

**SANTA CLARA COUNTY
JUVENILE JUSTICE COMMISSION
INSPECTION REPORT**

**JUVENILE HALL
March 2013**

I. INTRODUCTION

The Juvenile Justice Commission (JJC) is established in Division 2, Part 1, Chapter 2, Article 2, of the California State Welfare and Institutions (W&I) Code. One of the charges of the JJC is “(T)o inquire into the administration of juvenile 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 Juvenile Justice Commission (JJC) conducted its annual inspection of the Santa Clara County Juvenile Hall from January 2013 through March 2013 in accordance with Welfare and Institutions Code Section 229. 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 Commission inspection team conducted interviews with the managers from Juvenile Hall, Medical Services, Mental Health, Facilities Management, the Chaplaincy, Quality Assurance and the Osborne School to obtain an overview of policies, procedures, and programs. The inspection team held informal interviews and conversations with youth, living unit staff members, school authorities and medical personnel. The physical facilities were toured, including the kitchen, food supply storage areas and cafeteria.

The Juvenile Justice Commission conducts inspections of Juvenile Hall at least annually, and inspection reports for prior years are available on the internet at:
<http://www.sccsuperiorcourt.org/juvenile/jjc.htm>.

II. POPULATION

Many factors affect the population of Juvenile Hall. Two of these are juvenile arrests, and county population. The population of children under the age of eighteen in Santa Clara County has decreased slightly from 466,932 in 2010 to 451,396 in 2011, according to the most recent U.S. Census Bureau data. We indicated in our last report, that in Santa Clara County,

juvenile felony arrests have also decreased. According to the Probation Department this trend lasted for 15 months and has now leveled off. As a result there continue to be only eight out of the 13 units open in the facility, the same as last year. The facility is well within its Board Rated Capacity (BRC) of 390 minors, and there is no indication of overcrowding. On January 11, 2013, the day we began our inspection, there were 140 youth in custody. During 2012 the average daily population was 160, down from the 192 in 2011. Of the 140 in custody on January 11, 2013, 16 or 11.4% were girls and 124 or 88.6% were boys. Within the total population, 104 or 74.3% were Hispanic, 13 or 9.3% were Caucasian, 19 or 13.6% were Black, 3 or 2% were Asian with 1 youth classified as other. Eight youth were awaiting Ranch transfer and six were awaiting placement. There was a spike in youth awaiting placement at the end of 2013, but as of February 15, 2013, this trend has reversed with only 4 males awaiting Ranch placement.

This continued reduction in the overall number of youth in Juvenile Hall is due in the Commission's opinion, not just to the decline in the juvenile population and arrest rate, but to the leadership of probation managers, elected officials and outside partners and consultants in developing alternative placements to Juvenile Hall. The Commission appreciates the efforts of Probation staff and the County's support in this continuing successful effort to divert youth from Juvenile Hall.

Another successful effort is the reduction in the number of youth in the Hall who are twelve and under. In 2011, the Board of Supervisors (BOS) unanimously voted in support of not placing children younger than thirteen years of age in Juvenile Hall. Further, the BOS directed the Juvenile Probation Department to work with Community Based Organizations (CBOs) and the Juvenile Justice Court to find alternative placements for these youth. As indicated in our report last year the Commission has continued to monitor Juvenile Hall admits of youth 13 years of age or younger. During 2012 there were only three (3) minors detained who were under age 13, but all turned 13, shortly after detention. On January 11, 2013 there were no minors younger than 13 and three (3) youngsters age 13 in Juvenile Hall.

III. STAFFING

Commissioners talked with a number of Probation Department employees and other agencies represented in Juvenile Hall. The inspection team found the managers and their staffs to be open, helpful, and responsive to all of the team's questions. While some counselors voiced satisfaction with the present training and staffing assignments, another counselor indicated disagreement with the proposed change in training to emphasize more soft skills and to reduce the number of hours of "hands on restraint" training for staff with over five years' experience in Juvenile Hall.

A review of the July 13, 2012, Board of State and Community Corrections Biennial Inspection, revealed that there are an adequate number of personnel to carry out the facility program and to provide safety and security of minors and staff and to meet established standards and regulations. There is also a sufficient number of supervisory level staff to ensure adequate supervision of all staff members. Management described the staffing levels as the same as last year, which is consistent with the fact that the population in the facility is the same or slightly

less than in 2011. The only open positions were described as five staff needed for shift relief back-filling and interviews are being conducted to fill these positions. The only noteworthy characteristic of the staff was a description of the gap between a few very experienced members and the rest of the staff members who have eight or fewer years of experience.

The Commission was pleased to note that management described their hiring objective as being for individuals with a rehabilitation mind set, and not just compliance orientated. To this end they are also changing the training program and adding another week of evidence based training which focuses on the introduction of cognitive behavioral tools to enhance staff's ability to effect positive behavioral change.

All Juvenile Hall positions require a minimum of a two-year college degree. A four-year college degree requirement is being considered. We were told that, currently, approximately 55% of staff holds a four-year college credential, and that most of the staff has earned their degrees in the specialty areas of Psychology, Social Work Studies, Juvenile Justice or Criminal Justice. An "emotional quotient" is a desirable quality, sought after when hiring any facility staff. Extra-help and part-time staff requirements regarding background and education are the same as for full-time personnel.

A change in restraint training that will be introduced this year is the use of OC (oleoresin capsicum) spray, otherwise known as pepper spray. This change is the result of an agreement with the counseling staff's Union and will start as a six month pilot project. The spray will only be used for room removal and it is hoped that its use will minimize injuries to both youth and staff. The Juvenile Justice Commission will follow this pilot project closely and was very pleased to hear the level of caution being used in its introduction.

IV. FACILITY

The JJC's facility inspection team conducted a tour of Juvenile Hall on January 22, 2013. The tour included all living units, grounds, exercise areas, laundry and cafeteria. Improvements from last year's inspection included the addition of air conditioning in the dining and kitchen areas and the resurfacing of the gym floor. Overall the facility was well maintained and very clean.

Juvenile Hall was constructed in 1959 and has undergone several changes. It was remodeled in 1989 and the Alpha and Beta Wings were added in the 1990s and 2005, respectively.

As part of the inspection, we reviewed the annual County Department of Fleet and Facilities Inspection Report, Santa Clara County Fire Marshall Inspection Report and the Santa Clara County Public Health Department Inspection Report. The Public Health report was dated November 7, 2012. The facility was found to be in compliance with the Environmental Health, Nutritional and Medical/Mental Health evaluations in accordance with Title 15 of the California Code of Regulations. The annual Fleet and Facilities report performed on November 5 and 6, 2012 listed 141 items requiring action of which 59 were completed by the end of 2012 with no

scheduled completion dates for the minor remaining items. The annual inspection by the Santa Clara County Office of the Fire Marshall conducted on May 19, 2012 found 5 items requiring immediate attention. Those items had been corrected by the time of the re-inspection on July 3, 2012.

The Commissioners toured all living units. The units were clean and well maintained. However, as discussed in last year's report, graffiti within many of the individual rooms remains a significant problem. The staff has been actively working with other County departments to come up with a solution to the problem.

Juveniles housed in the B-3 boys unit include those minors who are waiting for Ranch placement and Administrative Ranch Review (ARR) minors. When a minor is having difficulty in the Ranch program, Ranch management can return the minor to Juvenile Hall through the ARR process. A Ranch treatment supervisor will meet with the minor to prepare them for a return to the Ranch program. ARR minors cannot stay in the Juvenile Hall for more than 30 days. The staff indicated that they were considering whether this mix of youngsters was a good one and may change the configuration of this unit in the future.

The living units were quiet during the Commissioners visit. Most minors were preparing for showers, resting in their rooms or doing chores such as folding laundry and preparing toiletry packets. Exercise equipment, which included stationary bikes and treadmills, were located in a couple of living units. Staff reported that minors enjoy using the equipment, which often serves as stress reducers for them.

Appeals and grievance forms were readily available and clearly marked in various areas of Juvenile Hall and the living units.

In the visiting area of the Juvenile Hall, Commissioners noted that the chairs located in the area adjacent to the visiting area had extensive damage. Staff said that they would request replacement chairs. The pamphlet container was well stocked with various informational materials and in plain view of visitors for easy access.

A large sign on a wall in the Juvenile Hall receiving area contains language cited from the California Penal Code, which Commissioners noted to be contradictory to the rehabilitative language required when referring to minors. Staff reported similar signs are also posted in the girls' living units. Staff will replace the signs with ones containing the corrected language.

The Commissioners toured the outside grounds including the area that had been used for a vegetable garden. The garden had been abandoned due to an absence of a program leader and a decrease in the Juvenile Hall population.

The Commissioners also visited the gymnasium. This facility includes a basketball court, bleachers, and exercise equipment. The facility is in very good condition, and recreational equipment was neatly stored and organized. A large weight equipment area was also noted. The gymnasium is also used for activities, such as the Resource Fair and various holiday events.

The tour also included a visit to the laundry. The facility has a staff of three. Each youth is provided clean underwear daily. Outerwear is provided on a twice weekly basis or as needed. Blankets are laundered monthly, while sheets and towels are done twice weekly. The area is well organized. However, as noted in last year's report, the laundry equipment has reached the end of its life cycle and needs to be replaced.

Overall, the inspection team found the facility to be maintained in a satisfactory condition. The staff was very helpful and professional in responding to the Commission. However, we are concerned about the large number of minor open items on the County Fleet and Facilities Report.

FOOD SERVICE

Commissioners met with the Food Services Director and Food Services Supervisor on January 23, 2013, and inspected the kitchen.

Kitchen prep area, storage and service area were clean and well organized. As stated in previous inspection reports, the kitchen is outdated, and poorly designed. Much of the equipment is no longer used, and in need of replacement. Despite these problems operationally, the kitchen is running the smoothest it has run in a long time. This is a result of hiring new staff, including a new kitchen supervisor a position that had been vacant for over a year due to a hiring freeze; the closure of Muriel Wright Center; stabilized staffing levels; and, a reduction of staff out on worker's compensation leave. In addition to running smoothly, there has been a significant reduction in overtime costs.

There are 12 employees, six per shift. There are two shifts: 5:00 am - 1:30 pm and 10:45 am - 7:15 pm.

Meals are served to the youth in all areas including the cafeteria, housing units, and intake area. Special diets are prescribed for medical needs such as malnutrition and diabetes. They are also prescribed for increased activity such as participation on work crews and sports activities. Religious diets are also addressed.

The NUTRIKIDS program is used for developing menus and tracking nutritional information. The USDA guidelines are adhered to for breakfast and lunch and the Title 15 regulations for dinner.

To comply with the 2010 Healthy Hunger Free Kids Act (HHFKA), all menus and recipes must be changed and certified by the end of the school year (June 30, 2013) to meet the new stricter standards.

Standards include:

- Minimum/maximum calorie per meal / day
- Nutrition specific minimums and maximums per day / week (whole grains, vegetables according to color, proteins, fruit, etc.)

The NUTRIKIDS program includes the HHFKA information on a very limited number of food items. The Food Services Manager has dedicated a significant amount of time to converting all the menus and recipes to meet these new standards. The HHFKA certification application was completed and submitted in December 2012, with approval expected well ahead of the deadline. Once certified, food services will receive an additional reimbursement of \$.06 per meal.

A new Heating Ventilation and Air Conditioning (HVAC) system was installed mid-November 2012. The system will be adjusted as needed over the next year. There is a concern that the old ventilation hoods in the kitchen are too old and they will not withstand the increased efficiency and power of the new HVAC system. This further supports the need for a new kitchen as stated in previous inspection reports.

V. PROGRAMS

Multi-Agency Assessment Center (MAAC)

The Multi-Agency Assessment Center (MAAC) provides services to youth who are in Juvenile Hall for 72 hours or more. The MAAC provides services to assist youth with their social reintegration into their communities and programming to address their social, physical, behavioral, psychological, and emotional needs while in Juvenile Hall. State JJCPA (Juvenile Justice Crime Prevention Act) funding supports the contracts with community based organizations, one Supervising Group Counselor, and one Group Counselor who oversee the assessment services, CBO programming and other volunteer programming at the MAAC. A new contract offer (RFP) for MAAC services will soon be published and thus providers may change. There is also a position for a MDT coordinator that has been unfilled for over a year due to budget constraints. That position will be filled by Mental Health via funding which has been reinstated through JJCPA. Mental Health is in the process of developing a job description and interviewing for that position. There have been some delays in services due to this unfilled position particularly in the area of scheduling Multi-Disciplinary Team meetings.

Comprehensive Assessments:

Youth who are detained in Juvenile Hall for more than 72 hours receive mental health, educational, medical and screening assessments. Assessments include results from the initial risk assessment (conducted within a few hours of a youth being admitted to the Hall) and a 20 to 30 minute interview by the screening probation officer. The assessment results are used to formulate an individual case plan for each youth and are normally completed within ten days if the youth is detained in Juvenile Hall. The assessment may also impact the unit in Juvenile Hall in which a youth is placed. The results are also used to link the youth and their families to appropriate community-based services upon release from Juvenile Hall. Assessments also include an education assessment conducted by the County Office of Education, a Mental Health assessment and screening and a medical examination by the Valley Medical Center in the Hall's medical clinic. A drug and alcohol assessment may take place where appropriate. Family issues, gang involvement, domestic violence history and fighting behaviors are assessed.

Community Based Organizations (CBO's):

CBOs are contracted to provide interactive workshops twice a week for minors in Juvenile Hall. The organizations are usually present in the Hall 5 days a week and provide workshops from 3:30-5:00 p.m. Starting at 5 p.m. they will then be available for one-on-one individual counseling sessions in 15 minute increments. The CBOs bill the Probation Department for those counseling services. The MAAC supervisor stated that different groups are assigned to different units. Emphasis may differ depending on the unit population.

Asian American Recovery Services (AARS) – Provides individual counseling, referrals, aftercare services and substance abuse prevention education. AARS is the only Hall program with staff currently trained to use the best practices model “Seven Challenges.” AARS is offered primarily in Unit B-7. The goal is to offer this program throughout the county. Several unfilled Drug Abuse counseling positions have hampered the dissemination of this model as originally intended.

Fresh Lifelines for Youth (FLY) – Provides legal education, mentoring and leadership programs to support youth to become responsible citizens. Unit B-3 offers this program.

California Youth Outreach (CYO) – Provides workshops that help youth with anger management, suggests alternatives to gang-involvement, develops life skills, etc. CYO also works with the County's Restorative Justice Program. This is offered primarily in Units B-9 and G-1.

Mexican American Community Services Agency (MACSA) – Provides gang prevention, substance abuse, violence prevention, conflict resolution, and youth leadership workshops and is offered primarily in Units B-8 and B-5.

Gardner Family Care Corporation (GFCC) – Promotes the overall health and well-being of youth within the context of the family and the community. Gardner provides Behavioral Mental Health services including, assessments, crisis intervention, therapy, rehabilitation, prevention and substance abuse counseling primarily, in Unit B-4.

Catholic Charities – Works with families and youth who have been impacted by incarceration. Services include case management, food pantry, clothes closet, youth groups, school advocacy, placement services and other daily needs support. It is offered primarily in Unit B-6.

Volunteer Programs in Juvenile Hall:

A large variety of programs is provided in Juvenile Hall by community volunteers or other community programs. These include: Alcoholics Anonymous, Alateen/Al-Anon, Catalyst for Youth (providing arts), The Beat Within (writings and artwork by the youth), Flower Programs, Furry Friends, Girl Scouts, Hair Care, The Art of Yoga, Bill Wilson Center, Chess King Corporation, Narcotics Anonymous, Planned Parenthood, Bible Study, 3 Principles/Health Realization taught weekly, and Reading Enrichment.

Juvenile Hall Special Programs:

Juvenile Hall has a wide variety of special programming offered throughout the year including activities such as: Hot August Nights Car Show, Fourth of July Decorating Contest, December Holiday Decorating Contest, Santa Claus visits, Black History Month, Cinco de Mayo, and a Pizza Night provided by the Public Defender's Office. A special program entitled "Shelby Rules," was presented to youth in January describing the dangers of alcohol poisoning.

Valley Medical Center:

The VMC nursing staff provide health related classes as staff are available. Classes include: Asthma management, Sleep and Health Realization, Dangers of Methamphetamines and Pot, Sexually Transmitted Diseases, Diabetes, Self-esteem Building, Pregnancy in Teens and Girls Talk.

Monthly Calendar:

Each month a calendar is prepared that lists all the above programs with assigned units. This shows the wealth of programming opportunities available to youth in the Hall.

Commitment Unit:

One significant change in Juvenile Hall over the past year has been the elimination of the Boys Life Skills Program Unit. This unit provided a life skills component along with job search for youth committed to the Hall by the Judiciary. While the Judiciary may still commit youth to Juvenile Hall, the number of youth committed has dropped significantly and the Probation Department collaborates with the City of San Jose and Work2Future, under a CalGRIP Grant, to address this need.

Unit Meetings:

Unit Meetings take place weekly or bi-weekly within units from 2-3 p.m. This allows staff to assess needs of youth, plan evening activities, provides information exchange and trainings.

VI. BEHAVIOR MANAGEMENT

Title 15 of the California Code of Regulations requires that the Juvenile Hall administrator develop written policies and procedures for the discipline of minors that shall promote acceptable behavior. Such discipline shall be imposed at the least restrictive level, which promotes the desired behavior and shall not include corporal punishment, group punishment, physical or psychological degradation or deprivation of specified basic needs and rights.

Title 15 also requires that the written policies and procedures for the administration of discipline shall include, among other things, provisions for handling minor rule violations

informally with counseling or imposition of a minor penalty or segregation for a period not to exceed 24 hours. Discipline is to be accompanied by written documentation, a policy review and appeal to a supervisor. Major rule violations including any violation that results in segregation for 24 hours or more or extension of time already in custody shall be documented and include the following:

1. Written notice of violation prior to a hearing;
2. Hearing by a person who is not a party to the incident;
3. Provision for the minor to be heard, and to present evidence and testimony;
4. Provision for an administrative review.

Three Program System

The behavior modification system used by Juvenile Hall consists of the following components:

-Basic Program – Allows for 3 hours of recreation on school days and 5 hours of recreation on non-school days;

-Advanced Program – Allows up to 4 hours of recreation on school days and up to 6 hours of recreation on non-school days;

-Control Program –Allows for 3 hours of separate recreation on school days and 5 hours of separate recreation on non-school days.

Minors start at the Basic Program level upon admittance and usually remain on this level for the first week they are in Juvenile Hall. If they exhibit acceptable behavior, they are moved to the Advanced Program.

Minors are disciplined for specified violations either by being retained at the Basic Program level or by being removed to the Control Program level for a specified period of time. An Incident Report approved by the Supervising Group Counselor must document removal to the Control Program.

While room removals and the use of restraints have been decreasing in use in Juvenile Hall, an additional method of restraint will be employed in a pilot program in 2013. That is the use of Oleoresin (OC) spray. Policies have been drafted for the use of OC spray, as a resource for preventing physical injuries to youth and others. Only Supervising Group Counselors (SGCs) and Group Counselors (GCs) assigned to the Room Removal Team, Transportation and or Community Release/Electronic Monitoring Program having successfully completed an appropriate departmental training will have authority to use pepper spray. It will never be used as a form of punishment in and of itself.

In the Incident Report section below, it can be seen, that while the number of minors in Juvenile Hall has declined, the number who go on the “Control Program” remains proportionately high, but stable from last year. This may be because the youth who are currently staying in Juvenile Hall are those who have the most difficult behavior issues. It is natural for different staff to have slightly differing expectations of what acceptable behavior for youth should look like. However, it may be difficult for youth, especially those who have experienced

trauma or who are feeling stressed just by being in Juvenile Hall, to navigate these differing expectations.

Incident Reports:

Incident Reports are written by Juvenile Hall Counselors on a number of issues that occur including incidents that lead to a youth being placed on the “Control Program”, injuries, fights, suicide attempts and suicidal gestures. Each staff member involved in the incident writes a computer report that is reviewed and approved by the Juvenile Hall supervisor before the end of the shift. If a youth wishes to appeal an incident of discipline during the shift, this appeal is reviewed and if possible, resolved by the shift supervisor before the end of the shift. The Incident Reports are then reviewed by the Juvenile Hall Manager and ultimately by the Deputy Chief of Facilities. Decisions about which behavior program the juvenile is on are often based on the disposition of the Incident Report.

The Juvenile Justice Commission has begun a practice of regularly reviewing Incident Reports. The goal of this review is to have a timely understanding of incidents more serious in nature (for example, an escape from Juvenile Hall or a gang-related fight) and to identify patterns or other emerging issues. Over the course of the year, when issues have been identified, Commissioners have felt that the explanation(s) from the Juvenile Hall manager were satisfactory.

For Calendar Year 2012, 83 incident reports were reviewed, including 18 incident reports in the month of December for juveniles who were put on the “Control Program” (for 2 – 6 days). Particular attention is paid to Escapes, Suicide Gestures and Attempts, Child Abuse Reports (usually these are incidents that occurred prior to entering juvenile hall), and self-inflicted injuries. Commissioners were struck by the variation month-to-month of the number of juveniles being placed on the “Control Program”, ranging from a low of 18 in August to a high of 49 in May. This coincided with overall population highs and lows.

In this review of 83 Incident Reports, Commissioners found the reports to be informative and reviewed by the appropriate people. The incidents seemed to be handled appropriately.

Appeals:

Juvenile Hall has an Appeals policy that states minors who are disciplined have a right to due process, which includes the right to notice, right to respond, right to an informal hearing and notification of the decision. The policy states that Juvenile Hall strives to provide the following for minors in custody:

1. Reasonable disciplinary methods and conditions of program removal;
2. Limits on length of sanction/restrictions;
3. Counseling when removed from program;
4. Due process;

5. Administrative review.

Minors can obtain Discipline Appeal forms from the unit bulletin board or from the unit's group counselor. Once the appeal has been initiated, the Discipline Appeal form must be submitted to the On Duty supervisor for a due process review prior to the end of the shift. Usually, the issue is resolved without a hearing. However, if the minor disagrees with the staff response, he or she is entitled to a Disciplinary Review Hearing and has 24 hours to gather information or present names of his/her witnesses for the hearing. The On Duty Supervising Group Counselor conducts the Disciplinary Review Hearing. Once the hearing is completed and the appeal deemed resolved, the manager signs it off. Copies are given to the administrative clerk for distribution to the minor and the involved parties.

Commissioners reviewed 292 appeals from the 2012 Calendar Year. Each month had 14-31 appeals. It is not clear from the appeals form that a formal disciplinary hearing was held, but instead there was a process of review at different levels of administration with the Juvenile Hall manager ultimately reviewing and signing off on the decision. Although all appeals are reviewed and signed off by the appropriate manager, there are some appeals that warrant further discussion by the Juvenile Hall manager with the minor, staff and/or supervisor involved. In some cases, as a result of the appeal, the original disciplinary action was appropriately modified or even in some cases, rescinded. Appeals are now also filed in the Juvenile Hall database by number, but are not linked to the original Incident Report. The Commission would like to see a notation in the original Incident Report if an appeal has been filed and the tracking number assigned to the appeal.

Grievances:

Title 15 of the California Code of Regulations requires the administrator of a juvenile detention facility to develop written policies and procedures and inform minors in custody that they have a right to file a grievance regarding any inappropriate or inadequate conditions at Juvenile Hall. Such inadequate or inappropriate conditions include, but are not limited to, conditions relating to: behavior or action of staff or volunteers, conditions of confinement, health care services, mental health services, education services, classification decisions, program participation and services, telephone, mail or visiting procedures, food, clothing, bedding and hygiene. These procedures must, among other things, provide that grievance forms be freely accessible, that grievances be capable of being filed confidentially and that the person who hears the grievance is not directly related to the circumstances leading to the grievance.

Juvenile Hall has a detailed Grievance Policy and Procedure that addresses the above requirements and also provides that there be no reprisal for using the grievance procedure. These procedures also state that the Juvenile Hall staff's goal is to resolve the grievance at the lowest staff level possible and that the On Duty Supervisor review all pertinent staff written material and bring resolution before the end of the shift or at maximum within 48 hours of receipt of the grievance.

Commissioners reviewed 76 grievances for the 2012 Calendar Year. The supervisor in charge signs the grievance before the shift ends on the day the grievance is filed. The Juvenile

Hall managers review all grievances submitted. In cases where the issue has not been resolved at the supervisory level (the youth does not agree with the resolution of the grievance), the Juvenile Hall manager will meet and interview the minor involved. In this review of grievances, the issues seemed to be addressed appropriately.

Of note is the National Center for Youth Law, stating that girls who enter the juvenile justice system have “experienced trauma, abuse, and violence, and studies have shown that they are more likely than their male counterparts to develop mental health issues as a result. Girls are more likely to internalize traumatic experiences and to suffer from depression, mood disorders, anxiety and post-traumatic stress disorder (PTSD). They are also more likely to attempt self-harm and commit suicide.” (Youth Law News, Vol. XXXI, No. 4. Oct – Dec. 2012)

In reviewing incident reports and grievances, the Commission believes this assessment is true for girls who enter the Santa Clara County Juvenile Hall. However, because there is only one unit serving girls at Juvenile Hall, the girls unit does not have access to the same supports that boys have access to on the Transition Assessment Unit (TAU). (While the Behavior Modification program described in the Behavior Management section is in effect in the TAU, it is applied with a less aggressive approach and the staff on the TAU receive training on mental health issues, working closely with the Mental Health Department staff to achieve better outcomes for the youth on this unit). The Commission believes most of the girls who spend time at Juvenile Hall would benefit from the approach currently implemented on the TAU, and recommend this approach be implemented on the Girl’s Unit.

VII. MEDICAL SERVICES

The Medical Director has worked in Juvenile Hall for the past four years and the Nurse Manager for eight years. Two RNs and two LVNs work the day shift (6:45 am to 3:15 pm) Monday through Friday, and two RNs work that shift on weekends and holidays. Two RNs and four LVNs work the PM shift (2:45 pm to 11:15 pm) Monday through Friday, and two RNs work that shift on weekends and holidays. One RN works the night shift (11 pm to 7 am) seven days each week.

During 2012, there were 4,167 minors seen in the Juvenile Hall Medical Clinic and of those, 6 were hospitalized and 3 were transferred to Emergency Protective Services (EPS) at Valley Medical Center. Tuberculin skin tests were performed on 693 minors and 17 of those minors had positive test results. Other vaccinations performed in the Juvenile Clinic included 139 Hepatitis A, 14 Hepatitis B, 632 Flu and 952 HPV vaccinations. Chlamydia and gonorrhea tests were performed on 1270 minors, 70 tested positive for chlamydia and 6 for gonorrhea. All minors receive sex/pregnancy prevention education during their stay in Juvenile Hall. Pregnant minors are referred to the Public Health Department’s Nurse Family Partnership (NFP) Program. A public health nurse will then visit the minor in Juvenile Hall to establish a therapeutic relationship and identify program benefits for which the minor is eligible after her release.

There are two infirmaries for minors who require isolation from others for medical reasons. Both infirmaries have constant air circulation with negative airflow, which is constantly maintained. The Medical Clinic continues to adhere to the requirements of Title XV, which

requires first aid kits in juvenile detention facilities. The Nurse Manager and Medical Director reported first aid kits are provided to all living units in Juvenile Hall.

The merging of medical and mental health records is reportedly going well and the merged files are secured in a HIPAA compliant locked file cabinet. Recently, a minor at the James Ranch told ranch staff that he was going to commit suicide. At a late night hour, a brief interview was conducted with the minor. Prior to this interview, Juvenile Hall medical staff reviewed the minor's file, which contained the minor's mental health record notes. Having both the medical and mental health information assisted medical staff to effectively work with the minor.

As of October of 2012, mandatory hearing tests are performed for all minors entering Juvenile Hall. The exams are the result of a recommendation by the American Pediatric Association as part of routine physical exams. CHDP (Children Health and Disability Prevention) provided certified hearing screening training, and trained three nurses as trainers on October 2012. The entire clinic staff was trained by the trainers and started hearing screening for all minors in Juvenile facilities as October 2012.

The Medical Director expressed great concern for the well-being of minors once they leave Juvenile Hall. Ideally, these minors should continue to receive medical services while on probation after release from Juvenile Hall. Good health often results in good behavior. For this reason, providing health care services to minors for as long as possible after release from detention could result in more positive behavior.

Medical Unit nurses are trained in the PYXIS system, which requires access to medication via fingerprint or password. The system ensures staff accountability and patient safety. All immunization and liquid medications are stored in a new refrigerator in the Medical Clinic. The temperature is digitally controlled and maintained 24 hours a day, seven days a week and is connected to computer, which notifies staff of temperature fluctuations outside the required temperature range.

Medical staff testing is done annually to ensure the N95 mask is sufficiently providing protection for all employees. The N95 mask is cleared by the Center for Disease Control as an effective method for reducing the chances of contracting airborne diseases.

Dental Services:

A dental examination room is located in the Clinic area. A group counselor is stationed in the Medical Clinic, Monday through Friday, 8 am to 5 pm. The group counselor scans and searches all minors leaving the Clinic after dental exams. For security reasons, the search is performed to detect and recover sharp instruments used in the dental exam room. A new digital ex-ray machine was installed in November of 2012. The new machine is more efficient and minors enjoy seeing their teeth via digital imagery. The Nurse Manager pointed out that, for some minors, the dental care provided in Juvenile Hall is their first experience in dental care and hygiene.

The Juvenile Hall Dental Clinic was recognized by the Institute of Medical Quality during an accreditation survey on November 29, 2012. Juvenile Hall provides on-site dental services one day per week. Additionally, minors have benefited in recent years from preventative and hygiene care by a volunteer dentist. Unfortunately, this dentist recently moved out of the area. The county is seeking to fill this position by advertising in the county dental society newsletter, with active participation from the Medical Clinic staff.

Juvenile Hall is also promoting oral health through a pilot program that allows minors to floss daily. Female minors in the G-1 Unit will soon receive small packages of dental floss as part of a new pilot study in Juvenile Hall to promote dental hygiene. For safety reasons, the floss will disintegrate and will break into pieces after use. The floss will also be in colors, making it easily detected by unit counselors. The study will begin as soon as supplies arrive.

The Director of Custody Dental Services considers the availability of dental services at Juvenile Hall to be adequate; of note, he is on-call daily for consultations regarding after-hours matters, and is generally available after-hours to come by Juvenile Hall to see patients for any rare situations which he believes require his attention. Also, the Valley Health Center at Tully Clinic is available for any rare instances in which a patient requires prompt attention and the Juvenile Hall dentist is not available.

Accreditation:

The Juvenile Custody Health Services had been awarded another two-year accreditation (6/2010-6/2012) from the Institute for Medical Quality (IMQ), a subsidiary of the California Medical Association. A re-accreditation survey took place on November 29, 2012 with results pending. IMQ recognized that the quality management program of the Santa Clara County Juvenile Custody Health Services is outstanding with recognition for high patient education programs, excellent dental care and thorough medical documentations. The medical health services provided to minors at the juvenile facilities were found to be appropriate and to be in compliance with the Environmental Health, Nutritional and Medical/Mental evaluation, as required in Title XV of California Code of regulations according to the 2012 survey results.

Parental support and involvement in the medical needs of minors continues to be of concern to Juvenile Hall medical staff. It is difficult to obtain medical history from parents for various reasons, such as lack of organization, interest and cooperation.

The Medical Director once again expressed concern for those minors reporting sleep problems. It is his understanding that ambient lighting is required in all minors' rooms, with no exceptions. Commissioners visited all living units during this inspection and observed the lighting in all units. Commissioners observed that each room had nightlights on the wall adjacent to each bed, as well as an overhead light in the center of each room. The center light provides brighter light as it is needed. The night lights must be on at all time for safety reasons, according to Probation supervisory staff. Minors are not allowed to cover their heads to block out the light as unit counselors must be able to observe a minor's face during room checks to ensure they are okay. In some cases, minors are provided eye masks and earplugs. The Medical

Director continues to prescribe melatonin for those minors reporting difficulty sleeping while in Juvenile Hall.

The Juvenile Hall Medical Clinic promotes optimal health outcomes for all minors in Juvenile Hall through the following activities and accomplishment in 2012:

1. Juvenile Hall Medical Clinic reported and updated medical services provided to minors in all juvenile facilities at monthly Juvenile Justice Commission meetings.
2. The Clinic continues to have a San Jose State University clinical rotation nurse at Juvenile Hall where each nursing student presents a health educational class in Juvenile Hall.
3. Medical staff attended the “American Correctional Health Association” annual conference and the CA Correctional Health Association Annual Conference.
4. The merging of mental health and medical records continued, with the installation of a new medical record secured shelves and file cabinet which is compliant with HIPAA requirements.
5. The screening of all Clinic employees for tuberculosis was performed.
6. An enterprise suicide prevention plan involving all disciplines of Juvenile Hall, probation, mental health, school and medical clinic was put in place.
7. The Juvenile Hall Mental Health Services and Juvenile Custody Health Services have coordinated and implemented a revised communication plan between psychiatrist and medical providers to ensure any urgent mental health issues can be communicated and addressed with appropriate care provided in a timely manner.
8. Medical staff attended Juvenile Hall site team meetings pertaining to the facility services and programs and participated in the Juvenile Hall Safety Committee.
9. Minors are provided education in smoking cessation, childhood obesity, skin problem prevention and treatments sleep disorders, as well as, asthma and diabetes control and management.
10. To promote minors’ self-esteem, medical staff continues to celebrate the “Happy Birthday” program for minors in Juvenile Hall.

VIII. MENTAL HEALTH AND DRUG AND ALCOHOL SERVICES

Commissioners met with the Healthcare Program Manager of Mental Health Services and conducted a phone interview with the Healthcare Program Manager of the Department of Alcohol and Drug Services (DADS).

Since last year, the Probation Department has reinstated funding for the Multi-Disciplinary Team Coordinator position. Some of the responsibilities of this position have been changed. It is now designated as a bilingual (Spanish-speaking) position with a preference to hire someone of bicultural background. The Mental Health Department is

contributing extra funding for the position, so that the person hired for the position can be designated as a lead clinician. JJCPA funding is covering the remaining cost of the position.

Although the population in Juvenile Hall has remained comparatively low, caseloads have not decreased proportionally. Youth with the most significant mental health issues are staying in custody longer and more intensive services are being provided to 12 and 13-year-old youth.

The Santa Clara Valley Health and Hospital System is implementing a new electronic medical record system, which will be used by all departments within the system. Much of the system will be in place by May of this year. The Department of Alcohol and Drug Services and Mental Health Department will be using the new system by the end of the year. Higher levels of confidentiality are needed for these departments and mechanisms need to be implemented to allow cross system access, while providing strong protections of patient confidentiality.

Fifteen mental health services positions are assigned to Juvenile Hall; twelve of them are currently filled. Six of these positions are licensed clinicians, five are unlicensed master's level clinicians and one is a bachelor's level position. Seven of the clinical staff members speak a second language. Three of the remaining five staff members are multicultural. Restrictions in the past prohibited the funding of stipends for interns in a custodial setting. Access to some new funds now makes it possible to pay interns at Juvenile Hall, insuring the clinic can maintain a strong intern program that provides valuable training for the mental health workers of tomorrow.

The Department of Alcohol and Drug Services and Mental Health Department have been meeting to explore how collaboration between the two departments might be increased at Juvenile Hall. Ongoing discussions are occurring between the two departments as a step towards the eventual integration of the two departments into a single department of behavioral health.

The integration of mental health records with the health records of youth at Juvenile Hall is taking place in increments. It started with two clinicians using hard copy integrated records and has since moved to about half of mental health staff using the integrated record. Ultimately all will be using the integrated records. There are some challenges attached to having the integrated records housed at the medical clinic. These will be overcome with the full implementation of electronic records, as staff will have ready access to electronic health records at their own computer and no longer need to access them in the health clinic.

The Department of Alcohol & Drug Services has three clinicians assigned to Juvenile Hall. One is assigned to the Multi Agency Assessment Center (MAAC), but fully funded by DADS.

The screening instrument used by the Mental Health Department shows that the great majority of youth in custody very likely meet the diagnostic criteria for substance abuse. Due to the considerable need for services and insufficient personnel to meet the full needs of youth at Juvenile Hall, referrals are prioritized with many youth flagged by the screening instrument, not receiving an assessment and referral for services. A universal referral process has been fully implemented to facilitate referrals by Probation Department staff. Youth are assessed for participation in Juvenile Drug Treatment Court and a team member serves as the contact point for referrals to residential substance use treatment for youth. Referrals are made for youth to receive services in the community after release. Several community-based providers have staff trained in the “Seven Challenges” treatment model. DADS has had support from an intern in the past and hopes it may be able to attract another intern to work at Juvenile Hall.

IX. CHAPLAIN SERVICES

Commissioners met with personnel who have overall responsibility for the management of religious programs at the Juvenile Hall. The Chaplain Services program is contracted with the Correctional Institutional Chaplaincy (CIC), which manages and coordinates services and activities for multiple faiths. This includes religious programs at all adult and juvenile correctional institutions in Santa Clara County. The Catholic Church maintains its own contract. Chaplains and volunteers share office space and religious materials. Each group is responsible for providing the religious materials they use to guide youth.

Title 15 requires the availability of access to religious services and/or religious counseling at least once a week. Attendance is voluntary and all religious programs shall provide a) opportunity for religious services; b) availability of clergy; and c) availability of religious diets. The Chaplain states that these requirements are being met. The Chaplain may intervene on behalf of a youth requesting a specific religious diet. Security issues sometimes prevent a youth’s involvement in religious activities if a phase alert is called or a unit is placed on lockdown.

Commissioners met with the Juvenile Hall Chaplain and discussed the programs that are available to youth while they reside in Juvenile Hall. The Chaplain has been at Juvenile Hall for 4 1/2 years. We reviewed the various weekly programs offered by the Chaplaincy. They include: a very popular Bible study series, self-esteem and self-respect training, improving communication skills, worship, pastoral counseling, choir, and meditation. The boy’s program is a ten week course given three times a year entitled “Lions and Lambs.” The girl’s program given in G-1 is entitled “Heart and Soul.”

Assisting the Chaplain are over 100 volunteers who are given background checks prior to entry into the Chaplaincy program. They provide Bible study groups and other worship services. Eight volunteers are certified for one-on-one counseling. Volunteers are carefully selected through in-depth interviews and complete a yearly four hour training and certification from their individual church affiliation as well as the CIC. Many volunteers have been with the Chaplain Services for years. There is a special training for volunteers who want to do counseling. Additionally, there are monthly classes dealing with topics such as depression, setting boundaries, substance abuse, and dealing with grief.

Volunteers supplement efforts by the Chaplain Services to cover various religions, help to manage costs and obtain broad community involvement and ethnic diversity. One outside group recently donated 300 youth Bibles to Juvenile Hall. These Bibles contain scripture supplemented by current day practical applications.

There are private rooms available near the Admissions area of Juvenile Hall for clergy counseling. A list of resident youth is published daily with names, religious affiliations, ethnicity and gender along with their unit placement so that clergy can find youth quickly. The Chaplain may also visit youth who have aged out of the Hall and are transferred to the Main Jail. The Chaplaincy is provided through a grant with the county supplemented by material and financial donations from local churches, faith-based organizations and private contributors.

Religious services are given in English, and Spanish. Reports are published by the Juvenile Hall Program office listing programs offered to youth. The Chaplain's Office and the Catholic Church also provide monthly reports to the Probation Department that document worship services, volunteer time and counseling time. In the latest fiscal year 2011 CIC report, over 1,260 Christian religious services were provided in Spanish and English. 1,629 youth received individual religious counseling and 127 youth received visits from outside pastors. Overall, religious programs are used by many youth and provide an opportunity for community volunteers to help this population effectively.

X. EDUCATION

This section of the Juvenile Hall inspection report is based on last year's report and the 2011-2012 Annual Report for Osborne School written by Osborne's principal and the Commission's observations.

Osborne School serves an average of 170 students in grades six through twelve, with the majority of students in grades 10-12. The average stay of students in the program ranges from 20-23 days, with a few students attending the program from one to two years during a single period of incarceration due to lengthy adjudication. It should be noted that Osborne School is housed within the Santa Clara County Juvenile Detention Center (Juvenile Hall), with the classrooms adjacent to the housing units.

Students who remain longer than 30 days have their transcripts reviewed to determine graduation status and their best educational options. A Student Success Plan (SAP) is developed

for each of these students by an intern counselor based on input from the students, their parents, their counselors and probation officers as appropriate and available. The principal also stated that student data were used frequently to ensure each student is getting an appropriate education.

During 2011-2012, there were 13 Alternative Education teachers and 2 Special Day Class Teachers at Osborne School. In addition, an RSP teacher provided special education services for students. In the past, students were pulled out of their classes and given special education services. Last year, 2011, was the first year the school implemented Specialized Academic Instruction where the special education teachers delivered their services in the regular education classroom. The principal indicated that this approach did not appear to be successful because special education students needed more one-on-one instruction with the teacher. As a result, these students spend three periods with the SDC teachers for their core subjects like Reading, English and Math. Then these students join others with their Special Ed. teachers for other subjects such as Science. All teachers possess valid California Teaching Credentials permitting instruction with the Alternative Schools and Special Education Departments. Alternative Schools Department continues the commitment and fulfillment of No Child Left Behind (NCLB) requirements of having fully compliant teachers providing instruction to students across all grade levels and subjects. During the 2011-2012 school year, the Master Schedule reflected Santa Clara County Office of Education's (SCCOE) targeted hiring procedure: more than 70% of Osborne students attended classrooms taught by NCLB compliant staff. Class size averages between 10-15 students, depending on the nature of the class and the current student population. According to the principal, since January, 2012, five teachers were reassigned to schools at alternative school sites since the student population declined. The relatively low student-staff ratio allows staff to establish and maintain one-on-one contact with students and monitor their individual progress.

The principal is assigned to Osborne School on a half time basis. Like last year, the principal continues to work at Stone Gate Community School, and be responsible for all special education functions. Also, there is a "Teacher in Charge" who, besides being responsible for helping students meet the requirement of the General Education Diploma (GED), also acts as a liaison between the different agencies and Osborne School, when the principal is not available.

The focus of Osborne School is Literacy and Numeracy. The core subjects focus on Literacy, Language Arts, Mathematics, Science, Social Studies and Physical Education. Staff members attend ongoing professional development, seminars and workshops to facilitate their instructional skills in delivering a sound comprehensive program to students. Every Wednesday, school ends earlier than the rest of the school days. The staff uses that time to attend staff development activities at the County Office of Education for one Wednesday of the month. For the remaining Wednesdays, teachers collaborate with each other to align instruction with student performance. The academic program is defined and structured through adherence to state standards as defined by the California Department of Education.

We visited several classrooms for this report. In one class, the students were reviewing the Battle of Bunker Hill. In two other classes, students were learning about spiders and heredity. Finally, students were taking turns reading a novel about the holocaust. Also, we saw a presentation by a pastor hired by the Mayor's Gang Task Force. The presenter focused on

helping students set goals. For example, in the area of academics, he asked students if they knew their GPA (Grade Point Average). He stated knowing that information was very important if students were to set and accomplish academic goals. Like last year, we observed the teachers to be very competent and committed to the education of the youth in their care.

Youths are assigned to housing units based on their custody status and the program to which they are assigned by the Probation Department. Therefore, with the exception of Special Day Class students and GED candidates not housed in secure units, all student schedules are determined by their living unit designation. To the extent possible, education is based on individualized instruction. This is especially true for math because the students have widely differing abilities.

Within 24 hours of admission, a SCCOE Assessment Technician screens all minors. This process helps gather necessary educational and socio-economic data to help plan the student's curriculum while attending Osborne School. Students are provided an average of 300 minutes of instruction per day in the areas of Reading, Language Arts and Math. The school is open for 230 instructional days. The only breaks the students get are two weeks off during winter break and a week during spring break. School during the summer is a continuation of the school year. The Osborne staff is trained, and they successfully provide Literacy and Language Arts instruction using "Character Based Literacy" a comprehensive curriculum developed through Santa Clara University. The principal indicated that while this was a great program, it did not provide teachers with enough tools to teach students to read, write and comprehend. As a result, this school began using "Edge", a state-approved instructional strategy for English Language Learners (ELLs).

Youths take several tests while they are in Juvenile Hall. Aside from the initial screening by the Assessment Technician, students take the California Standards Tests (CSTs). According to the principal's report, the average ELA (English Language Arts) and math scores are more than four years below for grades 10-12. The average ELA and math scores are more than three years below for students in grades 8-9. According to the principal's report, "There is the stark reality that students arrive and enroll at Osborne School significantly behind in grade level skills in English Language Arts and math. What is more telling are the pronounced GAPS in students' skills and knowledge base that makes instruction that much more challenging." For that reason, the teaching staff focuses on filling in the students' educational gaps. Students in grades 10-12 take the California High School Exit Exam (CAHSEE.) As is reflected in the principal's report, 40% was the passing rate, with students performing better on ELA as compared with math. The principal notes that the percentage of students passing CAHSEE is higher in the 10th grade versus 11th and 12th grades. These figures as presented in the principal's report showed the teachers where the support and services were needed. The Santa Clara County Superintendent's goal for CAHSEE is for the pass rate to increase between 5 and 10 percent each year. Students whose first language is other than English are tested in the California English Language Development Test (CELDT). While the goal is helping students acquire English skills so they can be re-designated Fluent English Speaking, it is a challenging aim because students do not stay long enough to profit from the language services being provided.

The number of students who qualify for special education services fluctuates across the various units at Juvenile Hall. The principal indicated this situation is further complicated by the fact that 35% of enrolled special education students have non-compliant Individual Education Plans (IEPs). The special education staff reviews all daily admits into Juvenile Hall, and determines if a student is eligible for special education services using the Management Information System (MIS). Presently, all special education students are part of the County-Wide MIS allowing for immediate access to special education information and data. Students are then placed with appropriate special education staff. Students are provided with services as indicated by the IEP, including any Designated Instructional Services (speech, mental health) and primary services from intensive services to resource specialists.

Osborne School has 2 Special Day Class (SDC) teachers to address the needs of identified students. One of the SDC teachers is specifically assigned to the multi-disciplinary team (MDT) with probation and mental health to help develop plans to address identified students' needs. There is one full-time equivalent (FTE) Resource Specialist providing services to students across the different living units. Also, 6 FTE Special Education Assistants are assigned to specific classes and provide additional support to identified students. Other special education staff include: 1.5 FTE Special Day Class Teachers, 1 full-time psychologist, one school office coordinator, one Program Specialist, and 0.4 Speech Therapist.

Osborne School has a School Site Council in which students are involved, but their membership changes frequently. Because of this situation and the difficulty of finding parent members, new members must be voted in every other month. This makes the consistency of the decision making process difficult because the purpose and focus change every other month when new members begin attending. Because many students qualify for Title I funds, the federal government gives alternative schools money which the School Site Council plans to spend to augment student achievement. This committee decided to focus on technology by buying laptops for student use. A math lab was also equipped with at least 20 desktops. The committee also wanted to use this money to support English Language Learners and training for staff and parents.

Students use computers for two general reasons—earning a GED or recovering units. A teacher is assigned to supervise students for these purposes. Also, each classroom has three to four computers that students can use under their teacher's supervision. Because the staff members are concerned with the potential for youth to access inappropriate sites, school administrators at Osborne and the County Office of Education are continually ensuring that computer firewalls prevent unsuitable access by students. Also, classroom teachers use smart boards to project computer-generated lessons.

The Santa Clara County Office of Education collaborated with WestEd to review the Alternative Education Department. There were six recommendations some of which included collaborating with staff about reform ideas; creating more positive relationships between staff and students and coordinating a system of service delivery that staff and students can access. Also, the COE is interested in having the alternative schools, including Osborne School, become accredited through the Western Accreditation of Schools and Colleges organization (WASC.) The principal indicated that the key way to attain the goal of accreditation is establishing

academic goals and standards based on Standards Based Instruction and the Common Core and meeting these aims. The principal indicated he would be participating on a WASC Team so he can learn what the accreditation process entails and prepare his staff for a WASC visit.

Finally, the principal indicated that several variables characterized Osborne School. They included 80% of students being enrolled less than three months and their movement between units while enrolled. Also, 90% of students are not proficient in Language Arts and Math. Finally, instruction occurs in a setting where the minor's case adjudication may take precedence over schooling.

XI. POLICIES AND PROCEDURES

The Procedures Manual, which contains over 300 pages, is the basis and guidepost for all operations at Juvenile Hall. The Manual sets out, in detail, every function in all areas of the facility. The Manual is a mandate which all staff and youth are expected to follow. It is a training tool that sets standards and rules for every situation, and is intended to be the authoritative guide for the safe-keeping and care of youth while they are housed in the Juvenile Hall Facility. At the same time, its function is to help train and protect staff in their efforts to exceed California State Standards in the care of these youth. The establishment of the Procedures Manual is specifically addressed in Title 15 of California Code of Regulations. Title 15 mandates that the Juvenile Hall Administrator develop written policies and procedures to promote and guide, among other goals, discipline and acceptable behavior for youth and staff. Title 15 states clearly that the facility procedures shall not include corporal discipline, group punishment, physical or psychological degradation or deprivation of specific basic needs and rights. All Probation Department staff members are required to read the manual, and must attest that they understand and will abide by all procedures contained therein. This would include any part-time or extra-help staff as well. The Procedures Manual can be updated and revised as needed. The contents of the manual are addressed annually at a meeting attended by the Supervising Group Counselor(s), the Probation Manager and other administrators for possible revisions. The Manual is currently on-line (in-house.) Last year the Commission recommended that the Manual be accessed on the Juvenile Hall/Probation website. When this previous recommendation was presented to the Deputy Probation Officer in January, 2013, he stated he was in the process of reviewing the changes. He said that after he and the Chief Probation Officer had completed their review of the proposed revisions, the Manual would be made available on-line to all staff in house, so the Commissioners could access the Manual on-line by June, 2013.

SUPERIOR COURT'S ANNUAL JUVENILE HALL INSPECTION REPORT

The Honorable Jesus Valencia, Judge of the Santa Clara County Superior Court, issued the Court's Annual Juvenile Hall Inspection Report for Suitability on December 14, 2012. All areas of Juvenile Hall were found to be in compliance with Minimum Standards, adopted by the Board of Corrections, pursuant to Welfare and Institutions Code 209.

QUALITY ASSURANCE PROGRAM

In an effort to document how the Policies and Procedures Manual was implemented at Juvenile Hall, the Probation Department organized a vigorous Quality Assurance Process in 2011. This provided an excellent opportunity for a team of staff members to inspect their own facility operations to ensure that current practices were in compliance with the state mandates and the department's Policies and Procedures Manual. The team sought to identify areas of insufficiencies and to develop corrective action plans to improve all aspects of the Probation System. Maximum performance was the focus, rather than meeting only minimum standards. The team used a three-pronged process: data collection of relevant records and documents, surveys and interviews of staff and youth along with team observation of daily activities and programming.

The Quality Assurance Team reviews the following areas annually:

1. Leadership
2. Food Services
3. Admissions, Classification and Release
4. Training
5. Behavior Management
6. Youth Rights and Services
7. Facility Structure and Maintenance
8. Safety and Security

Via a phone conversation with a Commissioner, the Probation Manager informed the Commission that several revisions are going through the approval process. Also, the Probation Manager stated these pending revisions of the Quality Assurance Process were not available to the Commission at this time, but would be provided to the Commission once the approval process has been completed.

INTAKE PROCEDURE:

Title 15 governs the Intake and Assessment process, requiring that the classification of a youth entering Juvenile Hall take place as quickly as possible, the goal being one hour after the youth appears at the Intake Desk which is now referred to as the Police Admissions Desk. The minor, accompanied by a Police Officer, arrives at Police Admissions in restraints. Several processes take place at, or about, the same time; the youth remains in restraints, he/she is taken to an isolation room for their privacy, where they are searched by a receiving counselor. The minor is then brought back to the admissions counselor where the identity of the youth is confirmed, and the minor is questioned regarding possible drug or alcohol use in the past 24 hours. A

Valley Medical (VMC) nurse conducts a medical screening, which includes an assessment of possible drug or alcohol influence. If the minor is found to be under the influence, the police officer, who remains standing by, transports the youth to VMC. The Admissions Officer reviews the Police Report for accuracy and to aid in risk-assessment, classification and housing. Some deciding factors that influence risk assessment are: Is there a victim of the crime? Is the victim injured or hospitalized? Was this a property crime? Handcuffs may be removed at this point, and the minor's photo is taken. The youth is then interviewed by the Screening Officer who will determine if the minor is suitable for admission into Juvenile Hall. If the youth is admitted into the facility, the Police Officer is allowed to leave. At that point, the Juvenile Hall staff takes jurisdiction and responsibility for the youth. The Screening Officer will administer a screening tool to determine if the minor is eligible for release, and may at his/her discretion release a potential detainee if detention criteria are not met. There are guidelines designed specifically for detention needs as tools in the consistent application of criteria concerning incarceration of youth. (Welfare and Institutions Code 601-602). If a decision is made to release the minor, influenced by factors included in the police report, the parent/guardian is called and asked to pick up the minor. There are several processes that take place within two to three hours of admission, but may not happen in any particular order, depending on the number of youth being processed at the time, and determined by the number of staff available to assist with that particular part of the process. Security is always taken into consideration. Title 15 allows the minor two phone calls initially: one to a parent or guardian and one to his/her attorney. Santa Clara County allows three phone calls with the third call permitted to the minor's employer. The minor showers, and is issued Juvenile Hall clothing. The youth's personal property is logged, with the youth verifying the list of contents.

CLASSIFICATION:

Title 15 requires the Juvenile Hall Administrator to develop written policies and procedures regarding classification of youth to determine, housing placement, as well as to ensure the safety of the minor, other minors, the staff and the public by placing the youth in the least restrictive housing setting. Classification is to take place with expediency. Classification is based on age, gender, sophistication, emotional maturity, program needs, legal status, mental health needs, medical issues and security concerns. Classification reviews are required periodically, considering behavior in custody and level of supervision needed.

ORIENTATION:

While these processes are being completed, the youth is asked to watch an orientation video, which is an introduction into the facility that goes over rules and routines each youth will need to know. Each youth is also provided a printed brochure, stating rules, regulations and expectations, designed to help them navigate the routine of Juvenile Hall as a new resident. The minor signs an acknowledgement, stating they have seen the orientation video, as do the staff counselor. During this process, at some point, the youth is provided one-on-one verbal instructions as well which coincide with the video and the brochure. Orientation information, rules and regulations are also posted in each housing unit, and the Unit Staff are accustomed to going over the information once again with the youth. We were told by the Probation Manager that each youth is presented with this information three times within the first few hours of

admission into the facility; the video, brochure and verbal instructions at Boys Receiving /Girls Receiving, and again in the Unit. This repetition is necessary to help prevent any early-on consequences for the youth if the rules aren't clear. According to staff, the minor is encouraged to ask questions at any time as they are guided through these processes. Classroom Orientation is being considered, according to the facility supervisors. Quality Assurance guidelines will help to provide more "kid-friendly" instructions.

INTAKE STAFF:

The staff at the Police Admissions Desk are sworn peace officers but are not armed. The Admission's Officer our Commissioners spoke with is a Senior Group Counselor, and is referred to by Administration as Shift Relief Staff. Staff can be pulled from other assignments in case of an influx of several youth at once. These are trained staff that can fill in quickly. We asked the Admissions Counselor, as well as the Probation Manager, if each considered staffing to be sufficient. Each stated staffing was adequate, and, because of security concerns, staffing would continue to match the need. Admissions staff rotates annually. There is a bidding process, and seniority is considered, per union contract rules. And, this particular assignment is a one-year assignment. Quality Assurance Counselors are assigned on a two-year basis.

XII. DOCUMENTS REVIEWED

Documents and inspection reports from multiple sources were requested and were reviewed during the inspection. Included were:

- a. California Corrections Standards Authority 2010-2012 Biennial Inspection of Santa Clara County Juvenile Facilities dated July 13, 2012
- b. Santa Clara County Probation Department, Juvenile Hall and Ranches Daily Statistics, dated January 11, 2013
- c. California Code of Regulations (CCR) Minimum Standards for Juvenile Facilities, July 2007, Title 15
- d. Institution Services Training Requirements Plan, 2012
- e. Probation Department Procedures Manual
- f. Annual Fleet and Facilities Walk Through of Juvenile Hall dated November 5, and November 6, 2012
- g. The Healthy Hunger Free Kids Act (HHFKA) meal plan submitted for certification December 2012.
- h. Santa Clara County Juvenile Justice Commission Inspection Report, Juvenile dated February 2012
- i. Juvenile Hall Salient Features Report, dated November 30, 2011
- j. Probation Department Organizational Chart, dated November 30, 2011
- k. Juvenile Hall Daily Population Summary, dated January 11, 2012
- l. Santa Clara County Department of Corrections, Correctional Institutions Chaplaincy Year End Report, 2011-2012
- m. Juvenile Hall Comprehensive Calendar, dated January 2013
- n. Santa Clara Valley Health and Hospital System, Juvenile Probation Medical Services Annual Report, 2010
- o. Inside Out, Parent Information Link/newsletter, dated November 2012
- p. County Office of Education, 2011-2021 Annual Report for Osborne School
- q. Santa Clara County, Public Health Department, Annual Health Inspection- Juvenile Hall Facility, 2012
- r. Office of Fire Marshal, County of Santa Clara, annual fire life safety inspection of Juvenile Hall, May 19, 2012
- s. Santa Clara County Probation Dept. Intake/Release Form (Triplicate Form)
- t. Notification of Suicide Watch, Mental Health Concern (Initiated at Intake-Copy to Unit Counselor-Copy to Parent/Guardian at Release
- u. Unit Assessment Sheet-Confidential (Lists housing of each minor)
- v. RAE-Risk-Assessment Form (Maintenance Screening)
Visitors Regulations List (Available in Lobby-Juvenile Hall)
- w. Orientation Packet: Probation Dept./Juvenile Hall (For youth and families)
Juvenile Hall Exit Information Packet
- x. LGBT Training Schedule (List outdated, but mandatory 4-hour classes are ongoing)
- y. Juvenile Hall Parent/Guardian/Caretaker Orientation Packet (This is in process of being revised-making it more user-friendly)

- z. Annual Facilities Inspection Report-2012. By Hon. Jesus Valencia, Judge, Superior Court.

XIII. COMMENDATIONS

1. The Food Services manager has not only met but exceeded the HHFKA requirements.
2. The Food Services manager is commended for the reduction in overtime, the addition of staff, and the overall efficiency of the program.
3. The Medical clinic is commended for its recognition for providing an outstanding quality management program with recognition for patient education programs, dental care and thorough medical documentations.
4. The Probation Department is commended for their thorough review, follow through and documentation of grievances and incident reports.
5. The Probation Department is commended for its continued successful efforts in keeping children age 12 and younger out of Juvenile Hall.
6. The Juvenile Justice Commission recognizes the professionalism and striving towards best practice implementation on the part of the Probation Department.
7. The Juvenile Hall Chaplain is commended for involving 100 volunteers in Juvenile Hall's religious programs.

XIV. RECOMMENDATIONS

The Santa Clara County Juvenile Justice Commission recommends that the County Probation Department:

1. Complete all repair items listed on the annual Fleet and Facilities and Fire Marshall's reports dated November 6, 2012.
2. Finalize the Policies and Procedures Manual and make it available on-line.
3. Replace the poorly-equipped kitchen constructed in the 1970.
4. Ensure that the Food Services manager should speak regularly to the youth to discuss proper nutrition and diet.
5. Add clinical staff to Juvenile Hall through Probation Staff or CBOs.
6. Make a notation in the Incident Report if an appeal has been filed regarding a disciplinary action and the tracking number assigned to the appeal.
7. Add a category to the monthly Salient Features Report that informs the Commission when a room extraction or use of OC spray occurs.
8. Report on its study of the "Control Program" relative to declines in the overall population at Juvenile Hall.
9. Review the policy of keeping ARR youth in Unit B-3 without programming.
10. Follow through with the replacement of signage and furniture in the Receiving area.

11. Review the studies by the AMA and others regarding effects of ambient and florescent light on sleep patterns and behavior.
12. That the specialized approach used in the Transition Assessment Unit (B-4) also be implemented on the Girl's Unit.

The Santa Clara County Juvenile Justice Commission recommends to the County Office of Education (COE):

1. Continue to move forward towards WASC accreditation for its Alternative Education programs.
2. Provide professional development training for its staff and partners e.g. JJC.

The Santa Clara County Juvenile Justice Commission recommends to the Santa Clara County Mental Health Department and Department of Drug and Alcohol (DADS):

1. Assign additional personnel so that Drug and Alcohol Assessments can be completed on all youth scoring at the Cautionary Level or higher on the MAYSI Screening Instrument.

SUMMARY

The Juvenile Justice Commission has completed its annual inspection of the Juvenile Hall. Satisfactory responses were provided to the recommendations contained in the 2011 report.

The residents of the Juvenile Hall are well supervised in a safe and secure environment. The Santa Clara County Juvenile Justice Commission believes, that based on this inspection, the Santa Clara County Juvenile Hall meets the Commission's standards for a safe juvenile facility.

Approved by the Santa Clara County Juvenile Justice Commission on April 2, 2013

Ray Blockie, JJC Chairperson

Date

Penelope Blake, JH Inspection Chair

Date