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## Juvenile Hall Inspection Report May 2021

The Juvenile Justice Commission (JJC) is established in Division 2, Part 2, Chapter 2, Article 2, of the California Welfare and Institutions, (W & I) Code. One of the charges of the JJC is “to inquire into the administration of justice in a broad sense, including but not limited to, operations of the Juvenile Court, Probation Department, Social Services Agency and any other agencies involved with juvenile justice or dependency.” (See W&I Code 229 and Bylaws of the Juvenile Justice Commission of Santa Clara County).

The Santa Clara County JJC conducted its annual inspection of the Santa Clara County Juvenile Hall virtually on various dates between October 2020 and March 2021, in accordance with Welfare and Institutions Code Section 229 and Title 15 of the California Code of Regulations, Minimum Standards for Juvenile Facilities. The annual inspection found the Probation Department continues to maintain an orderly and safe custodial placement for youth awaiting court, serving court-ordered Juvenile Hall time, or awaiting transition to placement, while bringing together services for the youth and their families during and after incarceration.

Members of the JJC Inspection Team conducted interviews with the managers from the Juvenile Hall, Medical Services, Behavioral Health, Facilities Management, Quality Assurance, and the Osborne School to obtain an overview of policies, procedures, and programs. The physical facilities were toured, including the kitchen, food supply storage areas and cafeteria. Documents were also reviewed (see appendix C). This report summarizes the information gathered during those visits and includes recommendations based on this information. Note that, for ease of identification, notable new or changed information is identified by blue font.

The JJC conducts inspections of Juvenile Hall at least annually, and inspection reports for prior years are available on the internet at:  
[http://www.scscourt.org/court\\_divisions/juvenile/jjc/jjc\\_home.shtml](http://www.scscourt.org/court_divisions/juvenile/jjc/jjc_home.shtml).

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## **SUMMARY**

The JJC has completed its annual inspection of the Juvenile Hall (JH) for calendar year 2020. This has been a challenging year due to the COVID-19 pandemic and the evacuation of youth to Juvenile Hall from James Ranch and Santa Cruz County's secured juvenile facilities due to fires.

The residents are well supervised in a safe and secure environment. The JJC believes that, based on this inspection, the Santa Clara County Juvenile Hall meets Title 15 standards for a safe juvenile facility.

As a result of the 2020 inspection, the JJC makes the following Commendations and Recommendations:

## **COMMENDATIONS**

1. Juvenile Hall staff and partners for their outstanding response to the pandemic and for their care and concern for the youth in their care.
2. The Probation Department, Public Health Department and Custody Health for their collaboration in responding to the pandemic to ensure the safety of staff and youth.
3. Juvenile Hall staff and partners for adapting to the increase in population brought about by the evacuation of James Ranch and Juvenile Hall in Santa Cruz County.
4. The JJC commends all staff from Juvenile Hall, who were reassigned as Emergency Response Workers and for the remaining staff, who had to adapt to their absence.

## **RECOMMENDATIONS**

### **Probation Department.**

1. Take action to strongly encourage staff to receive the vaccination. This is especially critical, since currently youth under 16 are not eligible to receive the vaccine and the primary vector for the transmission of COVID to youth has been from contact with adults who have been positive for COVID.
2. Review average length of stay data to determine the cause of longer stays to determine if any action can be taken to reduce the length of stay in custody
3. As recommended in previous reports, the efficacy of JH programs needs to be evaluated.
4. Continue to update Policies and Procedures.
5. The Probation Department evaluate the reading level of all materials posted or disseminated to parents or youth to ensure that they are at a suitable reading level for their target audience.
6. All complaints, information gathered, and the resolution of complaints be made available to the JJC for review.
7. The Probation Department should reach out to other Bay Area counties to develop Mutual Aid Agreements so that assistance can be rendered in the event an emergency necessitates moving Santa Clara County youth to another facility.

## County Office of Education.

1. The student-teacher relationship is essential to the success of students, especially those in JH. Osborne School should take every opportunity to maximize teacher-student interactions to cultivate trusting relationships.
2. Increase the training of teachers in the use of Edgenuity.
3. The RenStar data should be collected and measured for evaluating student progress.

### **I. COVID-19 (COVID)**

The COVID pandemic has had a significant impact on Juvenile Hall. To address this pandemic, major measures had to be taken starting with the Shelter in Place (SIP) mandates in March 2020 and continuing through several other public health orders (PHOs). JH Administration worked closely with Custody Health and the County Health Department to implement safety measures to protect staff and youth, which included decreasing the number of youth per unit from 20 or more to eight or nine, increasing the number of JH units used from six to nine, using contact tracing, and requiring the use of masks<sup>1</sup> and social distancing. Throughout the year, JH continued collaborating with Custody Health and the County Health Department by meeting several times a week to monitor the protocols and provide advice when needed, even if it meant connecting with the agencies after-hours. The Bureau of State and Community Corrections (BSCC) also assisted all counties by suspending some of its regulations in the face of the pandemic. Any further exemptions had to be approved by BSCC.

At the same time, two other strategies were implemented to contain the spread of COVID: control the number of youth entering JH and releasing youth already detained. Law enforcement agencies were instructed to call ahead to determine if the youth would be detained and if not, to cite and release the youth to the custody of parents/caregivers. Juvenile Probation also reviewed records of the detained youth and made recommendations for release. The District Attorney's and Public Defender's Offices and the Court reviewed the recommendations to come to a consensus on releases. Approximately 10-12 youth were released as part of this process. Starting in March and over the next several months, the JH population decreased by 50%.

With all of the measures taken to protect staff and youth, JH was nearly COVID-free for the first eight to nine months of the PHOs. However, from November 2020 to February 2021, 68 staff were reported to have been exposed to COVID with 21 of the 68 testing positive. All were from community exposures. JH reported a low rate of transmission to other staff. Transmission from staff to youth is unknown, but the number of youth testing positive was quite low (total 13) and

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<sup>1</sup> Initially volunteers made cloth masks for youth. JH Administration reported that the department was eventually able to obtain sufficient numbers of personal protective equipment (PPE) for staff and youth by getting approval to go outside the county's procurement process.

the transmission from youth to other youth was also low.<sup>2</sup> An extensive amount of time was spent by the two JH managers reviewing videos to identify staff and youth who came in contact with those identified as COVID positive and needed to quarantine.

Probation Department management has been highly complimentary towards all involved in the response to the COVID crisis. They report a decline in incidents, which they attribute not just to the lower number of youth in custody, but to staff, who have continued to come to work in very challenging circumstances and for their loyalty to the youth in their care. They have referred to their staff as “the real heroes.”

Staff at Juvenile Hall became eligible for vaccination in February, but it was reported that there was strong hesitancy among staff. At the time of writing only about 40% had been vaccinated. It appears to be critical that staff be vaccinated, since youth under sixteen are ineligible for vaccine and unvaccinated staff pose an increased risk of bringing the virus into Juvenile Hall and potentially exposing youth to infection.

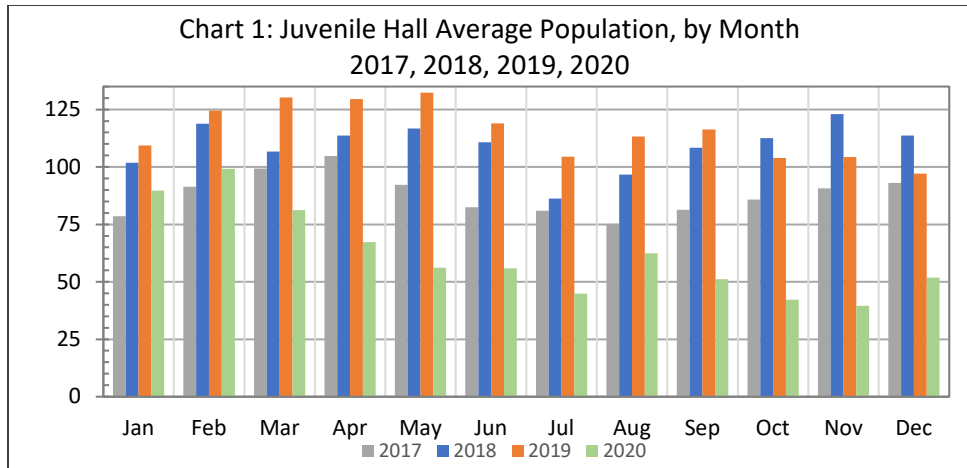
## II. POPULATION

On March 3, 2021, the date the JJC met with Juvenile Hall Administration to review 2020 activities and changes, the total number of youth detained was 48, of which 45 were males and 3 female. As can be seen in Table A, the 2020 monthly average was notably 46.5% less than the monthly average for 2019. Chart 1 shows a monthly comparison for the previous four years where the decrease for 2020 is detailed. Please note that in the first two months of 2020, the monthly population averaged 90 and 99 respectively. From March forward the population dropped dramatically.

Table A: Monthly Average of Youth Detained by Year and Percentage Change per Year				
Year	2017	2018	2019	2020
Mo. Average	88.0	109.1	115.4	61.8
% Change	6.3%	24.0%	5.8%	-46.5%

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<sup>2</sup> JH had 3 youth who tested positive between April and August and 10 during November to December 2020 for a total of 13 youth.



**Wildfires**

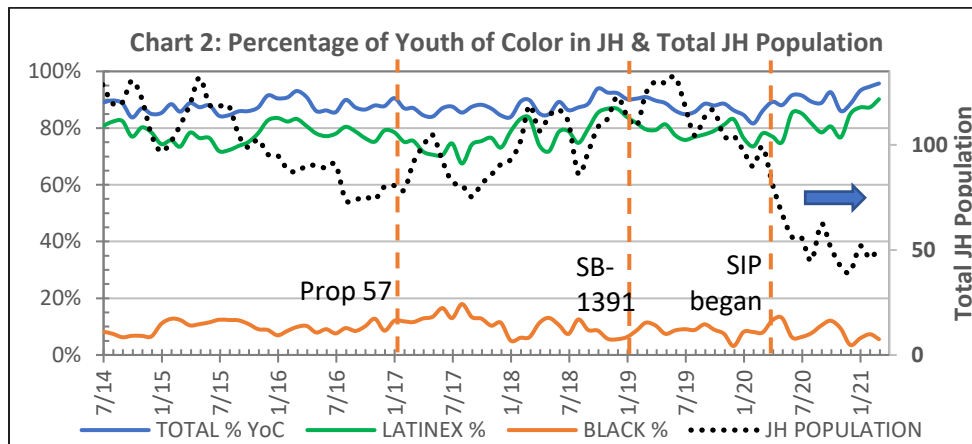
The management of the JH population during COVID was complicated by wildfires in late summer. The James Ranch (JR), which is located in a rural area, was evacuated as a safety precaution because of a wildfire east of the site. At same time, Santa Cruz County requested aid from Santa Clara County to house detained juvenile justice youth who had to be evacuated because of a wild fire in that county. Approximately 25 additional youth from JR were transported to JH and 16 youth from Santa Cruz. Additional units were opened and all COVID protective measures were followed. JH reported that no staff or youth from the JR or Santa Cruz tested positive during this temporary three-week stay.<sup>3</sup> Prior to this emergency, Santa Clara and Santa Cruz counties were in the process of developing a memorandum of understanding around mutual aid in event of an emergency. Since this emergency, the Probation Department is considering reaching out to other Bay Area counties to assist in the event an emergency necessitates moving Santa Clara County youth to another facility

**Disproportionality**

In reviewing the daily population numbers from March 3, 2021, the over-representation of youth of color is still an issue with Hispanic youth representing 91.7% of those detained. Chart 2 shows the averages over the last seven years. The over-representation generally has not changed over this time and seems to be on the increase for Hispanic youth for the last 6 months. The measures taken to decrease the population during the pandemic appear to not have decreased disproportionality. In comparison, Hispanic youth only represent 36% of the overall youth population in Santa Clara County<sup>4</sup>.

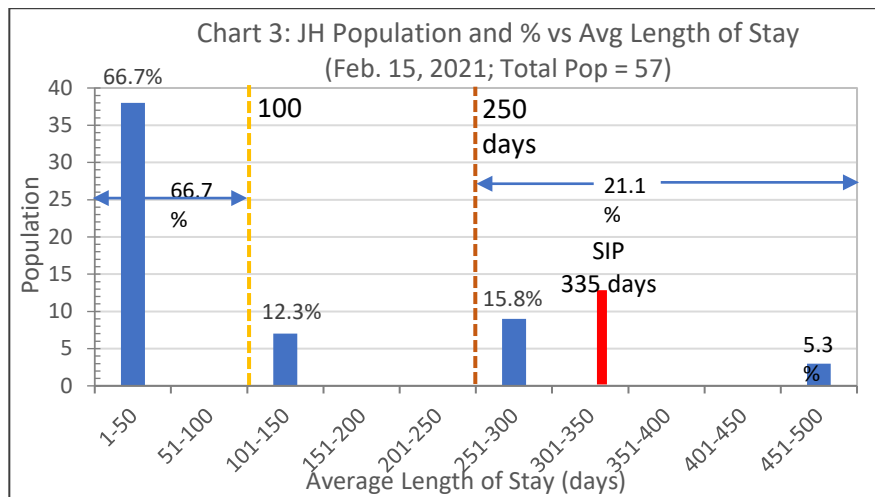
<sup>3</sup> Please note that prior to this emergency, Santa Clara and Santa Cruz counties were in the process of developing a memorandum of understanding around mutual aid in event of an emergency. Since this emergency, the Probation Department is considering reaching out to other Bay Area counties to assist in the event an emergency necessitates moving Santa Clara County youth to another facility.

<sup>4</sup> In 2020 Santa Clara County Children’s Data Book published by the Santa Clara Office of Education and Kids in Common reports the race and ethnicity of the County’s children as 24% White, 36% Latino, 32% Asian, 2% Black and 6% multi-cultural.



**Length of Stay**

The JJC has continued to track from the daily population reports the average length of detention stays in JH. As can be seen in Chart 3, on February 15, 2021, twenty-one percent of the detained youth averaged over 250 days, the majority of which were pre-disposition cases. For the remainder of the population, the large majority (67%) of youth detained averaged under 100 days. Since this facility was intended for short stays, this average appears to greatly exceed the average of the majority and in some cases (5.3%), four times the average. This is a pattern that was noticed and highlighted in the previous year’s report.



The JJC recognizes the length of detention is caused by many variables outside the control of Juvenile Probation. One of these variables, which appears to have paused litigation, was the challenge to SB 1391, effective in 2019. This legislation limited the prosecution’s ability to seek a transfer from juvenile court to adult criminal court for youth 15 and under, except when certain specified serious crimes were alleged. The California Supreme Court in *O.G. v Superior Court*

(2021) 11 Cal.5<sup>th</sup> 82 upheld the legislation late February 2021. This decision should start activity that resolves cases where this was an issue.

Other possible explanations for longer periods of detention exist. The seriousness of the allegations could require significant preparation work. The youth's co-participant may be in adult criminal court and the youth's case is held until the adult co-part's case is resolved. Also the youth could not be transported once a disposition had been reached because placement is not available.

As was stated last year, experts argue that longer detentions result in the increasing likelihood of justice involvement.<sup>5</sup> Consequently, the longer a youth is detained, the greater the likelihood that youth will become institutionalized.

One positive identified is that for the youth detained for a significant amount of time, more time has been available for programing and accessing services.<sup>6</sup>

### **Young Adult – Deferred Entry of Judgment Pilot Program (YA)**

The JJC's JH Inspection Report last year included a section on this pilot program. In 2016, the California Legislature passed SB 1004, establishing a pilot program that permits eligible young adults between 18-21 who were convicted of an offense in adult court to be housed in a juvenile facility rather than county jail. To be eligible, the youth must have committed a non-violent felony and determined suitable by the District Attorney's Office and Juvenile Probation. Santa Clara County was identified as one of the pilot counties.

These young adults were placed in one unit in a different wing of JH away from detained minors. They receive a broad array of services similar to what the minor youth housed at JH receive. The length of commitment is 120 days, but the youth could earn credits for positive behavior and program engagement, which could cut the stay to between 60-90 days. The youth then is supervised in the community. If the young adult successfully completes YA, the charges are dismissed.

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<sup>5</sup> A broad survey of relevant literature concluded that the effects of incarceration on juveniles were an increase in recidivism, an increase in the likelihood and depth of further justice system involvement, slows or interrupts the natural progress of "aging out of delinquency", a negative impact on mental health, an increase in the potential for self-harm, and reduces the likelihood of labor market success. The Dangers of Detention: The Impact of Incarcerating Youth in Detention and other Secure Facilities. B. Holman & J. Ziedenberg, Nov 2006. pg. 2. [http://www.justicepolicy.org/uploads/justicepolicy/documents/dangers\\_of\\_detention.pdf](http://www.justicepolicy.org/uploads/justicepolicy/documents/dangers_of_detention.pdf)

Others have noted the reduced likelihood of graduating high school for incarcerated juveniles. What is the Long-term Impact of Incarcerating Juveniles? A. Aizer & J. Doyle. July 2013 <https://voxeu.org/article/what-long-term-impact-incarcerating-juveniles>

<sup>6</sup> Some of the long-term youth learned how to sew protective masks and supplied masks for other youth in JH.



With the onset of COVID, two young adults were in-custody as part of YA. They were among the first to be released in March since their crimes were low grade felonies. [The custody portion of YA has been placed on hold, but community supervision was still used during 2020.](#) A total of 12 were held in-custody through February 2020 (ten in January and two in February). The Probation Department did not provide information about the number of YA young adults who participated in community supervision for the remainder of the year.

### III. STAFFING

COVID had a major effect on staffing at JH. At the beginning of 2020, the staffing allocation was 183 group counselors and 18 supervising group counselors. [As of March 2021, the numbers decreased to 171 full-time group counselors and 16 supervising group counselors.](#) As with all levels of governments, COVID locally has been costly in not only lost revenue from business closures, unemployment and fees for services, but also in costs associated with the COVID responses. As a consequence, all County agencies were expected to trim budgets, which in most instances means personnel reductions. The County offered a voluntary separation program in June and December 2020. In addition, all vacant positions were eliminated including those vacated as the result of the voluntary separation program. With this program and retirements, JH lost one manager, two supervising group counselors, 14 group counselors, an Administrative Support Officer (ASO) position, one clerical supervisor and several clerical positions. JH requested and was granted the reinstatement of the manager and the ASO position. The manager position is currently filled with extra help until recruitment is completed.

JH still is able to use extra help positions to cover assignments. Even though the population census is lower, nine to 10 group counselors are needed within a 24-hour period to staff the increased number of units opened to maintain social distancing and to maintain a ratio of one adult to eight youth during waking hours and one to sixteen at night, as required by the Prison Rape Elimination Act (2003), (PREA).

At the time of writing 11 staff are out on leave or disability. Added to this is a number (65) of staff who were quarantined from exposure or testing positive to COVID during this past year.<sup>7</sup> JH administration reported that they had to be creative to power through these losses.

Finally, the County has reassigned workers from all County agencies to support the County's COVID response as Disaster Support Workers (DSWs). Most are assisting in testing and vaccination sites. The Adult and Juvenile Divisions of the Probation Department have 130-150 staff working as DSWs. Most of the clerical staff has been reassigned for this work. At any given time 10% of the staff is involved.

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<sup>7</sup> Law enforcement officers are now eligible for COVID vaccination. In polling staff, 50% of counselors and 70% of the probation officers are willing to be vaccinated.

#### **IV. WELFARE AND INSTITUTIONS CODE 208.5 (SB 823)**

With the mandated closure of the Department of Juvenile Justice per SB 823, each county is expected to develop a local alternative for youth who would previously fall under DJJ placement. The County of Santa Clara is currently working on this alternative plan. In 2020, twenty youth from this County were under the supervision of DJJ.

When the DJJ alternative program is operational, youth could continue to be held up to age 25. The local alternative being considered is the placement of these youth in a self-contained area within JH. With the implementation of this law, major changes in state regulations and in JH policies, programming, organizational structure, facility configuration and staffing are expected. Juvenile Probation anticipates beginning implementation of the DJJ alternative on July 1, 2021.

#### **V. FACILITY**

Due to COVID restrictions, there was a delay in commissioners being able to take a tour of Juvenile Hall. A metal detector has been added by the sally port by Police Admissions.

Since the JJC's last visit, when only 130 cameras were operational, all 240 are now working. The residents' physical privacy is protected, when the cameras are turned on in the sleeping units, a "black box" appears where the personal functions take place. When there is a call for a "phase," (an incident when more probation counselors are needed), the monitors supply the place of the incident on a floor map. The four cameras closest to the phase are triggered and an image will show up on the large monitor at the Control Desk.

The Library, though attractively decorated, has a limited selection of books relevant to the population. It is not a part of the school. The Library allows the residents to take books home with them when they leave Juvenile Hall (except those donated by Freedom Writers, which are denoted by a sticker). Some youth reported that they do not get to go to the Library and would like to have more books on their unit. They also need puzzles.

The Cafeteria has not been used since the COVID restrictions were put in place. All meals are delivered from the Kitchen to individual units. The kitchen is large enough that staff are able to socially distance while working there. The dining area has been divided into two sections. Carts are placed on one side of a barrier for pick up to the living units. The returning carts are cleaned before they are moved to the other side.

There have been no issues with the laundry, although plans to replace the dryers remain uncompleted. Warehouse workers were reassigned to Designated Safety Worker status, but JH has been able to secure adequate PPE and has not lacked for anything.

The Gymnasium has been used on a limited basis during shelter-in-place. It has a weight room with machines that are about eight to nine years old. The acoustics are loud.

The JJC has previously recommended that compliment/comment/complaint forms in the Court be available in the Court waiting area and the Hall's visitors' area, but this has been a moot point, with Court occurring remotely and in-person visiting cancelled. The forms have been translated into Spanish and Vietnamese. Currently they are available from the release counselor on the Juvenile Hall visiting side of Juvenile Hall. They are also available, with instructions, on the Probation Department's Internal Affairs section of their website. Once in-person visiting is reinstated, the forms should be readily available without requesting them from JH personnel.

## **VI. PROGRAMS**

On March 8, 2021, two commissioners met virtually with a supervising group counsellor and Juvenile Hall Multi-Agency Assessment Center (MAAC) coordinator. The MAAC assesses youth who are in custody beyond 72 hours for program needs, so that the appropriate referrals for services can be made and also provides services to assist youth with their integration into programs that address each youth's social, physical, behavioral, psychological and emotional needs while in Juvenile Hall. The JJC learned however, that on March 15, 2020 all in- person programming provided to Juvenile Hall by outside vendors or Community Based Organizations (CBOs) was stopped as a result of the COVID pandemic. On June 5<sup>th</sup> computer tablets were distributed and after IT problems were resolved, nearly all the previous CBO providers were connected to the youth via Zoom™.

Title 15 of the California Code of Regulations, Section 1371 covers Programs, Recreation, and Exercise, and was amended in January 2019 to require that juvenile hall programs should be based on youths' individual needs. When this requirement went into effect the Probation Department was in the process of reviewing its programming to determine its efficacy in meeting this requirement. This review has been an ongoing recommendation of the JJC to the Probation Department for several years. However, as the JJC stated in last year's report "This requirement has now been in effect for a year, but it has not resulted in any major changes to the programming being offered." This situation continues and was exacerbated by the pandemic. The only change which has occurred in programming since last year has been the deletion of programs that could not be converted to Zoom. Painter of Legends was thought to be such a program, but that provider agreed to try Zoom and the program has been returned to the schedule. However other programs such as Furry Friends and the Garden program have not returned. Planned Parenthood which has been gone for some time has also still not returned. Due to the pandemic Planned Parenthood Mar Monte (PPMM), was short staffed and not able to provide services. As the Probation Department believes this is a positive addition to programming, they have extended their prior agreement with PPMM, but it is not yet clear when they will return to the Hall.

Thus, the programming being offered in March 2021 was nearly identical to last year's schedule with no new evaluation of its effectiveness in meeting the needs of individual youth. The schedule includes CBO workshops Monday – Friday 3:30 - 5:00PM. These programs include Young Women's Freedom Center, Fresh Lifelines for Youth (FLY), New Hope, Art of Yoga, Asian American Recovery Services (AARS) and Catholic Charities workshops and one-on-one programming addressing family issues. Other activities offered are the Beat Within, Girl Scouts, haircuts, the Breathe program and visits to the learning lounge to borrow or read books.

One individual who must be present in person is the barber; he has returned to the Hall with appropriate Personal Protective Equipment (PPE) and testing for COVID.

Protestant and Catholic faith leaders are available to the youth. Since the restrictions put in place due to the pandemic, access has been provided via Zoom.

Prison Rape Elimination Act (PREA) orientation is done while the youth is in the COVID observation unit. The Department of Justice certifies qualified individuals to conduct PREA audits. The program was audited last year. The final report of February 27, 2020 was reviewed by the JJC and is attached. According to this report all standards of the act were met and six were exceeded. Five standards required a corrective action plan, but they were all completed by the facility as outlined in the report.

The major challenge for providing programming this last year was the inability to have anyone other than staff enter the facility. When the tablets were first distributed there were technical problems and some dissatisfaction with using the equipment. However, with time, the youth, providers and staff have become more accustomed to the situation. While in person programs would be best, all are doing reasonably well with the virtual workshops. The issue still confronting them is the lack of quality equipment. They really need upgraded tablets and other equipment to make the virtual experience engaging for the youth.

Due to the virus, youth do not engage in group sport or game activity. They can do individual exercising and weightlifting. However as there have been fewer youth in custody since the beginning of the pandemic there are usually no more than ten youth per unit enabling the staff to spend more time on counselling youth. Staff who were interviewed reported this has resulted in fewer behavior issues

## **VII. BEHAVIOR MANAGEMENT**

By February 1, 2020, the Probation Department had instituted Positive Behavioral Interventions and Supports (PBIS) in all units. This is a widespread behavior management framework used by public schools. As this is a school-wide program, many of the youth are already familiar with its core principles. PBIS is using standards that were designed specifically for detention settings.

The core values of the program are safety, respect and responsibility. Due to COVID, teachers have not been in JH in person. Thus, no teachers have participated in the PBIS lesson plans since mid-March 2020 and teachers have minimally issued Star Bucks by having staff give the Star Bucks to youth on their behalf.

Counsellors use PBIS to engage the youth in a weekly lesson plan to get the youth involved in addressing behavior in various areas. Good behavior is rewarded with “Star Bucks” which can be redeemed for treats. Levels are still also used and as the youth improves from B to A they earn more and sometimes different privileges. If a youth is demoted to level C they usually spend only 2-4 days there, but can be on this level for a maximum of ten day for a serious offense.

The JJC reviewed the reported data for Positive Behavior Interventions and Support (PBIS).

## **VIII. MEDICAL SERVICES**

Commissioners met through Zoom with the Juvenile Hall Medical Director and Chief Nurse Manager to conduct the annual inspection of Medical services provided for youth in Juvenile Hall. Medical Services provide dental, optical, X-rays, and ongoing, complete physical exams of each youth in the Hall. Over 90% of youth received the annual flu vaccine and other vaccines as necessary. Staff is present 24 hours a day with two registered nurses available and one LVN for the day shift and two registered nurses during the evening. One RN is available for the night shift. Telenursing services are also available. There have been no changes in staffing numbers during 2020 even though the population of Juvenile Hall was significantly lower.

COVID entered the vernacular of medical care in late February 2020. Leadership was provided by the Juvenile Hall Medical Director and other custody health and public health officials. The date of the first COVID Prevention and Control Plan was March 30, 2020. Very aggressive measures were quickly put in place. This came out of the plan because of the close living and working conditions in Juvenile Hall, Courts and Ranch. A Command Center Committee met twice weekly to “share information and to create and implement new measures to manage” the virus. The Committee was responsible for closely monitoring confirmed and suspected cases as well as workflow processes to ensure employee and patient safety. A screening evaluation was put in place for each minor entering Juvenile Hall. Any youth with COVID exposure or symptoms were immediately required to wear a mask. Presently all youth and staff are required to wear masks. Youth showing symptoms could be placed in isolation in the Hall infirmary. Temperature checks in the units were conducted twice daily. All new admits were swabbed and

a COVID test administered. A second COVID test takes place after eight days in custody. There have been no deaths associated with Juvenile Hall youth or staff to date. One youth was hospitalized. Three nurses tested positively for the virus and were quarantined at home. Most medical staff have received two doses of COVID vaccine to date. Juvenile Hall youth will also be vaccinated if they have parental consent and are over the age of 16. There is a medical service transition plan in place to ensure that youth receiving a first dose will get the second dose of the vaccine if they are released from custody.

Medical Residents and Nursing students were not rotated through the JH Clinic from Stanford and San Jose State for six month trainings because of COVID restrictions. Since youth do not go to court in person there is also no nursing staff in the courtroom waiting room to help parents secure medical advice and or referrals.

The Institute of Medical Quality (IMQ), Corrections and Health Care Committee found that Juvenile Hall met all the essential standards and provided high quality healthcare to the youth in JH. Because of COVID the follow-up accreditation has been postponed. The Clinic was in compliance with Title 15 regulations for both 2019 and 2020. The Nurse Manager has implemented “Motivational Interviewing” and “Correctional Nurses’ Empowerment trainings” for staff which has been well received. The Health Education program continued with nurses establishing areas of expertise such as dental care, teen pregnancy, nutrition, acne, diabetes and many other subjects. Coded nurses provide four teaching sessions for youth per month.

The teen pregnancy and Nurse Family Partnership (NFP) provides an in custody visit for any pregnant teen and secures her permission to serve her in the community when she is released. Public Health then provides home visits, arranges obstetrics appointments, transportation and helps the girl to set up Medi-Cal coverage and WIC eligibility. Six girls in Juvenile Hall were served with this program in 2020. The nurse champion just retired in November and will soon be replaced.

Optometry services just instituted in 2020 continued to be effective. Because of the decrease in population the turnaround time for glasses has been reduced to just one week. The Dental clinic provided weekly services for youth and was on-call in case of an emergency.

Healthlink, the medical services electronic data system continues to be upgraded. There is an effort to eliminate paper records as much as possible. Avatar, the electronic data management system used by Behavioral Health, has been accessed by some nurses in order to plan internal and community transfer of information. PRISM is a new system, put in place but not yet used

to coordinate court, medical and probation information and appointments. It will contain parent contact information, as well as allergy, medication needs, and other pertinent transition information for youth.

Commissioners asked the medical staff about the incidence of dog bite injuries which had been an identified concern in the past. The response was that the youth brought into the hall with police dog bite injuries tends to be in clusters. [The medical staff did bring an incident to the Presiding Juvenile Court Judge in September 2020](#) but just as juvenile arrests are down so are police dog injuries to youth.

Other positive changes include a special blood draw chair which has been purchased and will make the taking of blood samples more clinical. Two new vital-signs machines have been ordered and the clinic is awaiting delivery. Policy and procedures are also being revised to make them more evidenced based. Finally, the Clinic and the Probation Officers are working more closely on communications when youth need to be transported to medical appointments. They discuss the needs of the medical visit to ensure that youth be able to be treated properly.

<b>Types of Services</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
MD Clinic Appts.	2379	2571	1413
RN Sick Calls	3352	3044	1532
X-Rays	107	147	46
Dental Appts.	317	340	172
Eye Clinic Visits	38	34	46
Pregnant Minors	4	6	6
Hospitalizations	6	8	5
Estimated # of youth on Psychotropic Medications	295	300	154
Sexually Transmitted Disease Screenings	614	611	289
Hepatitis B Vaccinations	1	3	6
Hepatitis A Vaccinations	13	5	2
Flu Vaccinations	205	201	63
HPV Vaccinations	110	82	19
# of Mandated Reports of Child Abuse	2-3	2-3	2-3

## **IX. BEHAVIORAL HEALTH**

Clinicians working at Juvenile Hall provide integrated mental health and substance use services. Every youth admitted into Juvenile Hall receives a behavioral health screening. Prior to changes



made in response to the pandemic, youth were given a self-administered screening using a computer-based second version of the Massachusetts Youth Screening Instrument (MAYSI 2). Since the MAYSI 2 was self-administered in a confined space, it was no longer used after new protocols were put in place to protect against the spread of COVID. Clinicians moved to doing an informal screening.

The Behavioral Health Department estimates that approximately 90% of youth at Juvenile Hall have a behavioral health disorder. Clinicians report that the most abused substances are marijuana, alcohol, opiates and cocaine. Those males with the most severe symptoms are housed in B4, which serves as a Behavioral Health Unit.

### **COVID Protocols**

The Behavioral Health Department is still providing the same services as before the epidemic, mostly in person, but have had to adapt in various ways. The nature of services varies depending on the COVID status of a youth. Plexiglas screens were installed in counseling rooms and staff members have been provided with personal protective equipment. They are trying to spend less time with youth to reduce exposure and are now meeting youth in larger areas, such as in a classroom or courtyard. They are shortening sessions, but conducting them more frequently. If a youth is positive, they meet with them over the phone, intercom or by using other technology. Behavioral Health staff pass through the units daily to complete check-ins. They recognize that the needs of youth are very individualized and try to respond accordingly. They have tried to find stimulating activities, such as origami or puzzles for youth, who are isolated in their rooms because of COVID. Behavioral Health Staff have appreciated the strong collaboration with Probation Department staff in responding to the COVID crisis.

### **Electronic Health Records**

Behavioral Health Services began using a new medical health record system, Avatar, on September 1. They have experienced some initial challenges, which require some customizing to fix, but are generally pleased with the system. They are not able to create any statistical reports at this time, but expect to be able to do so eventually.

### **In custody services**

Ten clinicians (either licensed or license eligible) were assigned to the Behavioral Health Clinic to serve in-custody youth. Two positions were eliminated after two team members left as part of the County's voluntary separation incentive program, which was initiated as a budget cutting measure. The remaining eight positions are filled. Coverage is provided seven days a week from 8am until 9pm with out-of-hours coverage provided by clinicians, who volunteer to be on-call by phone and to come on site as needed for crisis management. One clinician is Vietnamese speaking, another speaks Cambodian and six speak Spanish. An on-call clinician comes in on holidays to complete intakes and check-ins with youth.

At the time of the JJC's inspection there were one or two youth in custody with developmental delays who are receiving services through the San Andreas Regional Center (SARC). SARC



provides services through contract agencies, which focus on helping youth develop life skills and they have also provided competency services.

### **Court for Individualized Treatment of Adolescents (CITA)**

The Court for the Individualized Treatment of Adolescents (CITA) is a therapeutic court intervention that focuses on youth who have both a mental health and substance abuse diagnosis. Participation in the court is voluntary. Most participants are living in the community, but youth in custody may also participate.

The Behavioral Health Department provides three clinicians in support of CITA, two primary clinicians and a lead clinician. Two rehabilitation counselors, both Spanish-speaking, and one clinician provide competency development for youth identified as lacking the competency to understand the proceedings against them.

In CITA, the youth's voice is critical to each case's success. Every case plan is tailored to the youth and family needs by the youth with the support of a team of professionals that includes the judge, the probation officer, the attorney for the youth, the district attorney, a Behavioral Health Clinical Care Coordinator, an educational legal expert, a legal benefits expert, and other team members which may include mentors, mental health counselors, Wraparound providers, and parents.

The Court is held two times per month, however, most youth appear in Court monthly. Appearances are currently occurring remotely. The goal of this Court is to get the youth and family stabilized with community providers and off probation. The program recognizes that when criminal behavior is driven by mental health and/or substance abuse disorders, once properly addressed, the public safety issues fall away. Many of the youth will have lifelong struggles with addiction and mental health and it is the hope that these issues can be addressed by the Behavioral Health system of care with a supportive treatment response that will carry youth to adulthood without further justice systems involvement. In 2018, a total of 28 youth were screened and participated in CITA. Of all youth screened in 2018, 75 percent were male, and the majority (61 percent) were Latino, followed by Black (18 percent).

### **The Behavioral Health Resource Center (BHRC)**

Two clinicians (one of them part-time) are assigned to the Behavioral Health Resource Center (BHRC), but one has been moved temporarily as a disaster service worker. Referrals have decreased due to COVID. Referrals to the BHRC can be made by any probation officer, including any seeking services due for release from custody. The BHRC operates in coordination with the probation department and community based organizations. Probation officers make a referral to a clinician, who reviews it and assesses the best match for the services needed, which include: Full Service Partnership (FSP), Support Enhancement Services (SES). If a youth is identified as needing substance use services, the referral is passed to the Substance Use Treatment Services (SUTS) system of care, where a coordinator matches the youth to a provider. Referrals are also made to "Katie A Services" (which provide home-based and community-based

mental health services to children who are in the foster care system or at risk of removal from their families) via Katie A. coordinators, and, when needed, BHRC staff collaborate with the Behavioral Health Services Department (BHSD) call center for Intensive FSP (IFSP) or Transitional Age Youth (TAY) Outpatient.

### **Psychological assessments and medication services**

A psychologist and two student interns, as well as several contracted psychologists, provide “602” psychological evaluations, to determine whether a juvenile is competent to enter a pleas or to withstand a trial. Two psychiatrists (one part time) provide medication services.

## **X. EDUCATION**

The National Institute of Justice states that providing education opportunities while in custody is the most effective means to reduce recidivism. The Osborne School, in Juvenile Hall, is one of the four Court and Community Schools operated by the Santa Clara County Office of Education (SCCOE) Alternative Education Department (AED).

Commissioners conducted interviews with the Osborne Principal and Vice Principal and the Probation School Liaison. Actual contact with the school and students was unavailable because of COVID restrictions.

### **Osborne School staff:**

[Six Core Content Teachers \(reduced from eight last year\)](#)

Four Special Education Teachers (Three Special Day Class Teachers and one Resource Teacher)

[Three Special Education Para Educators \(reduced from four last year\)](#)

One Regular Education Para Educator

One Assessment Technician

One College Liaison

### **Shared with the school at James Ranch**

Two School Office Coordinators

One Counselor

An Assistant Principal

### **Shared within the whole Alternative Education Department:**

A Librarian–Literacy Teacher

A Materials Technician

A Special Education Program Specialist

A School Psychologist

A Transition Coordinator

A Career Technical Education Teacher

[An Interim Alternative Education Director/Principal.](#)

The articulated goal for 2020, to adopt updated textbooks for Osbourne School, did not occur prior to the COVID lockdown and education at Osbourne continued with the older textbooks and with in-person teaching. In-person teaching ceased in mid-March due to SIP. Since March the youth in custody have had three other curriculums. The youth were first provided with packets of materials prepared by their teachers, but feedback from the educators was often delayed and this method did not serve the students well. In July all youth started using Odyssey-ware, an online program that had been previously available for students as a supplement to their regular classes. In August youth were transitioned to Edgenuity, another online curriculum. During these times teacher/student interaction was through direct message, email or by text. While many schools moved quickly to initiate Zoom interaction between teachers and students, the youth in Osborne did not have this available until the fall. In October six teachers were back in the classrooms two days a week to assist and monitor the use of the Edgenuity program, but not for actual in person education with teacher-prepared lesson plans. In December the second wave of COVID restrictions returned Osborne's students to a combination of virtual instruction via Zoom and the Edgenuity program. The Zoom student/teacher interaction stopped after 42 days and was unavailable for student/teacher interaction while the tech teams tried to overcome programming difficulties. Zoom was again available mid-December. Not all teachers had Zoom computers at that time. Teachers were not phased back into the classrooms until March of 2021 and not full time in the classrooms until April. Teacher training for successful use with Edgenuity is ongoing.

The JJC was informed that the curriculum adopted for the next two years was use of the Edgenuity program, instead of buying new texts. JJC has not received any data to show the efficacy of the Edgenuity program.

The use of Edgenuity's on-line program allows the students to be integrated into an appropriate level for their academic abilities and needs. Upon admission to JH, the youth's previous school is contacted to acquire transcripts and any other information relative to the youth's educational status.

Renaissance Star (RenStar) testing is also used within the first ten days of admission into JH to evaluate the youth's educational level. RenStar is also administered for the purpose of confirming educational progress and to inform teachers of specific needs and skills. The articulated goal is for it to be used and the data analyzed either every 90 days, or at the end of every semester. Due to COVID and technical difficulties in administering the tests to anyone but those newly admitted to JH, RenStar was not administered until the end of 2020. It was administered again in March. As of this report, the analysis of the testing is not yet available.

COVID has caused another problem for continuity of education for Osbourne youth. Because of the contagion risk, newly admitted youth are tested and are required to wait at least 48 hours for negative results. Then it takes another two to three days to get them enrolled in Edgenuity which causes a potential lack of education of up to five days. To blunt the potential learning loss, the

youth are given one of five books<sup>8</sup> to read, answer questions and potentially receive credit for their work. They can also use these books and question packets to earn more credits while in Osbourne School.

Last year's Inspection included the results of a survey of JH youth which confirmed the relationship to their teachers in the Hall was very positive. The lack of in-person interaction during COVID and the switch to on-line education potentially negates the highlights and positives noted<sup>9</sup>. In that survey the youth also had an acknowledgement of obstacles they felt and suggestions for improvement<sup>10</sup>. During COVID, these positive gains were lost and the desires unmet.

## **XI. POLICIES AND PROCEDURES**

JH's Policies and Procedures Manual has been extensively reviewed and updated since last year, and reflects the revisions required to update to Title 15 standards, the changes in state and federal law and the desire to use best practices to insure trauma sensitive, gender responsive and culturally appropriate treatment of the youth in JH. The goal to revise the manual every two years has been challenged by the pandemic and the change in the ways the facility is used.<sup>11</sup> A distinct issue is that a number of sections identified as needing correction in last year's JJC Inspection Report still have not been updated. The use of the new camera surveillance equipment housed in the updated Control Room is outlined in an August 2020 update to the Manual.<sup>12</sup> The Suicide and Harm Prevention Plan has been updated to comply with Title 15.<sup>13</sup> Emergency Plans in Section 3 do not appear to address the use of JH as it is presently configured, but the section on what to do if there is a fire was updated in June of 2020 before the fires that caused James Ranch to be evacuated to JH.<sup>14</sup> The update regarding how to deal with infectious diseases, though not mentioning COVID, was also updated at that time and outlines appropriate procedures to follow in cases such as COVID.<sup>15</sup> The Rules of Conduct for the youth in Section 4.02 directed to be posted in all units, and to be explicitly explained to new admittees has not been updated since

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<sup>8</sup> The Circuit, Kindred, Lord of the Flies, The Bread Winner, and Parrot in the Oven. During the pandemic these books are provided by San Jose State University

<sup>9</sup> Student Responses: There was at least one trusted adult on campus that we feel safe to ask real questions about our educational pathways. Teachers seemed to care for each of their students. The youth enjoyed the classroom environments where they had hands-on activities or role play or discussions. All of the students were encouraged to be college bound and knew Osbourne School could help them achieve their goals. Although many of them hated to be in custody, it was actually helping way more than a district school.

<sup>10</sup> The students wanted more clarity about their transcripts, and the RenStar results. The students didn't really understand the pathway to college and wanted to have a teacher-mentor help navigate this complex system. The youth also wanted to have more hands-on classes to help them learn about science and math and were also concerned about not having skills or scaffolds to help transition back to district school.

<sup>11</sup> Juvenile Hall Policies and Procedures Manual Section 1.012

<sup>12</sup> Juvenile Hall Policies and Procedures Manual Section 1.13

<sup>13</sup> Juvenile Hall Policies and Procedures Manual Section 2.07

<sup>14</sup> Juvenile Hall Policies and Procedures Manual Section 3.035

<sup>15</sup> Juvenile Hall Policies and Procedures Manual Section 3.09

2017. However, it includes a far clearer explanation of what is expected of the youth than the recently updated [Juvenile Youth Orientation Handbook](#) referenced in Section 8.01. The language in the Handbook does not appear to have been drafted and cross checked for a reading comprehension level that is likely to be understood by most JH youth. Parents/guardians are also provided with an explanatory handbook (both the youth and parent handbooks are attached as appendices).

The Section dealing with Risk Classification has been updated in the past year and reflects an easing of the restriction on movement by the youth considered to be at the highest risk. Though one of the classifications is NR (no roommate), since COVID, all youth are singly housed for health reasons.<sup>16</sup> The JJC specifically reviewed the section regarding Parental or Citizens' complaints and recommends that the response to a parent upon the completion of the inquiry of that complaint should be provided not only in writing in English, but also in the language used in the complaint. As recommended in last year's report, the JJC continues to request that all complaints, information gathered, and the resolution of that complaint be made available to it for review.<sup>17</sup> The policy regarding Law Enforcement contact with the youth should be amended to include the update that police cannot interrogate a youth who is age 17 or under, until the youth has consulted with an attorney.<sup>18</sup> The section covering transfer of youth to County Jail still refers to the process as a Fitness and not a Transfer Hearing despite the fact it was updated in 2020.<sup>19</sup> The Sections relating to the Control Desk has not been updated since 2013 and does not reflect the upgrades to Control Room and also references inputting data on Rolodex cards instead of inputting data into the computer program.<sup>20</sup> The section regarding procedures at Police Admissions has an update stamp of 6/2020 but still does not include the previously referenced requirement that police cannot interrogate a youth age 17 or younger, until the youth has consulted with an attorney and it also may not reflect updates in the Probation Department's policy about which youth can or should be admitted to JH. Where staff procedures are outlined, Rolodex cards again are referenced to record data at Police Admissions. The reference to probation staff needing to be emailed upon the potential admittance of a youth 13 years old or younger includes former and retired members of JP staff instead of just their positions.<sup>21</sup> The section of the manual that deals with The Young Adults Program that references Sight and Sound Separation,<sup>22</sup> though rendered moot by the practice under COVID of not bringing that population into JH, will also need to be addressed for the proposed housing in JH of those who would have gone to DJJ after July 1, 2021.<sup>23</sup> That issue has been addressed by the Board of State and Community Corrections.<sup>24</sup> and will need to be addressed in future updates of the manual.

<sup>18</sup> Juvenile Hall Policies and Procedures Manual Section 6.01 IV.4d

<sup>19</sup> Juvenile Hall Policies and Procedures Manual Section 7.05 (Requested last year.)

<sup>20</sup> Juvenile Hall Policies and Procedures Manual Section 8.04, Welfare and Institutions Code Section 625.6

<sup>21</sup> Juvenile Hall Policies and Procedures Manual Section 11.02

<sup>22</sup> Juvenile Hall Policies and Procedures Manual Sections 9.07 and 14.02

<sup>23</sup> SB 823 12 Welfare and Institutions Code 208.5(b)

<sup>24</sup> <http://www.bscc.ca.gov/wp-content/uploads/SB-823-Separation-11.23.20-for-web.pdf>

<sup>25</sup> SB 823

Though continued work on the Policies and Procedures Manual is laudatory, it needs to be updated in many sections. It appears that, though the preceding year has been highly irregular because of COVID, some of the practices put in place to deal with COVID have greatly reduced the population and their successes should be incorporated into further updates of the Manual.

## **XII. YOUTH SURVEY**

During this inspection, with Probation's support, the JJC distributed a survey in March 2021 to the youth with the goal of obtaining a broader perspective of the Hall environment from the youths' perspective. While some questions were Yes/No, most invited an open-ended response. Many youth took advantage of this opportunity. A copy of this survey is in Appendix A. The survey results are in tabular form in Appendix B.

A total of **47 youth voluntarily completed the anonymous survey**, which asked 13 questions. Looking at the responses in more detail, there are several themes and common responses:

**Weeks in Hall:** From one week to over 160 weeks. Notably, the average self-reported length of stay was about 28 weeks (median was 12 weeks). This compared to the 2020 report (average was 22 weeks, median was 10 weeks).

**Times in Hall:** Self-reported Times in the Hall ranged from the first visit to 10 times in the Hall. Twenty-three percent reported they have been in the Hall 5 or more times. This compares to thirty-six percent having returned to the Hall five or more times in the 2020 report. One may infer that recidivism may be declining.

**What are you concerned about when you leave the Hall?** Finding a job or housing; returning to/enrolling in school; returning to the Hall; uncertainty about the future after release; return to the same circumstances; no concerns.

**What or who has been helpful to you while in the Hall?** Staff generally; Counselors (several Hall Counselors were individual named); family members; Behavioral Health therapists; other youth in the Unit

**What has been hard about being in the Hall?** Not being with family; the food; being alone in their room; unknown about the future; short phone calls; difficulty sleeping; "nothing has been hard"

**Are you making progress in school? If you are not making progress, why not?** Significantly, 86% reported that they were making progress in school. "I'm making a lot of progress because I wasn't going to school before"; most of those who had graduated were taking college classes.

**How have teachers helped you with your education during COVID?** Nearly half (48%) of the youth reported that teachers were helping them by answering questions and “pushing” them to make progress. Just 12% mentioned Zoom as having been helpful. A couple of teachers were mentioned by name as having been helpful. About 20% felt that their teachers provided them no help.

**How would you improve Osborne school?** The youth offered a variety of Osborne improvement suggestions. Not surprisingly, in-person teachers was most frequently suggested, followed by “younger teachers”, internet access, and the ability to listen to music while on the computer. Hands-on work (labs?), harder work, “fun subjects”, less work, longer school days, and no more Zoom, were also suggested.

**How do adults in the Hall show you that they want you to succeed?** “They are supportive”; “they provide structure”; “they counsel us”; “they promote positive options”; “they give us long speeches and lecture us”. Some (11%) felt that the adults did not care if they succeed or not.

**Do you ever feel unsafe in the Hall? Why?** Seven percent (3 of 45) responded feeling unsafe. Reasons included feeling “unsafe everywhere”, feeling that “not everything is safe here”, and the feeling that some staff are abusive. Feelings of being unsafe dropped somewhat compared to the 2020 survey (7% vs 12%).

**If you want books to read in your room, how do you get them?** The 2020 survey revealed that most youth did not go to the Learning Lounge for books. However, 78% indicated that they read books from the bookshelves in their respective Units. A few noted that they got books from the Library. A few mentioned that they would like to have the bookshelves refreshed from time to time.

**Who helps you succeed in life — inside or outside the Hall?** Well over half (58%) said that family member(s) provided success support. Non-family individuals were also identified – boy/girlfriend and friends. As a group, counselors, teachers, and staff were identified, some by name. Many youth identified “myself” as the one who helps them to succeed. However, it was not clear if a) they believe they do not have another person to provide support, or if b) they understand they need to be responsible for their own life choices and decisions going forward.

**During COVID, how have you been able to stay in touch with your family?** When COVID began, in-person family visits were terminated, but were replaced by an increased frequency of phone calls, and the establishment of video calls. Over half (53%) noted the importance of phone calls and 28% identified video calls as important. Although in-person visits resumed for a brief period, they were noted as important as well as letter writing. Notably, 7% reported their having not stayed in contact with their family during this time.

**During COVID, how many times a week are you able to be outside, out of the Unit?**

More than three-quarters (83%) of the respondents reported having left their Unit at least once or twice a week, although some reported that doing so “depend[ed] on how the staff feels” or “depend[ed] on the Unit’s behavior”. Eight youth reported that they didn’t leave the Unit.

**If you could improve one thing about the Hall, what would you change?** This question elicited a variety of suggestions for Hall improvements. Significant were 1) to increase the number of phones in a Unit and allow longer phone calls, 2) make a commissary, 3) allow longer visits, 4) provide better food and snacks, 5) more activities and a sports program, and 6) provide a means to allow individuals to listen to music. Facility improvements were hot showers, better rooms, and a swimming pool. Of the 45 suggestions for improvement, five youth felt that nothing needed to be changed.

**Survey summary**

The survey provided Hall youth with an anonymous means to express their concerns and intentions. It is likely that much of what is noted above is already known to various Hall counselors, therapists and teachers. Nevertheless, it is important to highlight a few significant items and responses.

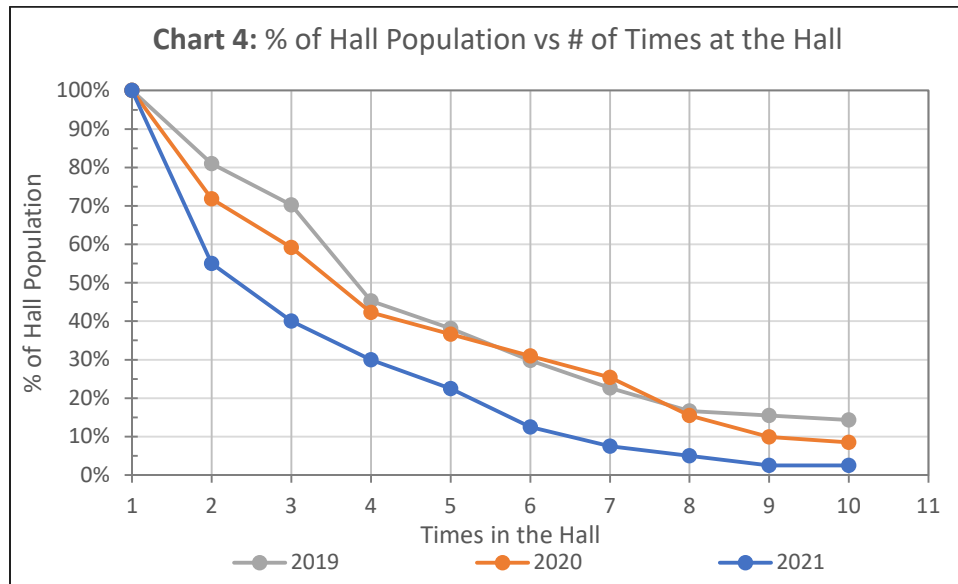
1. Several staff – counselors, teachers, and therapists – were identified by name as having provided important positive influence and individual support. The importance of establishing this positive connection cannot be overemphasized, especially since for some Hall youth, a positive non-family adult connection might not have previously existed.
2. Family members – parents, grandparents, and siblings – were significantly identified as providing support to the youth. Every means possible should be employed to maintain, facilitate, and where possible, expand familial support while the youth is in the Hall.
3. Although non-family individuals were frequently noted as providing support, it is important to acknowledge this source of support, while simultaneously exploring with the youth whether this support or influence is truly positive or not.
4. Like the survey in the previous year’s report, a large majority (93%) of the youth reported feeling safe during their stay in the Hall. Notably, the percentage of those feeling unsafe declined to earlier levels after having slowly risen from 8% (2017) to 9% (2019) to 12% (2020). Despite the downward trend noted in this survey, youth feeling unsafe, whether from other youth or from staff, should be carefully monitored.
5. Despite the dramatic interruption and restructuring that occurred at Osborne due to COVID, it is important to note that over three-quarters (86%) of those responding felt that they were making progress in their schooling. While giving credit to teachers for answering questions and pushing them, sometimes identifying teachers by name, 20%



felt that teachers were not providing the help that they needed for educational success. Importantly, some noted their success by being able to earn credits, or re-engaging in school after an absence, or by noting that they had graduated and were taking college courses. They were not hesitant to offer suggestions for improving Osborne school, notable among them was the return of in-person teaching.

6. While book access via the Learning Lounge (library) still seems significantly underutilized, accessing the bookshelf in the unit’s classroom seems to be commonplace. If these are the book sources for youth, however, it is important that the offerings be refreshed periodically (one youth reported having read all the books on the bookshelf). Since independent reading *outside of school* is recognized as a key element in improving literacy, access to the Learning Lounge or an interesting bookshelf should be a priority.

7. Although self-reported numbers must be viewed with caution, the number of times that youth have returned to the Hall seems to have declined from that reported in the 2019 and 2020 reports. Although this may be interpreted as a decline in recidivism, other factors may be involved. For example, the policy initiated due to COVID: only bring to the Hall those youth accused of serious law violations. Even so, the year over year reduction in the percentage of those having returned to the Hall two or three times is notable. The following graph makes clear this reduction.

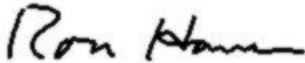


### **XIII. EQUITY AND JUSTICE STATEMENT**

Youth of color are disproportionately represented in the juvenile justice system. This has been the subject of intense commitment, effort, and collaboration among many system partners within Santa Clara County for at least two decades. The causes appear to exist at the community level. While disproportionality occurs in arrest rates of youth, there is little evidence to suggest that youth of color are significantly more likely to be detained in Juvenile Hall.

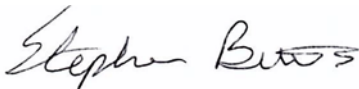
The Probation Department and its partners make a strong effort to address the diversity of youth admitted into JH. There are multiple ways in which the language, gender, religious and cultural, needs of youth are met. To cite just a few examples: many counselors and other staff speak a second language including Vietnamese, Spanish, Korean and Chinese. Special provisions are made for transgender youth and the kitchen provides a variety of foods from different cultures.

**Approved by the Santa Clara County Juvenile Justice Commission.**



Ron Hansen, JJC Chairperson

Date: May 19, 2021



Stephen Betts, JJC Juvenile Hall Inspection Chair

Date: May 19, 2021

## DOCUMENTS REVIEWED

- PREA Facility Audit Report
- Santa Clara Court School - School Accountability Report Card 2019-2020 School Year
- TITLE 15 Section 1313 County Inspection and Evaluation of Building and Grounds. July 2020
- Judicial Inspection of Juvenile Detention Facility for Suitability. June 2020
- Fire Clearance Notice. July 2020
- PBIS Quarter 4 Report
- Programs Activity Calendar
- Juvenile Hall Policies and Procedures Manual
- 2020 Santa Clara County Children's Data Book published by the Santa Clara Office of Education and Kids in Common
- Edgenuity's software wasn't meant for a Pandemic.  
<https://www.nbcnews.com> > tech > tech-news > edgenui... Feb 17, 2021
- NCYL Alternative Education in California. February 2021
- What is the Long-term Impact of Incarcerating Juveniles? A. Aizer, J. Doyle. July 2013 <https://voxeu.org/article/what-long-term-impact-incarcerating-juveniles>

## ATTACHMENTS

- 1) Youth Handbook
- 2) Parent Handbook
- 3) Youth Survey
- 4) Youth Survey Analysis
- 5) PREA Facility Audit Report