JJDPC Report on Diversion Programs and School Resource Officers (SROs) in San Mateo County

Susan Swope, Debora Telleria, and Austin Willis
Juvenile Justice and Delinquency Prevention Commission

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Susan Swope, Debora Telleria, and Austin Willis March 2022

I. Summary

We found only four diversion programs in the County. Probation's program is the only one that covers any juvenile arrested anywhere in the County. The Sheriff's Department Program covers all of unincorporated San Mateo County, plus the cities that have contracted with the Sheriff's Department for police services¹. Redwood City's and the City of San Mateo's programs cover youth who live or are arrested in their jurisdictions. The San Mateo program also offers diversion to neighboring cities' PDs, e.g., Foster City and Belmont.

In the process of researching Diversion Programs in San Mateo County, our committee talked to all the police departments (PDs) in the County and the Sheriff's Department. Frequently, we were referred to SROs.

Given the current buzz in the school districts about SROs, we decided to include questions about the PDs' SRO activities, as well as determining which PDs had diversion programs and how those were set up. This report includes a brief discussion of what we found regarding both.

II. Conclusions and Recommendations

A. Diversion Programs

San Mateo is the most economically disparate (https://first5sanmateo.org/our-impact/) and one of the most racially disparate counties (13th)

(https://www.racecounts.org/county/san-mateo/ Racial Inequality) in California and this is seen in absenteeism, suspensions, and justice-system involvement, particularly in who is detained (http://www.gethealthysmc.org/youth-need-data).

Two cities (Redwood City and San Mateo) have local law-enforcement diversion programs. The Sheriff's Department and Probation also have diversion programs.

Most, including East Palo Alto, Daly City, and South San Francisco, do not. As a result, low-offending, low income, and BIPOC youth from these areas who are arrested, are referred to the Probation Department. This results in their *early entry* into the County's juvenile justice

¹ These are listed in Appendix A.

system, perpetuating social and health inequalities in their lives, and the lives of their families and communities.

Referral to Probation, whether they are considered eligible for diversion or not, creates a record. If they don't want that record to follow them, they must take steps to seal their records when they reach age 18. Participation in the Sheriff's or the cities' diversion programs do not create a record. Youth in those programs receive trauma-informed treatment as needed, along with other supportive services. If they successfully complete their contract agreements, they have no record of justice system involvement.

These same youth are more likely than their counterparts to have exclusionary discipline measures, such as school suspension, imposed on them for the same misbehavior. Removing the youth from academic learning and the school community, damages their identity as a student. Worse, it puts that student behind in their classes. Each suspension puts a child farther behind and makes it more difficult to perform at class level. As a child falls behind, they are more likely to skip school or drop out altogether.

School suspensions affect BIPOC, LGTBQ++, foster, and emotionally/learning disabled youth disproportionately. These are students who need more support and access to services than those without those disadvantages. A youth who does not attend school is likely to suffer near and long-term negative outcomes leading to high-risk and, possibly, criminal behavior. In the long term, their lack of skills and resources are barriers to good jobs with good pay, housing, and health care. Currently, our educational institutions struggle to serve these youth.

The inequities that cause and are exacerbated by school-push-out and justice-system-push-in are stressors on youth, their families, and communities. All youth deserve the best possible physical, emotional, and social well-being outcomes that are only available through fair and equitable access to resources and opportunities.

Recommendations

The Diversion Project's authors ask the JJDPC to:

- Encourage development and implementation of a comprehensive diversion program that is open to any youth who is:
 - Arrested in San Mateo County
 - o In danger of suspension or expulsion from their school

as an alternative to suspension or expulsion or referral to probation.

- This Diversion Program should:
 - Allow referrals by police officers, school staff, and parents or guardian
 - Offer youth agreements that take into consideration their individual needs and their barriers to prosocial behavior, whether individual or family needs and challenges
 - Use restorative justice practices

- Provide trauma-informed case management and other resources as needed to support and ensure their success
- o Be available as an option to existing programs for youth referred to them.

The proposed Peer Point Project meets those requirements, especially with the active involvement of the respondent's true peers, which has the added huge advantage of introducing the client youth to an ongoing positive influence as they serve as peers for future clients.

Share this report with the Board of Supervisors, Juvenile Court Judges, County Manager,
Probation, and the County Office of Education, with a request that they support and help to
fund a restorative diversion program for the County as a whole.

B. SROs

With regard to SROs, they currently serve in different ways from school district to school district. Some work to get to know and establish relationships with the students, teachers, and administrative staff and are more able to respond appropriately to a given situation. Some only go to their assigned campuses when called for service. There are situations where SROs' attitudes and reactions can prove counterproductive and create an oppressive atmosphere on the campus often aimed at disadvantaged youth. Using disparaging language to label youth should be discouraged.

Recommendation

School districts are re-evaluating the roles of SROs and whether or not to have them on campus. We recommend sharing this report with the San Mateo County Office of Education (SMCoE) and with the school districts as it may be helpful for them to know what other school districts are doing.

III. Overview of Diversion Programs in San Mateo County

Initially, we identified four diversion programs in San Mateo County. They are run by: San Mateo County's Juvenile Probation Department, San Mateo County's Sheriff's Department, the Redwood City Police Department, and the City of San Mateo's Police Department.

Recently, we became aware of two other possible programs that we are looking into to determine if they truly are diversion programs. South San Francisco Unified School District says they refer youth to the Boys & Girls Club's Alternatives to Suspension Program. The Boys & Girls Club says they do not consider their Alternatives to

Suspension to be a diversion program because youth referred to them have not been arrested or charged. They are in danger of suspension or expulsion from their schools.

San Bruno PD's SRO says he refers youth to North Peninsula Family Alternatives (NPFA), a multi-agency, community-based juvenile diversion program serving North County cities. This turned out to be the Youth Services Bureau (YSC) at the YMCA in South San Francisco. According to the County's Services Connect, YSC offers counseling as an alternative to the juvenile justice system for first-time offenders who are referred by local law enforcement agencies.

Right now, there are few youth in diversion programs: Probation had nine (9) during FY2020-2021, The Sheriff's Department had eight (8) as of July 2021. The City of San Mateo had 14 in FY 2019-2020, and Redwood City had only two (2) with possibly two (2) more to be added. Now that schools are back in session on site, the number is expected to go up. All four programs indicate that nearly all the youth who enter any of the diversion programs successfully complete their contracts and are not re-arrested.

A. Eligibility

Each program reported a slightly different lower age range for youth that are eligible, but all accept youth under 18. All of them require that the youth live and/or have been arrested within their jurisdiction.

The City of San Mateo has a voluntary Prevention Services Program, in addition to their diversion program, which offers similar resources for a youth and their family. A youth's parents or school can make referrals to the Prevention Services program for youth demonstrating risky behavior before they commit a chargeable offense. Only a police officer can refer youth to the diversion program. The eligibility criteria for all four programs is summarized in Table 1.

Table 1: Eligibility

	County Probation	Sheriff's Department	City of San Mateo	City of Redwood City
Age	12-17	Under 18	11-17	Under 18
First offense only	Yes	Yes	Yes	Yes
Lives in	County	Sheriff Dept. jurisdiction	City of San Mateo	In City of Redwood City's jurisdiction
Arrested in	County	Sheriff Dept. jurisdiction	City	RCPD's jurisdiction
Referral by police officer	Yes	Yes	Yes	Yes

B. Qualifying/Non-Qualifying Offenses

In general, qualifying offenses for admission to any of the four programs are misdemeanors and non-violent felonies.

Table 2: Qualifying Offenses

	County Probatio	Sheriff's Departmen	City of San Mateo	City of Redwood City
	n	t		
Misdemeanors	Х	Х	Χ	Х
Vandalism	Х	Х	X	X
Stealing from Parent	Х	Х	Χ	X
Petty theft	Χ	Х	Χ	X
Alcohol use/possession		X	X	X
Cannabis use/possession		Х	Χ	X
Fighting		Х		X
Non-violent felonies	Х	Х	X	X
Low-level weapons case, with		Х	X	X (knife to
officer recommendation				school)
Joyriding	Х	Х	Χ	X
Hit and run (no injuries)		Х	Χ	X
Trespassing	Х	Х	X	X
Inappropriate use of		Х	X	X
electronic devices				
Restitution <\$1000	Х			

None of the four will divert for serious or violent 707(b) felonies including, murder, attempted murder, rape, assault with a weapon, or where there are major injuries. Redwood City will consider low-level weapons cases, e.g., taking a knife to school, and also firearms in some cases.

Table 4: Non-Qualifying Offenses

(i.e., 707(b) offenses, see footnote #3)

	County Probatio	Sheriff's Departmen	City of San Mateo	City of Redwood City
	n	t		
Murder	Х	Х	Х	X
Attempted murder	Х	Х	Х	Х
Rape	Х	Х	Х	X
Assault with weapons or	Х	X	Х	X
major injuries				
Firearms at school	Х	Х	Х	X
Selling drugs at school	Х	Х	Х	X
Most robberies	Х	Х	Х	X

Only Probation's program has a range of options for handling cases referred to them. They include, from least-to-most-punitive:

- Letter of reprimand
- Referral to Victim Impact Awareness program (VIA)
- Referral to the Juvenile Offender Mediation Program
- Ninety-day intervention contract
- Six-month contract
- Referral to the District Attorney (DA).

The other three have only two options—a six-month contract or referral to Juvenile Probation.

C. Diversion Contract Components and Services

All four programs offer a wide range of possible contract components that they tailor to each youth's needs.

Table 5: Possible Diversion Contract Components

	County Probatio n	Sheriff's Departmen t	City of San Mateo	City of Redwood City
Behavioral & clinical risk assessment	Yes	Yes	Yes	Yes
Individual counseling/therapy	Yes	Yes	Yes	Yes
Family-related requirements				
Curfews	Yes	Yes	Yes	Yes
Family counseling/therapy	Yes	Yes	Yes	Yes
School-related requirements				
 School attendance 	Yes	Yes	Yes	Yes
 Complete homework/ turn in on time 		Yes		Yes
Good grades	No	Yes	Yes	No
School & family check-ins	Yes	Yes	Yes	Yes
Tutoring	Yes	Yes	Yes	Yes
Classes as needed, e.g., anger management, nutrition, etc.	Yes	Yes	Yes	Yes
 Victim Impact Awareness (VIA) 	Yes	No	Yes	No
 Take online petty theft program 	Yes	No	No	No
No drug use or possession	Yes	Yes	No	Yes
No gang-related clothing or paraphernalia	Yes	Yes	Yes	Yes
No possession of item that may be considered a dangerous weapon	Yes	Yes	No	Yes
Pay to replace lost or damaged property	Yes	Yes	No	Yes (hasn't happened yet)
Prosocial activities, e.g., PAL	Yes	Yes	Yes	Yes
Repair any damage	Yes	Yes	No	Yes (hasn't happened yet)
Tattoo removal ²	Yes	Yes	No	Yes
Mentoring	Yes	Yes	Yes	Yes
Community service	Yes	Yes	Yes	Yes
Job search assistance	Yes	No	Yes	

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² If a youth in a diversion programs has tattoo(s) related to gangs, human trafficking or domestic violence, they can have them removed through the tattoo removal program, which is a collaboration of five agencies (RCPD, PAL, SAL, the Sheriff's office, and Probation).

Obviously, if the youth must agree to meet the requirements of the contract, they, and their parent(s) or guardian have signed, they must have access to the resources they need to carry out those requirements. Table 6 lists the diversion services each program provides. Both the Sheriff's Department and the City of Redwood City's programs offer the Parent Project parentprojectfamilyclasses.com to give parents tools to parent effectively.

Table 6: Services During Diversion

	County Probatio n	Sheriff's Departmen t	City of San Mateo	City of Redwood City
Individual therapy/counseling	Yes	Yes	Yes	Yes
Drug & alcohol use treatment	Yes	Yes	Yes	Yes
Family counseling	Yes	Yes	Yes	Yes
Case management	Yes	Yes	Yes	Yes
Tutoring	Yes	Yes	Yes	Yes
Job-search assistance	Yes	No	Yes	Planned
Referrals to Youth Outreach Program (YOP) ³	Yes	No	Yes (optional)	No
Referral to Fresh Lifelines for Youth (FLY)	Yes	No	Yes (optional)	Yes
Referral to Teen Triple P Parenting ⁴	Yes	No	Yes (optional)	No
Parenting classes for parents	Yes	Yes	Yes	Yes
Tattoo removal	Yes	Yes		Yes
Mentoring	Yes	Yes	Yes	Yes

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³ The Youth Outreach Program aims to assist at-risk youth, ages 8-17, and their families to identify and mitigate the risk factors that could lead them to involvement with Child Welfare Services or Juvenile Probation. The following services are offered: in-home short-term family therapy, positive parenting education or referrals to effective parenting strategies courses, truancy prevention/intervention, pro-social activity schedule development, crisis intervention, parental stress-reduction/coaching/support, long term treatment preparedness and linkages to community resources. A probation officer or social worker can make the referral to Child Welfare for YOP services.

⁴ Triple P is an international online parenting program that gives parents a toolbox of ideas that they can choose from. Parents choose the strategies they need and how they want to use them. Triple P stands for Positive Parenting Program. Teen Triple P Online is for parents of pre-teens and teens (10-16 years old).

D. Outcomes

Interviews with the programs were conducted over a lengthy period (nearly a year). Thus, the numbers provided initially represent different periods. Statistics from 2020 or 2021 cannot be considered representative, given the departure from normal activities caused by Covid-19. We asked for figures for FY 2019-2020 and current figures now that schools are back on site instead of virtual. The Sheriff's Dept and the City of San Mateo were able to provide those numbers. Since the Juvenile and Family Services Specialist at the RCPD has only been there since October, she does not have access to those numbers. Probation requested more time to research the numbers, and this report will be revised when they are received.

From the numbers and results we do have, it seems clear that diversion programs are an effective intervention for interrupting the school-to-prison pipeline. Nearly all the youth who are diverted complete their contracts successfully and do not reoffend during their time in the program or in the year following.

Only one of the 15 participants in the City of San Mateo's program during FY2019-2020 failed to meet the terms of the contract. The other 14 did. San Mateo's program estimates that about 90% of their program participants are successful. The Sheriff's Department's program reports that only 3-5% of their program participants re-offend, although they note that given the mobility of families in this program, it is not always possible to track participants for a full year after their participation. Similarly, Probation's program shows 8 of 9 youth in their program in FY2020-21 completed the program. Only one failed to do so.

Table 7: Success Rates Provided at Interview

	County Probation	Sheriff's Departmen	City of San Mateo	City of Redwood
		t		City
Period covered	FY2020-2	July 2021	FY2019-20	January 2022
	1			
Follow-up		6 months	3-6	6 months
			months	
No. Youth on contracts	9	8	15	4
No who successfully completed	8	8	14	NA
No. who did not complete	1	0	1	NA
Re-offenses during contract	0	0	0	0
Re-offenses 3 mo. after contract	0	0	0	0
Re-offenses 6 mo. after contract	0	0	0	0
Re-offenses 1 yr. after contract	0	NA	NA	NA
Percent who succeed	88%	100%	94%	Pending
Percent who reoffend	11%	0	6%	NA

Table 8: 2018-2019 Success Rates

	County	Sheriff's	City of San	City of Redwood
	Probation	Department	Mateo	City
Period covered	FY2018-19	FY2018-19	FY2018-19	FY2018-19
Follow-up		6 months	3-6 months	
No. Youth on contracts	20	17	39	
No who successfully completed		16	22	No
No. who did not complete		1	2	Data
Re-offenses during contract		1	2	available
Re-offenses 3 mo. after contract		1	0	
Re-offenses 6 mo. after contract		NA	1	
Re-offenses 1 yr. after contract		NA	NA	
Percent who succeed		94%	95%	
Percent who reoffend		6%	5%	

Table 8a: 2019-2020 Success Rates

	County Probation	Sheriff's Departme nt	City of San Mateo	City of Redwood City
Period covered	FY2019-20	FY2019-20	FY2019-20	FY2019-20
Follow-up	112013 20	6 months	3-6 months	112013 20
No. Youth on contracts	12	23	28	No
No who successfully completed		22	14	Data
No. who did not complete		1	1	Available
Re-offenses during contract		1	1	
Re-offenses 3 mo. after contract		1	0	
Re-offenses 6 mo. after contract		NA	0	
Re-offenses 1 yr. after contract		NA	NA	
Percent who succeed		96%	100%	
Percent who reoffend		4%	0%	

Table 9: Youth Currently in Program

As of March, 2022	County Probation	Sheriff's Department	City of San Mateo	City of Redwood City
No. Youth currently on contracts	5	6	5	4
No. Youth being assessed for		No new	2	0
diversion		cases		
		waiting		

The full descriptions of the 4 diversion programs we know of, begin on page 22.

IV. Overview of SRO Programs in San Mateo County

Ten of San Mateo's 30 cities provide SRO services to the local schools through their police departments. They are Atherton, Belmont, Burlingame, Daly City, Hillsborough, Menlo Park, Redwood City, San Bruno, San Mateo City, South San Francisco⁵. Cities covered by San Mateo County Sheriff's Department are El Granada, Half Moon Bay, La Honda, Loma Mar, Millbrae, Montara, Moss Beach, San Carlos, Woodside, Portola Valley, the North Fair Oaks area of Redwood City, plus unincorporated San Mateo County.

South San Francisco has suspended its SRO program pending the final negotiation of a memorandum of understanding (MOU).

San Mateo County SRO programs assign officers to schools to create and maintain a safe learning environment. There is a significant range of services SROs provide, from those who only answer calls for service, to those who are onsite full-time, and make a concentrated effort to establish a relationship with the students, teachers, and administration. These officers work with the school administrators, parents, and community-based organizations to provide classes on crime and illegal drug use prevention and safety, provide security and crowd control for school functions, and follow-up on truant students. Others do drop-ins to check on the schools at various times, such as before and after school and during lunch.

In addition, the SROs investigate crime and activities associated with criminal behavior. They may also conduct home visits. The success of these programs often depends on the quality of the relationships the officers develop with the students and staff. Several SROs specifically dress differently in khaki pants, a polo shirt with the PD insignia, their

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⁵ SRO program currently on hold pending outcome of MOU.

duty belt (which includes their gun) and a bullet-proof vest (which they are required to wear when on duty) to present a friendlier face on campus.

With the onset of Covid-19, many SROs were reassigned to patrol duties while the schools were closed. Others were tasked with tracking down students who were not participating in online education and providing support via phone, Zoom, or home visits.

The post-Covid role of SROs is unclear. Many SROs have had to start over again, rebuilding their relationships and networks now that schools are back in session. In addition, funding continues to be an issue. During Covid, some of the money earmarked for SRO programs was diverted to provide additional mental health support to students. Going forward, funding may be challenging, as the national discourse around policing grows and funding sources are focused on treating the trauma students experienced during Covid.

For the jurisdictions that have diversion programs, their SROs generally make the referral of youth to the diversion program. However, any police officer in Redwood City or the City of San Mateo can make a referral.

V. Diversion Programs by Jurisdiction

A. San Mateo County's Juvenile Probation Diversion Program

San Mateo County's Juvenile Probation Department accepts referrals from any County police department and the Sheriff's Department. Probation's Assessment Center determines if the referral is eligible for the Diversion Program. To be eligible, the youth must:

- Be 12 to 17 years old,
- Be charged with a non-violent misdemeanor or some felonies that are not 707(b) offenses⁶, with restitution under \$1,000.
- Have no prior offense
- Live in San Mateo County.

When a youth is cited by a police officer, the officer forwards the police report to Probation, where the case is assessed for an appropriate response. Possibilities include:

⁶ There are 29 WIC 707(b) offenses. They include: murder, arson, robbery and rape with force, violence, or threat of great bodily harm. If committed at age 14 or older, he or she is not eligible to seal their juvenile record.

- Letter of reprimand
- Referral to victim impact awareness (VIA) program⁷ and/or mediation (separate sessions)
- Placement on a 90-day intervention, or
- Six-month informal contract.

If the youth is diverted, both the youth and the parent(s) or guardian sign the contract, which may require the youth to:

- Repair any damage and/or pay to replace any destroyed or lost property.
- Perform set hours of community service
- Attend counseling sessions
- Attend VIA
- Attend the Petty Theft Program (PTP) online.

There are no fees for participation in the diversion program. If the youth successfully completes their contract, they can have their record sealed when they turn 18. If their record is not sealed, it will be filed by Probation. If the youth does not complete the program as agreed, or if a youth commits a new offense, the case is sent to the DA's office.

While in the diversion program, the youth may receive the following services as needed:

- Individual therapy/counseling (they stay with the same clinician for the duration of their contract. On a case-by-case basis, they may continue with that clinician after completing their contract if that clinician is still available⁸. At that point, there may be a fee, or it may be covered by Medi-Cal.)
- Tutoring
- Job-search assistance
- Family counseling
- Referral to other programs, e.g., the Youth Outreach Program (YOP), Fresh Lifelines for Youth (FLY), Teen Triple P Parenting
- Drug and alcohol counseling.

As of July 2021, there were four youth on informal contracts. In FY 2020-21 (July through June), there were nine youth in the program. Eight of the youth successfully completed the program; one did not and was referred to the DA. None reoffended during their contract or the year following completion.

⁷ VIA is a seven-week, two hours per week program and may include mediation (separate sessions), letter of apology to the victim, or writing an essay.

⁸ Many clinicians are on nine-month internships. If the clinician completes their internship, they will probably no longer be available.

B. San Mateo County Sheriff's Department Diversion Program

The Sheriff's Department contracts with Manuel Velarde (who formerly ran Redwood City's Diversion Program) on an FY-basis (July 1 through June 30) to run their diversion program, which includes a prevention program and tattoo removal.

A youth can be placed in the Sheriff Department's diversion program as long as the juvenile has a case with the San Mateo County Sheriff's Department. ONLY cases originating in the San Mateo County Sheriff's Office jurisdiction are accepted.

The San Mateo County Sheriff's Department provides service for more than 70% of San Mateo County's unincorporated areas. They also provide contract law enforcement services for the cities of Half Moon Bay, Millbrae, San Carlos, Eichler Highlands, the towns of Portola Valley and Woodside, as well as for the Peninsula Corridor Joint Powers Board and the San Mateo County Transit District.

Youth (under 18) can be referred for a first offense that is a minor crime, such as vandalism, stealing from a parent, alcohol use, or fighting. If a youth commits a serious crime—e.g., rape, attempted murder—the case goes direct to the DA's office. Mr. Velarde noted that there IS a difference between breaking a window and setting a house on fire.

When a youth is charged with a minor crime, the arresting Deputy Sheriff writes the case up. A supervisor revises it and approves the case. Then, the case is sent to the Juvenile Detective, who sends the case to Mr. Velarde. He meets with the youth and their parent(s)/guardian at the Community Policing Unit, or a substation close to the youth's home. At the meeting, they discuss what happened, and if the youth takes responsibility for their actions and promises to behave, they develop a plan that can include:

- Therapy (individual and/or family counseling)
- Community service
- Tutoring
- Parenting classes
- Drug and Alcohol rehab services.

At the meeting, Mr. Velarde stresses that the offense is serious, and this program is their chance to handle the misbehavior informally and avoid a record and that this may be the youth's last chance to stay out of the justice system. The youth and their parents or guardian sign a 6-month contract. He keeps it simple and very effective. There are not a lot of forms for them to sign. A diversion contract and if it is necessary a community service contract.

Mr. Velarde has connections with resources throughout the County to enlist the appropriate referrals for each case. The Sheriff's Department offers parenting classes to help parents work with difficult teenagers and also with younger children. They use the Parent Project materials: parentprojectfamilyclasses.com, a program used all over the United States. Sheriff's Department staff attend a one-week training in LA to learn how to run the class. Mr. Velarde said he has attended the class, and it is very intense. He said a key part of the class is to teach parents how to use their local law enforcement agency, and what they should expect if they call.

If the youth violates their contract, the case is referred to Probation and goes through their Assessment Center. From there, Probation may refer the case to the DA for prosecution.

If the youth is successful in completing the contract, the case is destroyed and disappears from the record. It never goes to Probation or the DA. It is retained in the County-wide police data system (RIMS), which is accessible only by County PDs. He follows up with youth for 6 months after the contract. Maybe 3-to-5% reoffend. He considers it a success if the youth is not rearrested and is attending school regularly. It can be difficult to follow up because families often move.

The objective is to help parents be effective in positively influencing their child's behavior and to make them aware of the resources that are available to them. It's the parents' job to raise their child. Most of the youth Mr. Velarde works with are under 18. They still need to graduate from high school. A few may also need to find a job. Mostly, they need counseling, drug and alcohol use treatment, and mentors.

The number of cases has dropped because of the new laws, especially those involving marijuana. In July 2021 he had eight open cases. He believes the number will go up as Covid restrictions are relaxed. He expects to have at least 20 youth in the next year.

There are no fees for the Diversion Program. All services are available in English and Spanish.

C. San Mateo Police Department's Diversion Program

San Mateo's diversion program accepts youth aged 11 to 17, who meet the following criteria:

- First-time offense
- Referred by a police officer⁹
- Misdemeanors and non-violent felonies
- Low-level drug and weapons cases with officer recommendation
- Usually no gang members (although they will consider a youth with gang association with officer recommendation)
- Youth and family must be willing to engage in the program
- Lives or goes to school in the City of San Mateo.

To refer a youth to SMPD's Diversion Program, a police officer files a Juvenile Contact Report (JCR). The JCR is reviewed by the Youth Services Unit (YSU) Sergeant and Probation Officer to determine eligibility. If the youth is NOT eligible, the JCR is forwarded to the Juvenile Court for formal processing of the charges.

The San Mateo PD has a unique collaborative team that includes police officers, a full-time deputy Probation Officer, a clinical case manager, and a family liaison. If the youth is eligible, the youth and family are contacted and offered the option of the voluntary diversion program.

An intake meeting is scheduled with the youth, their family, and the diversion team to explain the program. Working with the referred youth and their family, the team designs an individual six-month plan, which may include a variety of components (e.g., therapeutic interventions, education planning, PAL programing, social service needs and much more).

The youth and their parent(s)/guardian both sign a six-month contract, which may include any, or all, of the following:

- Behavioral and clinical risk assessments
- Community service (once a month for six months through PAL)
- Individual and family counseling/therapy—they stay with the same clinician for the duration of the program and may continue with that clinician afterwards.
 One Life Counseling is the provider. Ten sessions are required, three with the family.)
- Tutoring through PAL (The Right Approach)
- Job search assistance
- School and family check-ins

⁹ If a youth's school or family is concerned that they are engaging in risky behavior, but they have not yet committed a chargeable offense, they can refer that youth to the SMPD's Prevention Services Program.

- Curfews
- PAL activity/event participation
- School attendance, good grades
- Classes to address drug/alcohol use, anger management, victim impact/empathy, stress management, nutrition, conflict resolution/decision-making, suicide prevention, gang awareness, health relationships, career development/goal setting, cyber safety, bullying, career development, justice, fairness, among others.

One to two weeks after the initial meeting, a case manager meets with them to do an extensive intake and set them up with any needed social services. A PAL family liaison contacts them to set them up with the PAL program.

During the contract period, the youth attends a monthly class that is designed to explore topics such as community safety, mental health awareness, authenticity, and self-discovery. Each youth participates in monthly community service. Also, parents/caregivers meet during the contract term to discuss helpful parenting tools.

After successful completion of the contract, the youth's case is closed, and no formal action is taken by the juvenile justice system. They do have a record in Probation's database that can be sealed when they are 18.

At the start of the Covid-19 pandemic, in FY 2019-2020, 14 youth completed the program, one failed. (Youth can fail only by being rearrested or being a no-show for program activities.) No youth or families offered the program has declined to participate.

All youth who completed the program cleared both the 3-and-6-month recidivism checks. Eleven post-graduates and their families requested additional services following program completion. Approximately 20% of the juvenile criminal cases in the City of San Mateo are diverted. Overall, the program has about a 90% success rate.

There is no fee for the diversion program. If counseling continues after the program, there may be a sliding scale fee, which may be covered by Medi-Cal.

D. Redwood City Police Department's Diversion Program

The Redwood City (RWC) Police Department diversion program is run by Jennifer Martinez, Juvenile and Family Services Specialist. She was hired in October 2021 to replace Manuel Velarde who now runs the diversion program for the Sheriff's Dept.

The RWC program accepts youth under 18 years old. So far, the youngest she's seen is 12, the oldest 16. To be eligible for consideration for the program, they must have been arrested in the jurisdiction of the RCPD. It must be their first offense. Divertible offenses include minor crimes, such as:

- Vandalism (e.g., graffiti)
- Taking a knife to school
- Substance use (public intoxication, possession of alcohol or cannabis)
- Fighting (assault and battery)
- Joyriding
- Hit-and-run (no injuries)
- Petty theft
- Trespassing
- Inappropriate use of electronic devices.

Non-divertible offenses would be murder or attempted murder, rape, assault with weapons or major injuries, firearms at school, selling drugs at school, most robberies.

They accept only arresting officer referrals. If a school wants a student to go through the diversion project, they must call RCPD to arrest them and file a case. The arresting officer completes a Juvenile Contact Report (JCR). These are routed through the Juvenile Unit. The Juvenile Detective or Juvenile Specialist will determine whether the case is suitable for diversion.

Once she receives a case, she reviews the police report. Then she calls the parent or guardian and conducts a brief screening. She then meets with the youth and their parent/guardian to review the diversion program and further assess the case.

She gets to know the youth, their family, and their circumstances. Then she works collaboratively with them to develop agreements that will be part of their diversion contract.

Ms Martinez works with each youth individually. She wants to understand what's going on with the youth and how she (and the RCPD) can support them. She identifies the youth's strengths, challenges, and any other factors that may have contributed to the offense, including access to resources or the lack thereof. If they miss on a requirement, she will reassess what additional support they need to help youth succeed.

The diversion program is six months long. The contract is signed by both the youth and their parent or guardian. The contract may include:

- Repairing damage to property (so far this has not come up)
- Pay to replace lost or damaged property (has not come up so far)

- Community service (They sign a separate contract when they are assigned community service. This contract is with the community-based organization (CBO) with whom the youth is performing community service.)
- Counseling Ms. Martinez does the counseling herself. She has a MSW in Social Work. She performs the initial assessment and checks-in with them every week for six months. She also checks-in with their parent(s) and school.

Ms. Martinez wants the contracts to be less rigid than they were, more compassionate. She will support the youth to overcome challenges they encounter as they participate in the diversion program, while still promoting their accountability for their actions. If the youth breaks the contract with another charge, their case will be forwarded to juvenile probation. She plans to use a clinical, therapeutic approach. The requirements in the current contract are:

- Attend school on a regular basis without tardiness or unexcused absences.
- Complete all assigned homework and turn it in on time.
- Do not use or possess any tobacco products, alcoholic beverages, or drugs.
- Do not wear gang-related clothing or possess gang-related paraphernalia.
- Do not possess any item that may be considered a dangerous weapon

During diversion, Ms. Martinez currently provides individual and family counseling (weekly sessions for six months.) She plans to reestablish partnerships with local universities including Cal State East Bay, San Francisco State, and San Jose State to recruit undergraduate and graduate students to provide individual, family, and group counseling at no cost to youth and their families. Covid has delayed that effort.

She is working on recruiting community resources to provide tutoring and job-hunting assistance.

Right now, she has only two youth under contract. Two more have been referred to her to assess. Generally, the police report on the offense makes the recommendation for diversion. She also has the discretion to make a recommendation for diversion on a juvenile contact report if the arresting officer does not.

Mr. Velarde told her there used to be a lot of youth in the program. Referrals are down because of Covid. When she interned with Mr. Velarde five years ago, she had three clients, and she was one of three interns who each had 3-to-5 clients. At that time, all their clients successfully completed the six-month program. If there was follow-up, she wasn't privy to it.

As to follow-up services, her intention is that if youth have continuing needs, she will facilitate a warm hand-off to an agency that can continue to provide needed support. They can call her if they need resources. If they wanted to come back and volunteer with the diversion program, she would be open to that.

Clients will stay with the same clinician for the six months they are in the program. If they need continuing therapy and their clinician is with a community agency, they will probably be able to stay with that clinician. If they are working with a RCPD intern clinician, they would stay with that person for the six months in the program. Typically, an internship lasts nine months, so there is no guarantee the youth could stay with the same clinician after leaving the program.

There are no fees for participating in the diversion program. Post diversion, if they are switching to another CBO, e.g., Star Vista, there might be a fee. Star Vista will work with Medi-Cal, and they have a sliding scale in any case.

E. RCPD Addendum—Youth Who Do Not Qualify for Diversion

The Juvenile and Family Services Specialist, as a separate service from the Diversion Program, provides services to youth who do not qualify for the diversion program. In cases where the youth cannot be referred to the diversion program, because they have not committed a crime, Ms. Martinez may offer to provide a family intervention, which includes the same process of gathering information to provide larger context to the reason for referral. A common referral is for youth who run away from home. She reaches out to their school to gather information about their friends and other supporters.

In the case of runaways, upon reunification, officers conduct a welfare check to determine whether the youth was exposed to any risks or harmed in any way. Ms. Martinez will offer a follow-up and work with the youth and their family to develop a safety plan to keep youth from running away in the future.

Other requests she's received from overwhelmed parents seeking support include requests to have police scare their children. The challenge with this request is that law enforcement is not meant to instill fear, but rather to strive to protect the community. It is important to mend the trust between law enforcement and the community where it may have been adversely affected.

Families also reach out to law enforcement for help demonstrating trust, whereas scaring the children would give a contradictory message. Ms. Martinez wants to promote healthy communications and relationships in families experiencing conflict. She uses a trauma-informed approach, provides active listening, validates family stressors, and concerns, and facilitates conversation to mediate between youth and their families. Included in the family intervention is the development of a safety plan to which all members of the family contribute and agree.

VI. Police Department SRO Programs by City

A. Atherton Police Department (APD)

Officer Demetri Andruha is the SRO serving the Atherton school districts, which include eight campuses with a total of 13 schools including:

- Sacred Heart Prep (preschool, E-8, and high school)
- Menlo School
- Menlo College
- Los Lomitas School District
- Menlo Park School District
- Sequoia Union High School District
- Redwood City School District

The SRO program is a partnership between the Sequoia Union High School District, the Menlo Park School District, Menlo School, Sacred Heart Prep, and the Atherton Police Department. In 2018, Atherton lost its funding for an SRO when Atherton residents voted to remove the tax that funded the SRO position. Now, most schools contribute \$5-\$10K each per year and Menlo-Atherton pays \$30K per year for SRO services. The Atherton Police Department was applying for grants for the SRO program when the pandemic began.

The goal of the Atherton SRO program is to prevent juvenile delinquency by building positive relationships with law enforcement. Officer Andruha proactively works to keep Atherton schools safe and responds when crimes are reported or when the schools need his assistance. He provides school trainings as requested, including trainings on the 4th amendment, constitutional laws, driving safety, and bicycle safety.

Officer Andruha meets with students to help redirect their energy from destructive behaviors to school-sanctioned extracurricular activities. He checks in with each school every morning and then spends the rest of the day at Menlo-Atherton High School. Menlo-Atherton averages 2.5 incidents a day, with bike thefts among the most common. Many of the violent incidents are started by disagreements on social media. Officer Andruha believes that Menlo-Atherton High School avoids turning cases over to him.

Officer Andruha reports all incidents to the Atherton Chief of Police, Steven McCulley, who in turn forward them to Records. The Records department sends the incident report to Probation for evaluation. There is no report-back to Officer Andruha on whether Probation decides to dismiss the case, divert the youth, or turn the case over to the District Attorney to press charges.

During Covid, Officer Andruha was reassigned. While the schools were closed all school-related police details were canceled, including sporting events and traffic safety.

B. Belmont Police Department (BPD)

There are two SROs serving the Belmont schools. Officer Abinader covers the Belmont Redwood Shores School District for elementary and middle school students. Officer Berry covers Carlmont High School and Notre Dame High School, as well as Notre Dame de Namur University. He is not sure how the SRO positions are currently funded. The schools used to pay part of the SRO salaries, but have stopped most funding, except for a part of Officer Berry's salary.

Officer Abinader spends most of his time at Carlmont High School and drops in on the Notre Dame schools in the afternoon. Both SROs check in with their schools daily and are very interactive with the students. They believe they have a good rapport with the students.

The Belmont SROs wear a modified uniform that consists of khaki pants, a polo shirt, duty belt (including gun), and a bullet-proof vest. They investigate any juvenile-related crime. In addition, they assist with school activities including sporting events, field trips, dances, and chaperoning. Officer Abinader teaches the SAFE program to 5th graders. Both SROs have given presentations on cyber awareness and other topics, when requested by the schools.

The Belmont SROs refer youth to the City of San Mateo City diversion program. Since contracting with San Mateo City in early 2021, they have not referred a student to the San Mateo diversion program. They don't have many problems with youth in Belmont. In the past, they have arrested one to two juveniles a year. They prefer to refer youth who live in Belmont for diversion. It would be difficult to get youth who do not live in the City of San Mateo or Belmont into the program.

C. Burlingame Police Department (BPD)

Officer Steve Vega is the SRO serving Burlingame's 12 schools, which include the San Mateo Union High School District, the Burlingame School District, Peninsula High School, St. Catherine of Siena School, Our Lady of Angels School, and Mercy High School. He meets with students and tries to get to know them. He also has patrol duties. There are few juvenile crimes in Burlingame.

Officer Vega does check-ins on the schools in Burlingame. Upon request, he provides training on life skills, vaping, drugs, and alcohol, and general community safety. He

rarely gets requests to provide student training. He also counsels students and attends meetings.

D. Daly City Police Department (DCPD)

Officer Randy Ortiz serves the Daly City schools, including: the Jefferson Elementary School District, Jefferson High School, Shasta Summit High School, Thornton High School, Westmoor High School, and the Wilderness School. There is talk about discontinuing the SRO program at two of the high schools.

Officer Ortiz connects with the school staff and students at schools and at student clubs. Before Covid, he was on campus daily. He has good rapport with both students and parents. His focus is on crime prevention. For example, there was an incident before Covid when about 20 students got into a fight. They held separate meetings, with pizza for each of the two arguing factions, to try to resolve the issue. Unfortunately, some youth continued fighting and were arrested. Officer Ortiz answers schools' calls for service regarding missing students, fights, weapons on campus, etc. There are some active gangs in Daly City and Officer Ortiz has provided school staff with gang-related training.

Officer Ortiz forwards incident reports to Probation. Probation decides whether to dismiss, divert, or forward the case to the District Attorney for prosecution. He has spoken with the director for the San Mateo City Diversion Program about sending youth from Daly City to their program. As part of the program, Officer Ortiz would need to actively participate along with the Daly City youth in the diversion program. Currently, Officer Ortiz does not have the capacity to take on this additional responsibility. The Daly City Police Department does not have enough staff to run their own diversion program.

During Covid, Officer Ortiz assisted students with online learning, identifying service needs, such as Wi-Fi hotspots, computers, etc. He assisted schools with truancy issues by making home visits to students that teachers and school officials were unable to reach by phone, to check on their welfare and safety.

E. Hillsborough Police Department (HPD)

Nelson Corteway, Captain of the Hillsborough Police Patrol and Operations Division confirmed that there is one SRO serving the Hillsborough City School District (K-8), The Nueva School, and the Crystal Springs Uplands School. The officer's SRO duties are secondary to their patrol duties. The SRO notifies the school before they enter campus.

Hillsborough used to have a diversion program that was cancelled in the early 2000s because of the fear of liability. Juvenile cases handled by the Hillsborough SRO are referred to Probation to dismiss, divert, or forward to the District Attorney to prosecute.

During Covid, SRO visits were suspended at all of Hillsborough's public and private schools.

F. Menlo Park Police Department (MPPD)

Officer Victoria Trask was the full-time SRO serving the Menlo Park School District, Menlo-Atherton High School, and the Sacred Heart Schools. Menlo Park's SRO program began around 2015 and was initially funded by Facebook. Officer Trask has been the Menlo Park SRO since 2018. She is currently on a work-related disability, so there is no SRO assigned to Menlo Park schools right now.

Officer Trask taught the following courses at her schools:

- DARE (Drug Abuse Resistance Education) teaches 5th grade students how to make good choices and gives them tools to face difficult issues. This course is being modified for younger students, and there is also an on-line course for high school students.
- Bullying is a program offered as needed. It has been taught to 4th and 8th graders at Belle Haven School. It is a weekly elective class that teaches students respect for others. Students have been very receptive, and bullying issues have gone away at Belle Haven.
- "More than Sad" is a class that teaches students how to deal with emotions that could lead to self-harm or suicide.

Youth who have drug abuse problems or are gang-related are referred to the Sheriff's Department diversion program. They take them on jail or morgue tours to "open their eyes".

G. Redwood City Police Department (RCPD)

Officer Roman Gomez served as the SRO for Redwood City schools from 2011-2014. He returned to this position in 2019. Prior to Covid, he was assigned to Sequoia High School, which is the only comprehensive high school in his jurisdiction. There is no SRO at Redwood High School. Redwood City patrol officers are dispatched to handle any issues at Redwood.

Officer Gomez was onsite at Sequoia High School for the safety of the children and the staff. He believes he had far more positive interactions with students than negative ones. His standard uniform consisted of cargo pants and a black polo shirt with the Redwood City Police Department insignia, a duty belt (including his gun), and a bullet-proof vest. He worked with the onsite therapist when there was a mental health crisis. He also worked with the school's vice principals to consult on any issues at the school or students who are at-risk for criminogenic behavior.

He taught safety classes, upon request from the school. He did a once-a-year training for staff on code blue (shelter-in-place) and code red (violent intruder on campus) lock down, and barricade drills at Sequoia and other Redwood City schools. He also did a presentation before prom for juniors and seniors on drinking and driving. He alternated between two programs every year. One year he would show a DUI video and have a guest speaker, a family member who lost someone to a drunk driving crash. The alternate year, he staged vehicles in a mock DUI accident, and recruited students to reenact the crash scene. Redwood City police officers and firefighters and the American Medical Response (AMR) role-played a DUI scenario. Officers conducted a full DUI fatal collision investigation and role play arresting the driver. Then they held a mock funeral for the "deceased student." If possible, he had a family member who lost someone to drunk driving speak at the end.

Officer Gomez actively enforced the Truancy Ordinance for the Truancy Abatement Program, which requires students to be in school between 8:39 am and 1 pm. If he found a student out of school during the school day, he might issue a warning or give the student a citation and a fine, which would increase with each subsequent truancy incident. He transported the student to their enrolled school and might also contact their parents.

He talked with any students on probation at the beginning of the year to make sure they understood the orders and conditions the judge gave them. Often, they don't understand all their orders, especially gang orders. Officer Gomez tried to divert youth to the Redwood City Diversion Program rather than turning cases over to the District Attorney.

During Covid, Officer Gomez was reassigned to patrol duty. The Redwood City Police Department has traditionally provided a School Resource Officer to Sequoia High School via a contractual agreement. However, the SRO program is currently on hold while the City of Redwood City and the Sequoia Union High School District conduct an assessment to determine the future of the program.

H. San Bruno Police Department (SBPD)

Officer Thomy Ledesma is the SRO of record for the San Bruno Park School District.

I. City of San Mateo Police Department (SMPD)

Lieutenant Kimber Joyce leads the San Mateo Police Department (SMPD) Youth Services Unit, which is composed of YSOs¹⁰, Police Activities League (PAL), Explorer Program, and their Diversion Program. In August 2020, the San Mateo-Foster City Elementary School District officials terminated a \$260K contract with the San Mateo Police Department which placed officers on local school campuses. The San Mateo Union High School District used to fund the YSO program. Their contract ended in June 2021. YSOs are currently assigned to assist with calls at the San Mateo public middle schools and high schools.

During Covid, funds for the YSO program were diverted to provide mental health support to students. SMPD now funds two YSOs that serve the public high schools, middle schools, and elementary schools as well as working the SM's PAL, Diversion, and Explorer programs.

The City of San Mateo YSOs view themselves not only as police officers, but as educators, mentors, and safety advocates, as well. They are available to meet school staff, student, and parent needs. They often act as a liaison for schools with outside partners such as Probation, Children & Family Services, Behavioral Health & Recovery Services, and other community-based organizations. The YSOs believe in restorative justice and try to resolve issues at the lowest level possible. They provide school safety training, and until this year, had a G.R.E.A.T. (Gang Resistance Education and Training) program. The YSOs are part of a Threat Assessment Team on the Youth Services Unit. They also have a YSO who is a member of the County's Two-Threat Assessment Team.

During Covid, the City of San Mateo SROs provided support to students via phone, Zoom, and home visits.

J. San Mateo County Sheriff's Department

The San Mateo County Sheriff's Office provides patrol service for more than 70% of San Mateo County's unincorporated areas. They also provide contract law enforcement services for the cities of Half Moon Bay, Millbrae, San Carlos, Eichler Highlands, the towns of Portola Valley and Woodside, as well as for the Peninsula Corridor Joint Powers Board and the San Mateo County Transit District.

Lieutenant Chris Sweeney heads the San Mateo County Sheriff's Department Community Policing Unit, which provides SROs within San Mateo County. The

¹⁰ City of San Mateo calls its equivalent of SROs Youth Services Officers (YSOs)

Headquarters Patrol Bureau has two SROs and covers the areas of North Fair Oaks, Portola Valley, and Woodside. The Coastside Patrol Bureau provides community policing for cities on the coast, including: Half Moon Bay, El Granada, La Honda, Loma Mar, Montara, Moss Beach, Pescadero, Princeton-By-the-Sea, and San Gregorio. The Millbrae Police Bureau has one full-time SRO, Deputy Dan Young, who serves Millbrae schools. The San Carlos Police Bureau has one full-time SRO, Deputy Rodney Reed, who serves San Carlos schools. The Sheriff's Department plans to hire several more SROs in the near future. Their assignments will be fluid as the Sheriff's Department determines which schools they will cover.

The Sheriff's Department SROs wear an informal uniform consisting of khaki pants and polo shirts with the Sheriff's Office insignia. The primary responsibility is to investigate juvenile crimes and to work with school officials to maintain a safe learning environment. They also attend school sporting events, movie nights, etc. The SROs work closely with school officials and local agencies to identify and correct students' behavioral problems before they become a serious problem. They try to form positive relationships with students by hanging out with them and getting to know them.

The Sheriff's Department Community Policing Unit offers many programs for youth, including the Sheriff's Activity League (SAL). They also offer a program called the Community Alliance to Revitalize Our Neighborhood (CARON) for parents. The Sheriff's Department runs its own diversion program.

During Covid, the SRO supervisor and SROs were reassigned.

K. South San Francisco Police Department (SSFPD)

In July 2021, the South San Francisco Unified School District (SSFUSD) suspended its school resource officer program, following a backlash from current and former students and other community members. Since then, the SSFUSD has been negotiating with South San Francisco on a memorandum of understanding (MOU) regarding SROs and campus policing. In February 2022, the MOU received unanimous Board approval and is being sent back to the City Council for consideration. It could return to SSFUSD trustees if additional changes are made. Before the SRO program was suspended, there were two SROs serving the SSFUSD, which covers all elementary, middle, and high schools in South San Francisco.

Prior to the suspension of the SRO program, the SROs were visible on campus before school for drop-offs, during recess, lunch, and after school. They would rotate between schools and interact with staff and students to build relationships. Since the suspension of the SRO program, the SSFUSD has downsized their SRO program to one officer, Thomas Lopez. He is currently working off campus and responds to incidents and requests when contacted by the schools.

SSFUSD may refer students who would otherwise be suspended or expelled to their Alternative to Suspension program, which is located at the Boys & Girls Club. The program provides up to eight hours of counseling. These youth have not committed a crime, nor have they been arrested.

Appendix: San Mateo County Jurisdictions with SROs

City	Contact
Atherton	Officer Demetri Andruha
Belmont	Officer Antoine Abinader Officer Ed Berry
Burlingame	Officer Steve Vega
Daly City	Officer Randy Ortiz
Hillsborough	Captain Nelson Corteway
Menlo Park	Officer Victoria Trask
Millbrae*	Deputy Dan Young
Redwood City	Sgt. Roman Gomez
San Bruno	Officer Thomy Ledesma
San Carlos*	Deputy Rodney Reed
San Mateo City	Lt. Kimber Joyce
South San Francisco**	Officer Thomas Lopez
SMC Sheriff's Dept	Lt. Chris Sweeney

^{*}Contract SRO services from the Sheriff's Department

^{**}SRO program currently on hold pending outcome of MOU

Cities Covered by th	Cities Covered by the Sheriff's Dept	
El Granada	Pescadero	Brisbane
Half Moon Bay	Portola Valley	Broadmoor
La Honda	Princeton-By-the-Sea	Colma
Loma Mar	San Carlos	East Palo Alto
Millbrae	San Gregorio	Foster City
Montara	Woodside	Pacifica
Moss Beach		