks are given an IEP and teachers are very involved but it was taking time from their focus teaching so they will bring on additional staff to assist with IEP. Ms. Littrell also stated they are working with their legal counsel to assure the home district is completing their part of the IEP as it was found that the Court schools were stepping in and completing parts of the IEP that are not their responsibility.  
M:/Winter: Accept the Canyon Oaks Inspection Report as amended. **Approved** unanimously.

## **VI. Update on Probation**

- a. Chair Gustafson reported that she and Commissioners Barrack and Swope met with Chief Keene. He informed her that Probation will not be attending JJDPC meetings for at least the rest of the 2019 year. Chief Keene informed Chair Gustafson that Probation did not ask Fresh Lifelines for Youth (FLY) to change their policy around banning JJDPC members from volunteering in Juvenile Hall. Chief Keene also said that one of the reasons he has pulled Probation from attending JJDPC meetings is concern around the June 14, 2019 letter sent to the Board of Supervisors; Probation felt they were being excluded from the conversation of this letter. JJDPC commissioners agreed they would be drafting an addendum letter to the Board of Supervisors in order to clarify they did not have any intention to exclude Probation from any conversation around Juvenile Justice and Therapeutic Services for Juveniles. Chief Keene also stated Probation feels JJDPC meetings single out Probation as being responsible for issues with Juvenile Justice. Co-Chair Flores stated she believes that JJDPC has had a good relationship with Probation and commended them for their positive work, but it is difficult to have a collaborative relationship with them if they stop attending JJDPC meetings. The Commission generally disagreed that its requests for information about the operation of Probation was intended to single Probation out, but acknowledged that questions to Probation had been pointed at times and that the JJDPC should also do

more to examine the role of other stakeholders in youths' entry into the Juvenile Justice system and helping to keep youth from coming back.

- b. JJDPDC will be able to continue to receive written information from Probation and liaison meetings will also continue. JJDPDC would like to continue to work collaboratively with Probation and establish common goals in the future. JJDPDC will also work in the coming year on a training for commissioners volunteering in the Youth Services Center in order to keep volunteer roles separate from their work as commissioners. Chair Gustafson reported that Probation will begin low level staffing for the Phoenix Re-Entry Program (PREP) in November, as of the reporting date only one Juvenile in the YSC was eligible for PREP and they would like to begin the program with five youth so the plan is to set the December court calendar for PREP and Probation will have Multidisciplinary Team recommendations for juveniles.
- c. Jannet Bonilla with Probation reported as of October 29, 2019 there was 51 males and 3 females in the YSC. Camp Kemp had 6 juveniles in Camp and 4 juveniles between phase two and three, 4 juveniles in GEP, and 1 juvenile in GEP aftercare. Chair Gustafson reported there is a delay on quarterly data as Probation recently lost their Management Analyst, but they will be working on providing updated data.

**VII. Court Remarks and Discussion**

Judge Jakubowski stated the Courts would like to start PREP review dates and they are anticipating that they will be able to begin these reviews in December. The Courts are also continuing to work towards a competency protocol and mediation programs.

**VIII. Private Defender Program Remarks and Discussion**

*None*

**IX. District Attorney Remarks and Discussion**

*None*

**X. County Office of Education Remarks and Discussion**

*None*

**XI. Youth Commission Update**

The youth commission, which previously was assisted by an outside agency under contract with the County, is transitioning to being run internally.

**XII. Discussion: Proposal for Strategic Planning**

Deferred to the next meeting

**XIII. Report Outs**

- a. Sonoo reported there were no updates on the Letter to the Board.

- b. Chair Gustafson stated she decided not to write a letter to FLY Board of Directors and instead had a meeting with FLY leadership team. The outcome of that meeting is that FLY remains firm that they will not be changing their policy around banning JJDPC Commissioners from volunteering in the Youth Services Center.
- c. Commissioner Winter reported he met with a couple members from the Youth Commission who are interested in being part of Youth Court collaboration process. They have decided they will put together a group of potential advocates of people involved in Youth Court to discuss what a restorative program would look like for youth. Commissioner Winter met with members of San Mateo County Health, YMCA Urban Services, and YMCA of Marin, San Mateo, and Silicon Valley. YMCA Urban Services and Silicon Valley would like to take on the project and assist with funding. The plan is to start a pilot program with South San Francisco and East Palo Alto that will include a drug and alcohol program and work towards alternative to suspensions.
- d. Commissioner Swope reported that Probation reviewed the Parent Guide draft and provided their input. The Courts will be last to review it and once that is complete the JJDPC will need to find funds and an illustrator to put it together and print it.

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

Commissioner Swope announced she had sent the commissioners information on Charlie Appelstein's presentation on working with youth. She also asked if anyone is interested in re-entry there are helpful guides found on the internet, including through the Archdiocese of San Francisco.

Meeting adjourned 7:20

# Juvenile Justice and Delinquency Prevention Commission San Mateo County, California

## Hillcrest School Inspection Report 2019

### School Inspection

Date of this Inspection: May 22, 2019

Date of Last Inspection: May 23, 2018

Facility Name: Hillcrest School

Contact Person: Sibane Parcels, Principal

Address: 222 Paul Scannell Drive, San Mateo  
94402

Phone Number: (650) 312-532

### Executive Summary:

This year's inspection focused on YSC educational compliance with the updates to Title 15 which went into effect January 1, 2019.

Rather than a Hillcrest-only focus, this school inspection includes Probation's role as a partner in, and provider of, youth education to reflect the Title 15 updates.

Note that we are limited in interpreting the new Title 15 requirements. The law outlines mandates, but does not provide a rubric for evaluation or examples of what policies, procedures, and programs would or would not be considered compliant. This report largely reflects the commission's interpretation as a representative of the public's expectations.

Hillcrest School has been identified for Comprehensive Support and Improvement (CSI) under the federal Every Student Succeeds Act effective this past year due to the number of students performing below grade level. Hillcrest will receive increased funding, which the SMCOE will apply to teacher and staff professional development trainings targeted to support all student learning including English Language Learners (ELL) services. The school continues to ever-better serve its students.

### Commendations:

There is a **high degree of commitment** by the SMCOE, the school leadership, and the teaching staff to innovate. This year, the school introduced a **6th period class** to enrich the extra-curriculars, a **book club**, **credit recovery time**, and **IEP/ELL related assistance**. The counselor organized an Associated Student Body (ASB) which planned **student-led assemblies**. **Next year, the SMCOE will be investing in additional staff:** an ELL coordinator and a head teacher in charge of school assemblies. In the last few years, they have implemented the CARE class, the 3-day orientation, and the use of restorative justice and trauma informed techniques. They continue to offer Project Change.



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The school has had **multi-year leadership** in the roles of principal, assistant principal, and head teachers .While the current assistant principal is leaving at the end of the year, they have promoted the staff member who provides the Bridge to College, Credit Recovery, Directed Studies programs to this position. Having continuity in leadership has enabled the creation of programs that better serve the students. We expect the school to have full capacity to continue in this effort,

The school does a good job at providing youth information and support on what is required to **graduate, recover credits, and go to college** through its 3-day orientation program and transition support for all students.

Title 15 requirements offer opportunities for creative problem-solving on the part of the school, YSC, and in the interaction between the school and YSC. A **positive, productive relationship exists between the school and YSC**. The CARE class is an example of working through complex issues and we believe these areas can be addressed in a similar manner.

We are pleased by the Title 15 compliance efforts the SMOE and the school have made thus far, and by their awareness of areas yet to be addressed.

**Title 15 Recommendations:**

Because the educational section of Title 15 includes Probation, we have divided our comments by area of responsibility (with BSCC's assist).

**School Responsibilities**

**Digital Literacy:** Because students have access to technology, the school has the opportunity to develop students' digital literacy. This is necessary preparation for college and vocational opportunities in Silicon Valley. It is especially important for students with long or repeated detentions as they only have this opportunity to learn these skills. While students do use learning apps in 6th period and while there are laptops available for use in classrooms, core classes (other than Math) do not use or learn the applications essential in workplace or school settings, like Word. We encourage computer use in the classroom to develop "real world" skills.

**School and Probation Responsibilities**

**Access to Technology:** Per Title 15 requirements, the school and YSCs must provide students with opportunities to use technology for learning in class and on-unit. There is no technology used on-unit. The school should consider expanding access to technology to all core classes.

**Vocational Education:** The school and the YSCs must provide vocational education. Both are aware of the need to provide this under Title 15. One solution is online vocational programs.

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**Probation Responsibilities**

**Access to Education for All Youth Regardless of Security Concerns:** All students must be educated daily even when a unit is on lock-down.

**Expanded Re-Entry Planning:** Probation is developing a new approach to educational re-entry planning.

**Other Recommendations:**

**Time in Library:** Based on student interviews during the Inspection, we recommend students be given more time to look at books while in the library. It appears that most of the time is used by the librarian talking about books with limited browsing time.

**Expanded Curriculum for Students with Long Detentions/Recurring Incarcerations:** As in previous years' inspections, students note repetition of content, i.e. they are re-reading books in class. Consider adjusting their curriculum. This could include reading an alternate book that is thematically linked to the unit and preparing a project or writing based on this book.

**Education for Graduated/High School Equivalency Test Youth:** We recommend these youth have ongoing, diverse educational opportunities. Content might include vocational or college study, expanding their general knowledge base, developing life and interpersonal skills, and fostering life-long learning. Pencil-and-paper and online programs exist.

**Pre-plan for 2020 Inspection:**

We suggest next year's educational inspection team request the following:

**MAP Test Results:** Measures of Academic Progress (MAP) test data to assess grade level advancement for students with long enough detentions to provide (at least) two data points.

**School Attendance:** We suggest the inspection team request school attendance data for when and why a unit does not attend the Hillcrest campus and the method of instruction.

We do not suggest there is a problem with current academic progress or school attendance. Our suggestion is to give next year's team insight not normally available during a short yearly visit.

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**§ 1370. Education Program**

Number of Full-Time Instructors: 6

Number of Full-Time Instructional Aides: 4

There are also (2) unpaid, volunteer librarians.

Number of Tutors (Paid? Volunteer?): The school does not have tutors. Tutoring is offered in the evenings after school hours on only one unit to students who choose to participate in the Each One Reach One tutoring program.

Frequency of Substitute Teachers: There is the expected frequency found in any school for Fall, Winter, and Spring quarters. Summer quarter relies on substitute teachers.

Number of Youth Attending School: There were 44 students average per day for the week of July 7, 2019. Attendance varies based on bookings and releases.

Average Classroom Size: 10-15

Max Classroom Size: 20

Number of Youth on Independent Study: 0 Reason: NA

Number of Youth Not Attending School: Rare Reason: They range: one student has a high profile case; also, students may choose not to attend if they already have a have a diploma or high school equivalency certificate. We could not determine how many students this applies to, but there is at least two.

Describe the general atmosphere of the classrooms: The classrooms look like typical high school classrooms.

Adequate supplies, books, paper, computer?  Acceptable  Unacceptable: The classrooms are well-stocked.

There are many computers available at Hillcrest - desktops in a computer lab and laptops on a cart that can be brought to classrooms and to the units.

Are youth given access to computers/internet?  Yes  No

Provide details (when, purpose, supervision): Desktops are used during 6th period and monitored by LAN School software and GS staff. Students use Edgenuity, Khan Academy, Carnegie Learning - Mathia, CA Career Zone, and Rosetta Stone. Computers are also used for state and language proficiency testing. However, computers are not used during core classes or on-unit. Students are not learning essential "real world" digital skills such as Word, how to source information, etc., nor using the computer in ways that might enhance Probation's programming such as providing Distance Education

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for students who do not attend high school, applying for driver's licenses, researching careers, etc. We do not believe current use is sufficient to comply with Title 15.

Describe the relationship between school staff and juvenile hall staff: The school and juvenile hall staff have a positive, collaborative relationship. Security is always the primary focus of the facility and the school reports it must abide by this constraint. This means students do not always attend school if there is limited Probation staffing due to absences or professional development training, or a lock-down on unit and classroom teachers come to the unit or the school provides work packets.

Describe the relationship between school staff and students: School staff and students have an excellent relationship. Students mentioned the Social Studies teacher and the school guidance counselor in particular. Students know that the school is dedicated to their well-being. The newly created student ASB; and student-led assembly programming are recent demonstrations of staff-student collaboration and positive relationships.

We visited the school twice. On our first visit, youth were confined to their units and not at school so we did not see typical classes. On a second visit, we observed two classes. The level of engagement and connection between teachers and students varied significantly, depending on the quality of the teaching. Summer classes were in session, so one teacher was a substitute, and another was full-time. The full-time teacher had a great deal of interaction with students, on both a personal and academic level, demonstrated significant care for their well-being, and pushed them to understand the material. The substitute had minimal interaction with students, used a 45-minute documentary as the primary instruction method, and did not engage students in discussion at all. There will be a permanent credentialed Science teacher replacing this substitute.

Describe access to school for youth confined to their rooms: The CARE class was developed so all students may attend school consistently. When a unit is on lock-down and youth are confined to the unit or to their rooms, the school provides school on-unit with the teachers coming to the unit to teach, or provides work packets.

On our first visit, one unit was on lock-down and students were watching a science movie with the Science teacher. They were not attending school due to a security incident involving a few youth which resulted in staff injuries.

During the same visit, another unit was on total-lockdown with students confined to their rooms. because of a security incident involving approximately 9 youth which resulted in staff injuries. The school had delivered work to this unit, but the GS staff chose, on at least one day, not to give them to the youth.

We placed a call to BSCC clarify the institution's educational responsibility in a lock-down situation. We learned that students must receive daily education regardless of security, and when work packets are given to youth confined in their rooms, they must be given a pencil so as to complete the work packets.

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When is school held on the unit instead of in the classroom? When there are security concerns or when a unit is understaffed.

**Title 15 Updates**

Are youth immediately enrolled in school upon admittance to Juvenile Hall? X Yes  No

Explain enrollment, orientation and starting classes:

There is a 3-day orientation for all students during which the staff do skills-level MAP testing, explain to the students their graduation requirements and the units they have accrued, create an educational plan that includes how to make-up units, provide college counseling and financial aid information, give students a career interest test (note: this is the only vocational programming currently offered), and train students in restorative justice. Students then enter the classroom.

Immediately upon enrollment, does the school have the youth's records from his/her <sup>[IEP]</sup>prior school(s), including, but not limited to, transcripts, Individual Education Program <sup>[IEP]</sup>(IEP), 504 Plan, state language assessment scores, immunization records, exit grades, <sup>[IEP]</sup>and partial credits. X Yes  No

Administrative school staff request student records immediately. These records may or may not arrive "immediately upon enrollment" because of the unavoidable lack of advance notice that a youth will be booked. But, enrollment is now immediate per Title 15. Records are secured soon after a student enrolls and used to plan the student's coursework.

Is an educational plan developed within five school days? X Yes  No

Is the educational plan discussed with youth and modified as needed after discussion? X Yes  No

Describe how Hillcrest educational records and prior records are forwarded to the next school?

Administrative staff forward all records upon the request of the receiving school. If a student has an IEP, the school requests a transitional IEP meeting with the student's receiving school.

However, there are frequent barriers: parents do not re-enroll their child, families often change location of residency due to instability in the home, and the receiving school may expell students before their Hillcrest records arrive, etc.

Is there a developed re-entry plan for youth's educational transition? X Yes  No

SMCOE does re-entry planning. Parents/guardians and youth meet in-person with the district's Attendance and Welfare Office to re-enroll and program students at their receiving school. There is also a 90-day check that the student is still enrolled and attending school.

The probation officer provides targeted support to help a family overcome obstacles to re-enrollment and to ensure the student is in compliance with the education requirements of their contract. However, Probation has not yet defined a pro-active protocol for all students. PREP plans to

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accomplish broader re-entry planning for students with longer detentions. At this time, Probation has not determined how youth with detentions less than 2-months long will be transitioned.

We suggest one element of re-entry planning include connecting the student with a staff member at the receiving school to minimize drop-out risk so that the student meets the guidance counselor, finds extracurriculars, knows about on-campus tutoring, etc.

Do teachers use culturally responsive/trauma-informed approaches during instruction? X Yes  No

Explain: Teachers are trained in and use trauma-informed discipline and restorative justice. Students identified the Social Studies teacher as a stand-out because he always speaks one-on-one with students before involving a GS. However, implementation is not universal and training should be given to long-term substitutes.

The curriculum is culturally responsive in the books used and themes addressed.

Is the learning environment physically, emotionally, and intellectually safe? X Yes  No

Intellectually: Participation and open dialogue is encouraged by teachers. Their orientation is towards any type of participation vs. students being closed off and quiet. As a result, intellectually, students are in an environment that is very open and tolerant of their thoughts and ideas.

Physically: GS staff is always present to make sure students are physically safe, and precautions are taken, e.g. monitoring pencil use to prevent sharpened pencils from being used as a weapon.

Emotionally: Based on our interviews of 13 students, students do not perceive equal treatment and report that some students are picked-on and more readily punished by some teachers. On the other hand, some teachers are quite caring and connect personally and emotionally with students.

Are the youth prepared for high school graduation, career entry, and post-secondary <sup>SEP</sup> education?  
X Yes No

Students are prepared for graduation and well-oriented towards college opportunities through the 3-day orientation, transition plan, and academic counseling.

There is not enough exposure to or preparation for vocational options. Career entry education is only addressed during the 3-day orientation during which youth use [ca.careerzone.org](http://ca.careerzone.org) and do a career interests inventory. The school acknowledges that it needs to develop a more robust career entry program. Youth need to explore what they can do on the other side of 18.

Is positive behavior management used to reduce the need for disciplinary actions? X Yes  No

Explain: The school's written discipline policy and philosophy emphasizes positive behavior management for typical classroom management challenges. Teachers are trained to do this.

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The full-time teacher we observed was quite encouraging and positive with students, interacting with significant care to which her students responded well. She was clear with them as to their learning goals, led them to achieving their goals with positive encouragement, and then rewarded them at the end of class with some fun and a little prize.

Are the High School Equivalency Tests available to youth? X Yes  No

Are youth who do not demonstrate sufficient progress towards grade-level standards <sup>[15]</sup><sub>[SEP]</sub> given supplemental instruction?  Yes X No

Explain: Title 15 states “Supplemental instruction shall be afforded to youth who do not demonstrate sufficient progress towards grade level standards.” Because almost all students are below grade-level, the school is attempting to progress students within the mainstream classroom by 1. placing ELL and ILP aides in class, and 2. teaching techniques that make information available to all students regardless of skill-level. Teachers scaffold curriculum that is taught during the course period.

We wonder if this approach fulfills the intention of Title 15. BSCC could not offer guidance. As lay-people, we interpret “supplemental instruction” as instruction in addition to normal class-time.

Because the intent of this clause is to progress students towards grade-level standards, we suggest using MAP results to track student skill advancement over time. This is the basis for our recommendation to collect this data prior to next year’s inspection. This will allow all to evaluate whether the current approach is effective.

Are all youth treated equally, and are they free from discriminatory actions?  Yes X No

Based on interviews by Commissioner Gibbs and Commissioner Winters, students do not perceive equal treatment and report that other students are picked-on and more readily punished by teachers.

Does staff refer to transgender/intersex youth by their preferred name and gender? X Yes  No

Is education available to youth regardless of classification, housing, or <sup>[15]</sup><sub>[SEP]</sub> security/disciplinary/separation status, including room confinement?  Yes X No

All students receive educational services.

When a unit is on lock-down due to security or staffing, teachers rotate between units to teach.

When a unit is on lock-down and students are confined to their rooms, the school appropriately provides educational materials. However, youth do not always receive the packets the school prepares and do not have pencils in order to do the work. This is non-compliant with Title 15 (per BSCC).

Are youth informed of post-secondary education and vocational opportunities? X Yes No

Explain: As mentioned previously, the school does a commendable job informing youth about post-secondary college information and the opportunity to participate in Project Change through the College of San Mateo while detained and after release. There is need to expand vocational education

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and build greater awareness with the youth. This is something the school, SMCOE, and institutions plan to address.

Is there collaboration with post-secondary education providers to facilitate access <sup>[[[ ]]</sup> <sub>[[SEP]]</sub> to educational and vocational opportunities for youth using technology?  Yes  No

Explain: Youth do not have access to technology associated with a post-secondary program. In the 2017-18 school year, an online course was piloted through Project Change.

Does this include access to technology for educational purposes on unit?  Yes  No

Explain: There is no access to technology on the units. The school has a mobile cart with laptops that would allow technology to be used on-unit, however YSCs cites a lack of staffing to supervise computer use.

Per last year's inspection, GS staff on the girls unit would like to use laptops with the girls in order to help them apply for FAFSA or prepare for their driver's licenses, etc. This is a small unit and with staff support, YSCs should look at it being used here, at least, if not in other units.

**English Language Learners (ELL)**

How are limited English-speaking students identified and served? How soon are these services provided once the student has been identified as non-English proficient?

ELL students are identified through home-school records and CALPADS test scores. Services are provided immediately. An ELL aide works with students in the classroom or during 6th period to build language skills. Rosetta Stone is used during mainstream class-time should the student not comprehend enough English to benefit from a particular mainstream class.

**Post High School/GED**

Are there educational opportunities for youth who have completed high school/GED?  Yes  No

Describe: The school's responsibility is to educate students up through graduation or the high successful passing of the high school equivalency test. A student may continue to attend Hillcrest after graduation or completing their high school equivalency test. However, this is the student's decision. No new curriculum is available and, as a result, students report there is no reason to attend.

Educational opportunities are offered through Project Change which is an elective program for college credit. Project Change offered three courses this year: Keys to Success was offered twice this year as an 8-week course for 1 hour each session. Creative Writing was offered once this year as an 8-week course and was held twice a week for 3 hours each time. Psychology was offered twice this year as an 8-week course and was held twice a week for 3 hours each time the class met. Approximately 15-20 students from Hillcrest and Camp Kemp combined participated in each. These classes are held during the school day.



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This averages one hour of class/week assuming a student took each class once.

Are youth given info/counseling on community college and four-year college options? X Yes  No

Describe: Youth are well-informed of college opportunities thanks to Hillcrest's robust counseling program which begins during the 3-day orientations and extends through their matriculation. Project Change also establishes a culture that makes the idea of college accessible.

Are youth given information/counseling about financial aid options for college? X Yes  No

Describe: This is covered during the 3-day orientation and individual help is available.

Are youth able to take courses for college credit online?  Yes X No

Describe: While many community colleges and trade-schools offer courses online, Hillcrest doesn't have staff to assist students with online community college courses.

**Special Education/IEP Programs**

Describe how students with possible need for special education (those without <sup>IEP</sup> previous testing, IEP or 504 plans) are identified?

Students are identified for possible testing through multiple methods: teacher referral, a court order by the judge, or a suggestion by the youth's probation officer.

The Youth and Education Law Project (YELP) suggests evaluating previous school failure, MAP testing results, and talking with parents also be used to identify students.

Are all of these students tested? X Yes  No Yes, all students that are identified as possibly needing special education are tested (if they are at the facility for enough time to complete testing).

Describe any obstacles to testing: Short stays in detention can cause issues, such as in the time required to schedule mental health testing by Behavioral Health and Recovery Services, or a detention transfer to another county. Youth may not want to be tested, but the teachers are usually able to convince them.

Overall, there are fewer obstacles at Hillcrest because the youth consistently attend school, whereas they may not do so when not in detention.

The main obstacle is getting parent permission. Some are more accessible and available than others.

How many youth in the facility have an Individualized Education Program (IEP)? 21 of 43 total

Nationally, typically 40-80% of kids in the juvenile justice system have learning needs, so ~50% is within range.

How many students in the facility have 504 plans? 2 or 3

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Are students aware of accommodations and do they receive accommodations? X Yes  No The youth are aware of their accommodations because they are at the IEP meetings, and they have input on what supports go into their plans.

Do special education teachers participate in lesson planning/curriculum development? X Yes  No

Special education teachers push into classrooms to observe and make suggestions. They consult with general education teachers, and when teachers have questions, the special education teachers assist.

Are regular IEP meetings held? X Yes  No

Are parents notified of these meetings? X Yes  No

Are parents permitted to attend these meetings? X Yes  No

Describe the most common obstacle to IEP compliance: Once a youth is at Hillcrest, the teachers have a good opportunity to make an IEP work because students must attend school. Obstacles include: overdue or fast approaching IEP dates when students arrive, and, with more than 40% of students identified as students who receive special education services, the number of meetings to schedule and students to support at one time can be an obstacle.

**Juvenile Justice and Delinquency Prevention Commission  
Hillcrest School Inspection Report 2019**

**Signature of Commissioner(s) preparing school report**

Date:

Date:

Date:

Date:

**Juvenile Justice and Delinquency Prevention Commission  
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**SCHOOL INTERVIEW RESOURCES**

Two commissioners interviewed a total of 13 youth on two separate visits.

Valerie Gibbs interviewed 9 youth selected by Nafeesah Mustafa, the Assistant Principal of the Court and Community Schools and reports the following:

The youth were clean, relaxed and happy to be chosen. They appeared friendly and honest. When asked if they believed they were correctly placed in classes they all replied yes except one who had a lot to say about the subject. He felt that he had already completed his current classes and that he had passed them all. He really wondered why he had to keep repeating classes he had finished.

Those interviewed recognized that there was a new policy regarding the telephone use. They appreciated being able to talk to their families more often. They also mentioned being able to take advantage of the snack bar.

The most talked about discipline method mentioned was the point system. They also report that students can be removed from class, sent back to their unit, have a time out and denied the use of the snack bar. There was a mention of an alternative program that the boys could be put into if they really "messed up" (presumably, the CARE program).

Two of the boys felt that there were favorites. They noticed that some students were picked on by the staff. And these boys were denied privileges that were allowed others. They felt supported by the staff and teachers so didn't speak up.

All but one are involved in credit recovery. They were thankful as they all were behind in credits. The one student who works with Project Change, plans to graduate college and uses the computer for his class work. The other boys are not thinking about attending college, have no access to the computers, nor are they in a college program. All students believed they would learn more and be very productive if they had limited access to computers.

All the boys felt they really received support from their teachers and were provided all that they needed. One wished that he could see his brother who was also in Hillcrest. They like the fact that they have time to reflect and think about changing, even to the point of making amends.

Doug Winters interviewed 4 youth who report the following:

At the time of the inspection, due to a security issue/lockdown, there was only one classroom on campus open. Students from that class were interviewed. We also attended classes being held on unit and interviewed students on unit. We spoke with four youth in total.

Students generally liked the structure of the schooling. One student noted he likes the ability he has to work on credit recovery. Students felt teachers were mostly engaging and helpful and agreed teachers would help them if they requested assistance.

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One concern brought up on multiple occasions was the repetitiveness of the classes. One student stated that the current science experiment they were working on was the third time he was completing the assignment. Students noted that often when new youth enrolled the instructors would have to backtrack. One student commented that he felt the history class was doing a good job of “keeping it new”. A youth who has been through the institution multiple times over the years stated the classes were much better now than they were a few years ago.

When asked about technology usage, students stated that they were not using the computers very often. Staff had mentioned that security concerns revolving around monitoring the students on the computers and a recent incident involving a computer being removed from the classroom were the cause of the limited use of the computers. Many students would prefer to use the computers, particularly for math. The newly adopted math curriculum, Carnegie Learning, will give students an opportunity to practice math skills on an online platform.

Without the use of computers, students felt they would either have packets “thrown at them” or a video would be shown. When asked about feedback on the packets, students stated they sometimes got grades back, but rarely any feedback or corrective instruction. Students felt math was particularly packet heavy and would like more instructional time.

Students mentioned they did like to check out books from the library, but the current procedure (one student at a time, and a short period of time to select your book) was inhibitive and felt more students would check out books if it were a simpler, more relaxed process.

While one student commented that he felt P.E class was lagging, it was often mentioned as a favorite class. Students also liked a career development presentation that involved them using the computers.

Overall students appeared satisfied with their school environment. A student who has been in the program before mentioned the classes were “much better” and there was “a lot less fighting”. Students agreed they felt listened to and their needs were mostly being met.



VANISHING VIOLENCE

# Minor crimes, major time

As youth crime plummets, authorities claim California's increasingly empty juvenile halls now hold mostly the worst young offenders. But a Chronicle investigation shows nearly a third of kids in custody are there for low-level offenses.

By **JOAQUIN PALOMINO** and **JILL TUCKER** | Nov. 21, 2019 4:00 a.m.

Marie shivered beneath a thin blanket on her first night in juvenile hall, her only view an occasional glimpse of a guard checking on her through the window in her cell door.

Her crime was minor: refusing to obey police officers who came into her bedroom to question her about skipping school. Three weeks earlier, the 16-year-old girl had been caught shoplifting a bottle of cognac.

Over the next year, another shoplifting charge and a string of probation violations landed her back in Marin County's juvenile lockup for a total of 222 days, records show. That's about four months longer than the typical adult would spend in jail after a felony drug conviction.

Weeks after her release from juvenile hall, Marie, who spent a total of 222 days in lockup, stands in the doorway of her Marin County home.

“I was confused and mad and frustrated because I didn’t understand why I was there. I didn’t hurt anybody,” said Marie, who asked to be identified by her middle name. In general, The Chronicle does not identify juveniles accused of crimes to protect their privacy, under the [newsroom’s reporting policies](#).

Probation chiefs and other officials in many counties across California say juvenile halls, which stand mostly empty following years of steep declines in youth crime, primarily hold the most serious and violent criminals. But a Chronicle investigation found that is not true: Thousands of teens like Marie are held for minor offenses.

State law prohibits the detention of children and teenagers in juvenile halls

unless they pose a danger to themselves or the community, are a flight risk or would not be safe if released. Yet probation officers and judges broadly interpret that standard, often holding young people in cells for low-level crimes, even if they pose little risk to the public.

State data show that nearly a third of kids held in California’s juvenile halls in the past two years were accused of misdemeanor crimes or probation violations related to those offenses.

#### **About the series**

Violent crime by youths in California plummeted over the past two decades and arrests of juveniles for violent felonies fell dramatically. Juvenile halls that were expanded across the state stand mostly empty, while their costs per youth have skyrocketed. This Chronicle investigation examines this unexpected and largely unrecognized shift and its implications for criminal justice and society. A team of Chronicle journalists has spent the year requesting numerous public records, reviewing federal, state and county data, interviewing county juvenile authorities and juvenile justice experts, and talking with young people currently or formerly incarcerated. Read all our reporting at [sfchronicle.com/vanishingviolence](https://sfchronicle.com/vanishingviolence).

One in 5 – roughly 550 a month – were booked solely on technical probation violations – mostly noncriminal offenses such as habitually skipping school, breaking curfew or drinking alcohol.



An incarcerated youth is weighed at the Fresno County juvenile hall in Fresno.

Gabrielle Lurie / The Chronicle

And nearly 1 in 10 of those held in juvenile halls were there simply awaiting placement in foster homes or residential treatment programs. Sometimes they were held weeks or months because probation officers could not find a place for them, The Chronicle found.

Juvenile authorities argue they must keep these teenagers locked up because of circumstances in their homes or because of their substance

#### **How we reported this story**

Learn how The Chronicle found and analyzed the data on California’s juvenile halls it used to report this story [here](#).

abuse issues or prior misconduct. A growing body of research, however, shows that incarcerating young people for lesser offenses can lead to depression, struggles in school and a greater risk of further crime.

To identify who is being detained in California’s juvenile halls, The Chronicle reviewed statewide figures from the [Board of State and Community Corrections](#) from 2018 and the first half of 2019, as well as detailed intake logs from five counties that provided them.

## Youths booked for minor infractions

In some counties, probation violations accounted for more than half of the bookings into juvenile hall in 2018 and the first half of 2019. (Ten rows shown by default.)



County	All juvenile hall bookings	Probation violation bookings	Percent of bookings for probation violations
Alameda	1937	105	5%
Butte	404	65	16%
Contra Costa	1367	246	18%
Del Norte	181	123	68%
El Dorado	322	126	39%
Fresno	2145	650	30%
Humboldt	210	123	59%
Imperial	474	61	13%
Kern	1688	329	19%

Kings	435	86	20%
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Source: Board of State and Community Corrections

\* These data differ from the county-level figures because they capture every booking at juvenile hall, including those in which youths were detained and quickly released. Unlike the county figures, the state data may not include bookings for all technical violations, such as missing a court date.

Officials at the Board of State and Community Corrections cautioned that their data could contain reporting errors. Many probation departments in California denied requests for booking records, citing privacy laws or saying they didn’t maintain the information.

The analysis was done as part of “Vanishing Violence,” a yearlong Chronicle investigation that has documented the state’s plummeting youth crime. The historic shift offers an opportunity for the state to re-create its juvenile justice system, advocates say, but many counties are not embracing reform efforts.

In addition to those held on minor offenses, California’s youth detention centers hold many teens accused of serious crimes. In mid-June, at least 700 of 2,370 youths held in juvenile halls across the state were awaiting trial on violent felony charges, including robbery, murder and rape.





Fresno County probation Officer Kevin Lee (left) speaks with a police officer at the county's juvenile hall in Fresno.

Gabrielle Lurie / The Chronicle

But in Marin County, where Marie lives, about 80% of those held at least one night in juvenile hall in the period examined by The Chronicle were there for misdemeanors – most nonviolent – or probation violations, county intake records show. In El Dorado County, which also provided data to The Chronicle, the rate was 72%.

Probation officials who oversee juvenile halls said the state and county figures don't reflect often complex circumstances involved in these detentions. Teenagers accused of minor crimes or violations might be held because they live on the streets or in dangerous homes, or are at-risk of being sexually trafficked. Misdemeanor offenses, they said, can follow a troubled history, including arrests for serious crimes, elevating a case.

## Chronicle summary: One youth's experience

### Years

2015-17

### County

Fresno

### Description

A 16-year-old white girl was booked into juvenile hall after her arrest on suspicion of two misdemeanor property crimes, spending 17 days in custody. Over the next two years she was detained for four probation violations, spending at least 350 days in juvenile hall, including time in an in-custody treatment program.

“When you’ve got kids acting out, using drugs, running away from home, engaging in risky behavior, there’s a natural inclination to want to keep the child safe, and where can we do that? The juvenile hall,” said Tanja Heitman, the chief probation officer in Santa Barbara County, where at least half of the overnight admissions to the county detention center in 2018 and 2019 were for misdemeanors or probation violations.

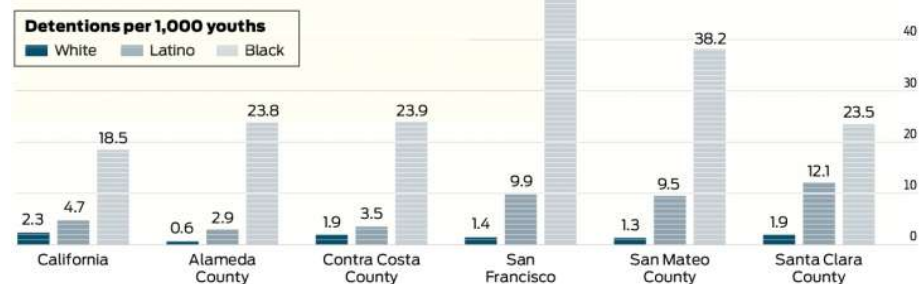
She acknowledged the numbers were not ideal, and that detention centers are not appropriate for some of the young people who authorities put there. “We have to build up enough alternatives so that when that kid is having difficulties, we have something else to fall back on,” Heitman said.

Across California, juvenile halls generally resemble adult jails, despite a state law requiring counties to provide [“homelike” settings](#).

Kids in detention centers typically can’t possess a pen, pencil or pictures in their cells. They have little privacy, even when using the bathroom. Some counties use pepper spray to subdue teens who are out of control. And until January, when the state banned the practice, some children were given underwear from a communal supply out of the laundry.

## Race and juvenile hall

Black people were much more likely to be booked into juvenile halls across California than Latinos or whites in 2017, based on the number of detentions per 1,000 youths in the population. In San Francisco, the disparity was particularly stark.



Source: W. Haywood Burns Institute

Most of the teens held in juvenile halls are people of color. The [W. Haywood Burns Institute](#), a national nonprofit group focused on justice reform and racial bias, found that more than 80% of children and teens detained in California in recent years were black or Latino, in an analysis of state Department of Justice data done for The Chronicle. Statewide, blacks or Latinos made up 58% of the population aged 10 to 17.

In Marin County, for example, Latinos made up 54% of those detained in 2018 and the first half of 2019 – more than twice Marin’s proportion of Latinos aged 10 to 17, according to probation records. About 19% were African American, six times the proportion of black youths in the county.

“There is overwhelming evidence of the harm that even one night in detention causes young people,” said Laura Ridolfi, policy director at the Burns Institute. “You’re interrupting everything in that young person’s life, and sometimes they can’t get back on track.”

## Many jailed for misdemeanors

Treatment of juvenile offenders has been evolving since the mid-1990s, when a crime wave gripped California. Arrests for violent felonies by young offenders peaked at 60 per day, juvenile halls filled, and fears of a coming crush of teen criminals prompted politicians and voters to tighten laws and vastly expand juvenile detention centers.

In the following decades, youth arrests plummeted and policies softened as researchers found that focusing on punishment harmed young people and made communities less safe. Counties expanded services in juvenile halls and diverted children and teenagers to rehabilitative programs. The detention rate dipped to one of the lowest levels in recent history, according to the [Chief Probation Officers of California](#), a lobbying group.

## Youths held for misdemeanors

The proportion of youths held in juvenile hall for misdemeanors or related violations in 2018 and the first half of 2019 varied greatly from county to county. (Ten rows shown by default.)

[SHOW ALL](#)

County	Average population in juvenile hall	Average population in juvenile hall due to misdemeanors	Percent in juvenile hall due to misdemeanors
Alameda	65.2	23.2	36%
Butte	17.7	0.1	1%
Contra Costa	71.6	20.3	28%
Del Norte	9.7	4.4	45%
El Dorado	18.6	12.7	68%
Fresno	57.8	9.5	16%

Humboldt	20.1	13.5	67%
Imperial	19.4	5.9	30%
Kern	78.4	30.5	39%
Kings	21.4	2.6	12%

Source: Board of State and Community Corrections

\* The figures are based on an average of 18 point-in-time counts of who was in juvenile hall. The data differ from the county-level figures because they capture every booking at juvenile hall, including those in which youths were detained and quickly released. Misdemeanors include probation violations related to misdemeanor offenses.

“The response was previously to lock them up and throw away the key, but that’s all changed,” said Michael Harris, an attorney at the [National Center for Youth Law](#). “The era of mass incarceration is being dialed back.”

Still, counties continued to lock up thousands of young people in recent years for misdemeanor offenses. Those can include public intoxication, petty theft, vandalism and getting in fights that don’t result in serious injuries.

## Juvenile hall admissions

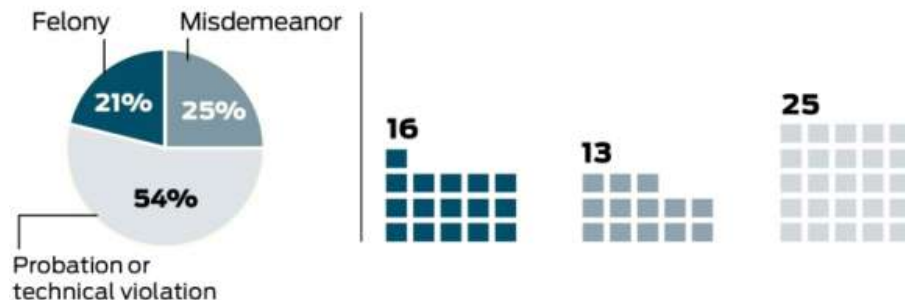
Misdemeanors and probation violations accounted for more than half of overnight admissions to juvenile halls at each of five counties that shared booking data for 2018 and the first half of 2019. Felonies were not necessarily associated with the longest stays. From the data provided by counties, The Chronicle eliminated double counting among the categories and removed cases in which youths were booked and quickly released.



DETENTIONS AND COMMITMENTS By type of charge	AVERAGE NUMBER OF DAYS IN CUSTODY		
	Felony	Misdemeanor	Probation violation

### Marin County

292 admissions



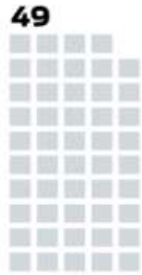
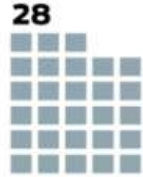
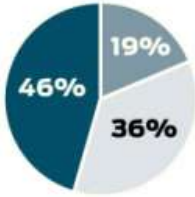
### El Dorado County

175 admissions

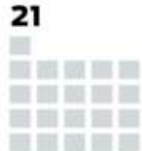
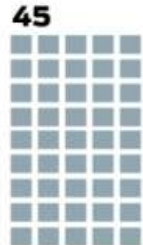
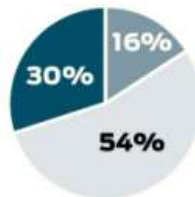




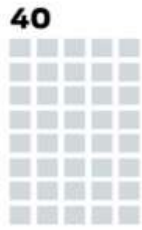
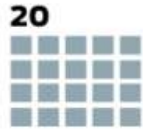
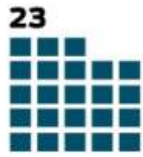
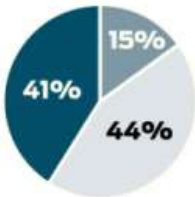
**Fresno County\***  
1,669 admissions



**Santa Barbara County\*\***  
912 admissions



**Tulare County**  
776 admissions



\* Fresno County runs several in-custody programs that could lead to longer stays in juvenile hall.

\*\* Santa Barbara County's probation violations may include warrants associated with new crime.

Source: Daily booking data provided by the counties

Local data obtained by The Chronicle show that in El Dorado County nearly 40% of the 175 overnight admissions to juvenile hall in 2018 and the first half of 2019 were for misdemeanor crimes. Those jailed spent an average of 17 days in custody, according to intake records. One boy was held for 23 days after being arrested for misdemeanor battery and resisting arrest, though it was his first time in the county detention center.

In Fresno County, about one-fifth of the 1,669 overnight admissions into juvenile hall in the same period were for misdemeanors, according to probation data. One of those teenagers, who had never been booked before, was held 19 days after being arrested on suspicion of driving without a license.

Unlike adults, juveniles are not detained or sentenced based on the severity of their crime. Instead, judges and probation officials look beyond the offense, focusing also on the likelihood that a young person will commit future crimes or be harmed if left in the community. Some counties use risk-assessment questionnaires to help guide the detention decision, while others rely more heavily on probation officers' judgment.

Many juvenile justice experts argue that, in most cases, locking up young people for misdemeanor offenses has harmful consequences. Among them: low-level offenders are more likely to reoffend if they are detained alongside those accused of more serious crimes.

The Chronicle found many cases in which officials opted for confinement, even for minor crimes, citing abuse or neglect in the home or a history of truancy, gang affiliation, alcohol use or other delinquent behavior.

The day Marie skipped class, her worried mom, at the urging of school officials, called the police to help find her. By the time officers arrived at their home that evening, Marie had already returned.



As officers questioned Marie in her room about the truancy and her being missing from home that day, she ignored commands to sit and take her hands out of her pocket. When officers moved to restrain her, she pulled her arm away. One of the officers handcuffed her on her bed and they charged her with resisting arrest, a misdemeanor.

Marie spent 29 days in juvenile hall in San Rafael waiting for her case to work its way through the court system, according to county records. She woke at 7 each morning and volunteered to set up breakfast trays and help clean, she said, so she could spend time out of her cell. Anxiety reduced her appetite and kept her up at night as she thought about her home and family.

“I’d think about whether my cat missed me,” she said.



Marie makes the bed in her room at her Marin County home. Her first stay in juvenile hall was 29 days, for misdemeanor resisting arrest.

Jessica Christian / The Chronicle

A week after being released, Marie stole alcohol and was arrested. She said she had felt overwhelmed by the requirements of probation – meeting a 7 p.m. curfew, abstaining from alcohol, regularly attending school and other conditions. She was sent back to juvenile hall, then placed twice in residential treatment programs, one 100 miles from home. She ran away from those programs, resulting in probation violations and more time in custody.

In all, between October 2018 and August 2019, the Latina teen was jailed for 7½ months. Marie’s longest stint, 97 days, included two months of simply waiting: She had been ordered to a residential treatment facility, but probation officials were unable to secure an appropriate placement.

Marie’s mom said she was only thinking of her daughter’s well-being when she called authorities for help. But instead, the ordeal left her grappling with guilt and regret. She felt helpless as she watched her daughter struggle in custody.

“They were telling her she was a failure, she would never graduate, and at that point, it seemed like she was adopting everything they were saying about her,” said Marie’s mother, referring to comments from the judge and probation officers. “They put her in the position to give up.”

The Chronicle found many similar cases in Marin County in recent years. A 13-year-old Latino boy who had never been in juvenile hall spent 57 days there after his arrest on suspicion of public intoxication. Another Latino teenager with no prior bookings in the county spent 19 days in juvenile hall on a misdemeanor charge of resisting arrest.

Probation officials defended those detentions, citing chronic truancy, drug use, potential gang activity and, in the first case, the parents' inability to control their child.

County officials provided limited information about Marie's case, citing privacy laws, but said her failure to regularly attend school and "chronic runaway behavior" were considered when detaining her. In general, Director of Probation Services Eric Olson said, a host of factors influence the decision to hold someone, including concerns for a teen's safety.

"We're not in the business of trying to keep kids here longer than they need to be," Olson said. But, he said, "If you have a kid who tested positive for Xanax or meth, are you going to let that kid stay at home when we know about the number of deaths related to those substances?"

Judge Beverly Wood, who hears all delinquency cases in Marin County, said juvenile hall is a necessary "stabilization" tool for minors who are in mental health crisis, are sobering up from drug use, or need to cool off after fights with family members. Sometimes, she added, it's the only place young people can receive intensive and necessary treatment.

"I can't have a rule that says if it's a misdemeanor you don't go in the hall – that would be unsafe," Wood said. "What if that minor was 5150'd (forced into a psychiatric hold) two days ago, or they overdosed and were lying in the street? ... I can't send them home," because they might hurt themselves or others.

Youth advocates argue there are better options for addressing these problems, such as providing mental health treatment or other services out of custody.

"If they're concerned about safety in the home, I'm not sure how that leads to the conclusion that you should lock up the child," said Meredith Desautels, a staff attorney at the [Youth Law Center](#) in San Francisco, which

advocates for juvenile justice reforms. "Separating someone from their family at that moment of crisis seems so counterproductive."

Marie doesn't understand why she was removed from her home. "I could see if you were trying to take me away from drug dealers, prostitution, something serious," she said. "But you're taking me away from a family that loves me, cares about me, wants better for me."

## Probation violations lengthen stays

California law bars juvenile halls from acting as "penal institutions" and says they instead should be safe and supportive. But The Chronicle found that counties frequently treat teenagers like adults, putting them back in cells when they trip up while on probation.



Daniel Casillas, 22, returns to Selby Lane Elementary School/Adelante Spanish Immersion School in Redwood City. Daniel spent more than two years in custody, starting at 13 after he wrote on a wall at the school with a permanent marker.

Yalonda M. James / The Chronicle

In 2018 and 2019, according to state data, nearly 20% of those booked into juvenile hall were there for violating conditions of probation.

Daniel Casillas was arrested for the first time at age 13 after he tagged a wall at a Redwood City school with his street signature.

The offense, in 2010, was charged as a felony because the damage was estimated at more than \$400. He cycled in and out of San Mateo County's juvenile hall while on probation, spending more than two years behind bars primarily for noncriminal violations: being late to school, riding in a car with a friend who was wearing gang colors, drinking alcohol and missing a 10 p.m. curfew call to his probation officer.

"I continued to go in and out of juvenile hall ... 30 days over here, 40 days over here," said Casillas, now 22. "I became institutionalized after my first few times. I thought, 'This isn't bad. It's kind of like day care.' It kind of became a second home to me."

The vandalism charge was the only felony ever faced by Casillas, who has since served as a juvenile justice commissioner in San Mateo County.



Daniel Casillas, 22, and his sister, Elisabeth Casillas, 28, look at a facsimile solitary confinement cell built by Martin Leyva as they attend the 2nd Annual Project Rebound Mural Celebration called "Incarceration to Liberation" at San Francisco State University.

Yalonda M. James / The Chronicle

"My story is not an individual's story," Casillas said. "It's one that many, many kids will tell you."

Young offenders can face years on probation. Breaking any of the many rules they must follow can result in repeated stints in custody. In Marin County, for example, the odds were 50-50 that a young person under 17 booked into juvenile hall for a crime in 2016 would later return for a probation violation, according to a review of 60 cases in recent years. That revolving door has long troubled juvenile justice reformers.

Jailing kids for actions considered by many to be typical teenage behavior is a self-defeating and antiquated practice, said Nate Balis, director of

the [Annie E. Casey Foundation's Juvenile Justice Strategy Group](#), which works with counties to limit youth incarceration.

## How one day turns into 106

day for original arrest  
day for probation violation

“We have an approach that takes a rule-breaking kid and gives them a set of rules they can’t possibly follow,” he said. “That we would remove them from their homes and put them in a jail-like setting for breaking rules is really troubling.”

In some California counties – Marin, Napa, Humboldt, Monterey – at least half the young offenders booked into juvenile hall in 2018 and the first half of 2019 were detained solely for probation violations, according to state data.

In 2017, a 14-year-old Latino boy was locked up in Marin County for 10 days for misdemeanor resisting arrest and stealing alcohol, the teen’s first time in juvenile hall. Over the next 18 months, nine probation violations and one misdemeanor resisting arrest charge added 245 days.

In El Dorado County in 2017, a 16-year-old girl was booked into juvenile hall briefly for misdemeanor battery and getting into a fight at school. The following year, she was detained for two technical violations, spending a combined 194 days in custody.

El Dorado County Probation Chief Brian Richart said officers typically exhaust all options and resources before jailing kids for violations.

“All you see on paper is that they’re violating due to a dirty drug test, but that’s just the tip of an iceberg that’s huge under the surface,” he said. “When we detain it’s because there’s an urgent or emergent set of circumstances we’re looking to abate,” such as a repeated failure to stay off drugs, go to school or follow rules.

Some leaders in the field want to restrict the practice. The National Institute of Corrections, part of the federal Department of Justice, said in a [2015 resource guide](#) for juvenile justice professionals that “juvenile detention is not considered appropriate” for youths who commit probation violations. Other organizations, including the [National Council of Juvenile and Family Court Judges](#), have made similar recommendations.

In Santa Cruz County, officials said teens on probation need to follow only rules that are relevant, such as drug tests for those with known substance-abuse problems. The county also avoids penalties for violations, said Valerie Thompson, assistant chief probation officer. As a result, the number of young people the county holds on probation violations has fallen from 35% of all bookings in 2000 to 16% in 2019, according to state data.





An incarcerated youth is escorted by a probation officer as he walks across the grounds at the Fresno County juvenile hall in Fresno.

Gabrielle Lurie / The Chronicle

The county has “taken a step back from a harsh response to what is really normal teenage behavior,” Thompson said. “If we see kids are struggling, we give them resources to help them make better decisions rather than lock them up.”

## Doing ‘dead time’

Among those being held in California’s juvenile hall are many kids who are stuck there waiting for somewhere else to go. They have been ordered transferred to foster homes, therapeutic group homes or treatment programs, but are often held for weeks or months while authorities try and fail to place them, probation officials and public defenders said.

Officials call it “dead time.” In some counties, about one-fifth of those held in juvenile hall were awaiting an out-of-home placement, according to quarterly snapshot figures reported to the state over the past 18 months.

“When they’re doing dead time, they’re demoralized,” said Patti Lee, San Francisco’s public defender overseeing juvenile cases. “They give up hope. It’s dead time, paper processing time. ... They deteriorate with each passing day.”

Such delays are common across the state, with foster homes unable or unwilling to take in young people with the most serious issues, including mental illness, and a lack of beds at many licensed residential treatment facilities, officials said.

### Chronicle summary: One youth's experience

#### Years

2018-19

#### County

El Dorado

#### Description

An African American teenager spent 23 days in juvenile hall after his arrest on suspicion of misdemeanor battery and resisting arrest. Several months after release, a probation violation landed him back in juvenile hall for 118 days – including 51 days of “dead time” as he waited for an out-of-home placement.

“We are constantly looking all over the state” for an appropriate placement, said Santa Clara County Judge Katherine Lucero, adding that the county has prioritized placing youths with relatives whenever possible. “Because it’s government and bureaucracy, everything takes time. Meanwhile, you have a young person in custody for too long.”

Kelli, a college student who grew up in foster care in the Bay Area, recalled the time she spent locked up in San Francisco’s juvenile hall at age 14 waiting to be placed in a group home.

She had spent 60 days in custody over a probation violation related to the theft of a cell phone when she was 12. On her release date, she wrote a farewell letter to her friend in juvenile hall, but she remained jailed for another three weeks because there was no home available, she said.

Kelli, who was orphaned as an infant, had no visitors or phone calls during that time. Emotional outbursts and fights landed her in 24-hour solitary confinement twice, she said.

“I was dying to get out of there ... and then all my hopes got dropped,” said Kelli, now 20. The Chronicle agreed to withhold her last name to maintain her privacy. “I was so mad. I was so hurt.”



A typical cell, like this one, in Fresno County's juvenile hall, includes a cement platform bed as well as a metal sink and toilet.

Gabrielle Lurie / The Chronicle



Security at the Fresno County juvenile hall includes barbed wire and a surveillance camera.

Gabrielle Lurie / The Chronicle

Cases like Kelli's are common, said Rachel Draznin-Nagy, a Contra Costa County juvenile public defender. “Often, the youth (waiting) are not those with the worst conduct,” she said, but the ones who don't have parents or whose families aren't giving them the help they need.

Dead time has been a problem for many years. A [2005 report](#) by the legal advocacy group Youth Law Center found that the majority of young people

in several California counties spent more than a month waiting for a placement. Many had serious mental health needs and often were detained for minor crimes, researchers found.

Sue Burrell, one of the report's authors and a legal expert in juvenile justice, said she has “no reason to believe it's any different now.”

## ‘Nowhere else to go’

For young people like Marie, Daniel and Kelli, the system should be able to offer alternatives to incarceration, dozens of experts and probation officials told The Chronicle.

“Most youth coming into contact with the juvenile justice system don't benefit from time in juvenile hall, even if we run a great facility and provide a lot of therapeutic programs,” said Heitman, Santa Barbara County's probation chief. “It's a very difficult environment for a developing youth to be exposed to.”

Still, options beyond locked facilities are limited, officials said, despite more than \$300 million in state grants available to probation departments last year to fund a host of services, including alternatives to incarceration. The shortage of other programs for young offenders means a cell is often the default for those who pose little risk to the community but may be dealing with mental health conditions or substance abuse, or are stuck in an unstable home.

### Chronicle summary: One youth's experience

Years

2017-18

County

Tulare

Description

A 16-year-old Latino boy was briefly detained after his arrest on suspicion of misdemeanor battery, the first time he was held in juvenile hall. Over the next year, he was locked up for three probation violations and for providing a false identification to a peace officer, spending a combined 98 days in custody.

“In some counties, there’s convincing evidence that juvenile halls serve as residual holding tanks for kids with mental health problems that no one else can handle,” said David Steinhart, director of the [Commonweal Juvenile Justice Program](#) in Marin County, which advocates for alternatives to youth incarceration.

The cost and consequences of incarcerating young offenders has spurred public officials across California to re-examine the use of juvenile halls. San Francisco supervisors, citing The Chronicle’s “Vanishing Violence” series, voted in June to [shut down juvenile hall](#) by the end of 2021, saying that few of those in custody required a maximum-security cell. San Mateo and Yolo counties are considering similar options.

In Marin County, officials have considered downsizing or closing their detention center, which was two-thirds empty when Marie was there, and adding options beyond secure confinement. While the juvenile hall was once filled with violent offenders with gang ties, “What I’m seeing now is a bunch of out-of-control kids with mental health issues,” said Probation Chief Mike Daly.

As The Chronicle prepared to publish this investigation, the Chief Probation Officers of California, which advocates for county probation officials, proposed changing the way the state treats youth offenders. The draft proposal would, among other things, limit probation conditions and open up juvenile halls to young people ages 18 and 19.