

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

**JUSTIN HOUSE ADOLESCENT GROUP HOME
MAY 2007**

I. INTRODUCTION

The Santa Clara County Juvenile Justice Commission conducted three announced visits to Justin House Adolescent Group Home for the purpose of routine inspection, pursuant to California Welfare and Institutions Code Section 229.5.

Justin House is a privately owned and operated group home, state-licensed for a maximum of six boys and classified as a Rate Classification Level (RCL) 9 program. (For purposes of determining state foster care reimbursement rates, all group home providers are classified into one of fourteen RCLs [1 through 14] according to the level of care and services they provide.) Justin House is located in a two-story house in a residential area on Tuers Road in San Jose. The owners also own and operate a second adolescent group home on Manton Street in San Jose. Justin House began operation on June 28, 2001. The posted operating license was current until April 19, 2007. However, according to the Resident Manager, an unannounced licensing inspection visit was expected any day, at which time renewal of the license was expected.

Two Commissioners visited Justin House on April 17, 2007. The facility was inspected and an interview was conducted with the Resident Manager, the only person present on the date of the inspection. Commissioners were informed that minors were at “open gym”; therefore, a second visit was accomplished on April 26, 2007 for the purpose of interviewing minors placed in the home. A final follow-up visit with the Resident Manager was held on May 8, 2007, and additional information was subsequently obtained from the co-owner. The findings and observations of the inspection and the interviews conducted are outlined in the following report.

II. POPULATION

At the April 17, 2007 inspection visit, Commissioners were told there were six boys living at Justin House: four placed by Santa Clara County; one placed by Alameda County; and one placed by San Mateo County. All minors at Justin House are on court-ordered dependency status and are placed under the Juvenile Court jurisdiction pursuant to California Welfare and Institutions Code Section 300. Each minor is assigned a social worker. At the time of this initial visit, one resident was 18 years old, one was 17 years old, and the remaining four minors were 16 years old.

The 18-year-old resident was in the process of enlisting in the United States Army. Commissioners were informed during the May 8, 2007 visit that he has received confirmation of acceptance and will be leaving for basic training on May 24, 2007.

The 17-year-old minor expected to be released in two months, at which time he will move to transitional housing. One other minor had applied for the Job Corps, and reported to Commissioners that he had not been provided the necessary paperwork (e.g., birth certificate and Social Security card) to complete his application. In a follow-up meeting with the Resident Manager, Commissioners were informed the minor had been denied his enrollment because the assignment he requested is in Utah. This minor can apply for a local Job Corps assignment if he wishes to do so. Another minor was also considering enrollment in the Job Corps but had not yet filed the necessary paperwork. According to the co-owner, all minors' personal documents, such as birth certificates, identification and Social Security cards, are secured in the minors' records files and are available as needed.

Shortly prior to the April 26, 2007 visit, the minor placed by San Mateo County had just been transferred out of the home. One newly admitted minor, a 12-year-old, had been placed the previous day by Santa Clara County.

III. FACILITY

The front yard was well maintained, with green, mowed lawn and numerous trees and flowering rose bushes. A golf course and park area are located directly across the street from the home. The Resident Manager reports having a friendly relationship with neighbors, in that he helps them with various chores. A large portion of the back yard is covered with green, recently mowed grass and a small concrete patio area on which sit a patio table and chairs. A barbeque and smoke pit are handy in the patio area and, according to the Resident Manager, are frequently in use.

The living room, dining area, family room, kitchen, restroom, laundry room and utility closet are located in the downstairs area of the home. The living room is furnished with two couches, a television, desk, bookcase, and computer. Six dining chairs, a dining table covered with a clean bright cloth, and a bowl holding fresh fruit fill the dining area. House rules and various informational materials are posted in the "resident's corner" of the dining room, including pamphlets with tips on how to stop smoking. The family room is furnished with two sofas and a television. The locked utility closet secures cleaning supplies and a vacuum cleaner. A washer and dryer are in located in the laundry room, where rules and hours for doing this chore are posted. House rules are strategically placed throughout the home for the minors to review. The large kitchen area was found to be very clean and organized. A toaster, microwave oven, and large bottled water unit were placed on the kitchen counter. A list of chores and a weekly menu are posted on the refrigerator door.

The garage has been converted into a recreation area for the minors. Miscellaneous exercise weights, a bicycle, foosball table, television, boxing/punching

bag and stereo are kept in the garage for minors to use, but must only be used when a staff person is present. Commissioners noted the recreational equipment available to the minors seemed insufficient, given the population size and age of minors living at Justin House. Minors frequent the local basketball court, but, during winter months, this would not be an available activity. According to the co-owner, minors prefer participating in activities such as basketball and swimming at the Camden Community Center. The co-owner commented that minors are transported to the Center three or four times each week and would go every day if given the opportunity.

Two very large bedrooms and a third standard-size bedroom are located in the upstairs area of the home. Two minors are assigned to each room. The master bedroom is designated the "Level 5 Bedroom," corresponding to the highest level minors can attain at Justin House. The two minors with the highest level status are given the privilege of bunking in this bedroom. This room has two stereo units and a bathroom/shower area. Minors in the other bedrooms share a bathroom/shower located in the hallway. Bedrooms are furnished with twin beds, dressers, fans, and large closets. All the bedrooms were very clean and tidy. Minors' personal toiletry items are stored inside covered plastic containers and placed on the night stands next to the beds. Numerous pairs of tennis shoes were neatly lined along the closet area. Commissioners noted that the bedrooms have a somewhat sterile, dorm-like appearance and that the night stands are old and rather small.

A fourth upstairs room has been converted into the staff office, where all facility, personnel, and minors' records are maintained. Minors' records files include birth certificates, Social Security and other identification cards, and original copies of the Personal Rights Form and House Rules, which minors are required to sign upon admittance to Justin House. Minors are provided copies of the Personal Rights Form and House Rules, in addition to contact information for Community Care Licensing, should a minor wish to file a complaint against Justin House or its staff. Relevant documents and paperwork from the minors' records files are made available to minors under the direction of assigned social workers and probation officers. A sliding-door closet is used to store snacks for minors as well as miscellaneous supplies. A first-aid kit is placed on top of a locked metal cabinet, which secures prescription and over-the-counter medications and other records/items of value, such as petty cash logs and a Playstation.

IV. STAFF

The Resident Manager works 7 am to 3 pm, Monday through Friday. The co-owner also works the day shift, from 8 am to 4 pm, Monday through Friday, as needed to replace absent staff. Two swing-shift staff persons work Monday through Friday, 2 pm to 10 pm and 3 pm to 11 pm. One staff person works the night shift, Sunday through Friday, from 11 pm to 7 am. A weekend-shift staff person works from 11 pm on Friday to 11 pm on Sunday. This individual is relieved by floater staff on Saturday from 8 or 9 am to 4 or 5 pm and Sunday from 8 or 9 am to 4 or 5 pm. An on-call staff person fills in on weekends for breaks and as needed.

V. SAFETY

Smoke detectors, located in the three larger rooms of the first floor and each of the bedrooms in the upstairs area, are checked daily. An audible fire alarm box is secured on a wall in the living room. Fire extinguishers are located in the office, kitchen, and laundry room, and all were inspected by the Fire Marshall in April, 2007. The most recent fire drill was conducted on April 13, 2007. Escape route plans are posted throughout the home, three in the downstairs area and one in each of the upstairs bedrooms.

The Resident Manager informed Commissioners that the front door of the home is always locked for safety. Minors have easy access to the rooftop from one of the upstairs bedrooms. In the past, minors have crawled through this window, onto the roof and gone off the property. A notice is posted in the bedroom warning minors of the consequences should this happen in the future.

According to the Resident Manager and the co-owner, minors in Justin House are dependent children of the Court under California Welfare and Institutions Code Sections 300–304.7, and, therefore, are not searchable by staff. However, if a minor has a “searchable clause,” he can be searched with permission from his social worker. The Resident Manager conducts a weekly search of all bedrooms.

VI. PERFORMANCE LEVELS, DISCIPLINE AND GRIEVANCES

All minors enter Justin House on Level 2 and are expected to complete five levels while in residence. Minors can be dropped a level as a result of negative behavior or rule violations, and can be kept on that level for five days before being advanced again. On the first inspection visit, four minors were on Level 1 and two on Level 2. Minors remain at each level for three weeks, after which time they must submit a request for level advancement. Requests are then reviewed by the staff and are either granted or denied. Level advancement must be recommended by three staff persons. Commissioners noted that changing to a system in which minors achieve levels through goal setting and positive behavior (e.g., a point system) could be more motivating for minors than the reported system, which is based primarily on the amount of time a minor remains on a particular level.

Discipline for unacceptable behavior might include a minor’s drop in level status, extension of level, cancellation of Saturday group outings or assignment of additional work/chores. Consequences are decided on an individual basis by the Resident Manager. Commissioners were given the example of one minor who kicked a hole in a wall in the home because his father was two hours late to pick him up for an outing. This minor was given work hours as a consequence, and was not dropped a level.

Children’s Complaint/Grievance Procedures forms are posted in the dining area of the home and are in easy access for all minors. All grievance forms are reviewed by the Resident Manager, who makes a recommendation for disposition and faxes the form to

the owners for review. According to the Resident Manager, very few grievances are filed, and most are resolved after discussion with the minor. Should a resolution not be reached at this point, the grievance is reviewed by a second staff person and a second recommendation is made. All grievances are forwarded to the minor's social worker, who also makes a recommendation. The Resident Manager, the second staff person, and social worker confer until a resolution to the grievance is reached. The owner is then informed of the final resolution.

VII. FOOD

Minors are served a hot breakfast at least two times each week. Weekly menus are prepared by the staff and posted on the kitchen refrigerator door. The posted menu consisted of a variety of healthful food items, including low-fat cheese, milk, and yogurt, while fresh fruit was reported to be available at all times.

State licensing rules prohibit storage of leftover prepared food, so there was minimal food in the refrigerator. Further, licensing rules require the facility to maintain a 30-day food supply at all times. This requirement is sufficiently met by storing food in the garage, where there is a metal cabinet holding numerous canned foods, two locked freezers containing frozen food items, and a second refrigerator filled with items such as hams and cheese. The freezer section of this refrigerator contains various additional frozen food items. Various snack items are stored in the upstairs office and are offered to minors at least three times during the day. One staff person delivers day-old pastries from a local coffee shop as an extra treat for the minors.

VIII. EDUCATION

The majority of minors placed at Justin House are "mainstreamed" special education students with completed Individualized Education Plans (IEPs). The minors attend local schools and rely on various means of transportation during the school week. One minor attends Oak Grove High School and is transported daily by the Resident Manager. Two minors either walk to Yerba Buena High School or are transported by the Resident Manager. One minor attends school through Unity Care and is transported daily by Unity Care staff. The 18-year-old resident remains at Justin House during the day and attends adult education classes in the evening. Special education students complete their homework at school. However, minors are required to participate in a study/quiet hour, which is scheduled between 4 to 5 pm on Monday, Wednesday, and Friday, and are required to read a book or newspaper during this time.

The 12-year-old minor reported not being in school. He also reported not attending school while at his previous placement at the Children's Shelter. Inquiry was made to the Resident Manager, who informed Commissioners that this minor had been expelled from his previous school. He just returned to Justin House after a week-long home visit with a relative, and a school appointment was scheduled for the next day, May 9, 2007.

“Open gym” is held on Tuesdays, when minors go to a local gym to play basketball. All minors, 16 and 17 years old, attend the Independent Living Program (ILP) through the Mexican American Community Services Agency (MACSA) on Wednesdays from 5:30 to 6:30 pm. ILP teaches minors the skills necessary for job seeking, employment application, and interviewing. The program also includes a culinary arts component.

IX. HEALTH CARE

Minors receive physical and dental examinations within 30 days of admittance to Justin House. The Resident Manager transports minors to these appointments. All minors are currently covered under Medi-Cal, except one who has Kaiser Permanente, and receive medical and dental treatment from a local pediatrician and dentist. In accordance with state licensing requirements, Justin House provides mandatory weekly group counseling with a licensed psychologist, who prepares a written psychological evaluation every 90 days. Minors also attend Community Family Therapist (CFT) meetings every Thursday at EMQ Children and Family Services. In the event of a medical emergency, an on-duty staff person first calls 911, if necessary. The owners are then contacted, who, in turn, contact the Resident Manager. Minors’ confidential medical, dental, and counseling files are secured in a locked file cabinet located in the upstairs office.

X. FAMILY VISITATION

Social workers notify Justin House regarding a minor’s family visitation arrangements. One minor has supervised visits with his parents at Justin House, during which staff provides the required supervision. Two minors have weekend visits with their parents away from Justin House. Before minors leave for any visit, both the minor and his parent(s) must sign an “Adult OT” (Outing Time) form and provide a contact phone number.

During the April 26, 2007 interview with minors, Commissioners observed a truck pulling into the driveway. Commissioners noticed the truck, because of the very loud music being played. A minor announced that his father had arrived and ran outside. The minor then came back inside with a piece of paper, handed it to the on-duty staff person, and left. Commissioners were told the paper was an OT form, which the minor had taken outside for his father to sign. Commissioners noted that staff did not confirm that the adult male was the minor’s father. When the staff person was asked if parents are required to come inside when picking up minors, Commissioners were told that this was correct, but that the father must have been in a hurry. According to the minor, he receives weekend OT visits with his father, as well as weekday OT visits (Monday through Friday after school until 10 pm). This minor reports that he only sleeps at Justin House, as he is with his father most of the time. He also reports walking to the local convenience store to buy Nyquil and other over-the-counter medication, which he keeps at his father’s home. This minor laughed about the house rules, stating they do not affect him because he is never at Justin House.

As a result of this observation, questions regarding the OT visit policy were presented to the Resident Manager on May 8, 2007, at which time Commissioners were informed that, when a staff person meets a visiting adult for the first time, the adult must present photo identification. The adult does not have to present identification to this staff person on subsequent visits. The staff person must not make an assumption about who is picking up a minor, but, instead, must make visible confirmation, i.e., the staff person must see the adult, even if the adult does not come into the home. In regard to the minor's comment about the Nyquil, the Resident Manager informed Commissioners that he was at Justin House one night when the minor came back from an OT with his father and the minor "looked high." After the matter was reported to the minor's social worker, the minor was placed in drug counseling classes and is now tested weekly at the Gardner Health Center. According to the Resident Manager, this minor is living at Justin House only until his father finds housing.

According to the co-owner this matter had been discussed with the minor's social worker, the minor's father, and all staff persons. Staff has been instructed to follow the OT procedure without exception. The father has been reminded that he is required to come inside the home and report to staff each and every time he takes the minor on an OT visit. The father was also informed that, if he does not follow this rule, the OT visit will be denied. This decision was made collaboratively with the minor's social worker. The co-owner described the minor's visits with his father, although not consistent, as generally occurring on weekdays from after school until 9 pm, and on weekends from morning (time varies) until 10 or 11 pm. The minor does not spend the night with his father on any day and returns to Justin House every night of each visit.

XI. ALLOWANCE AND ACTIVITIES

Minors receive a weekly allowance varying from \$1.00 to \$15.00, an amount determined by level standing. Allowance is a reward for successful completion of chores, and deductions are made as a result of poor performance of chores. Monies earned can be used on Saturday outings and to pay personal cell phone bills.

Minors are allowed to have personal cell phones between 7 am and 9 pm. Phone bills are either paid by a minor's parent(s) or with a minor's allowance. Minors also have access to the house phone, except minors on Level 1, who have no phone access.

A Dell computer is available to minors. There is no Internet access, but minors may use the computer for word processing and games. Only staff persons have password access.

The Resident Manager often acquires passes for professional and college football games, which he uses for outings for the minors. Periodically, minors are also taken to a local fitness gym for a workout session.

Minors receive a \$369 clothing allowance annually. These funds are managed by the social worker and are paid directly to the owners by the social worker. A clothing inventory is completed when a minor is admitted to Justin House and any needed items are noted and purchased at the first shopping opportunity. According to the co-owner, minors are informed about clothing allowance rules, but, if any minor requires clothing items and funds for that minor are depleted, the owners will be financially responsible for the necessary purchase(s).

XII. FEEDBACK FROM MINORS

Minors placed at Justin House by Santa Clara County were interviewed by Commissioners. Minors describe staff as “cool,” not harsh, and indicated that staff regularly helps out with chores. Minors believe the rules are fair and reasonable. One minor commented, “If you mess up, they’ll give you a second chance.” The co-owner delivers groceries once a week and comes twice to “check things,” according to minors. All of the minors interviewed offered high praise for the meals.

Minors report never getting ill, but in the event medical attention is necessary, they only need to inform staff. One minor attends drug counseling at the Gardner Health Center and one is visited at Justin House by a counselor on a weekly basis. One minor is given Welbutrin once a day. Another is given one pill each night, although he did not know the name of the pill or why he was taking it.

One minor has a probation officer, who visits his school once every two months. He also has a social worker, who is supposed to come twice each month but usually comes only once a month.

Personal hygiene was discussed with minors and they report having shower access anytime before 10 pm. Minors in the Level 5 bedroom can shower anytime. Personal hygiene items are required to be covered and kept bedside or in a drawer.

All minors report that they had a meeting with the Resident Manager when admitted to Justin House, during which house rules were explained, clothing inventory was taken and various forms were signed. One minor was happy he was given really good blankets. One minor reports not signing any paperwork when he was admitted to Justin House. One minor was told by his social worker that he would receive a \$400 clothing allowance, which he has not yet received. Several minors reported not receiving any clothing allowance while at Justin House.

One minor reported not knowing how to file a complaint, should it be necessary. Another believed the meal menu is too structured, like a cafeteria. He would like to eat what he wants, when he is hungry, and he suggested that minors be given the opportunity to plan a meal, one day a week, as a group.

One minor has requested to attend Wednesday night Bible Study, but staff has not taken him. According to the co-owner, this minor has been offered transportation, but

has repeatedly declined. Another minor would like to go to church but has not yet asked staff.

XIII. COMMENDATIONS

The Juvenile Justice Commission commends:

1. The owners, Resident Manager, and staff for the overall cleanliness of Justin House and its furnishings. The organization and tidiness of the facility was most impressive.
2. The owners, Resident Manager and Staff for their care of, and participation and involvement with, minors residing at Justin House.
3. The Resident Manager and an additional staff person, a former chef for a major cruise line, for the exemplary meals they prepare.
4. The Resident Manager and the owners for their cooperation in the scheduling of multiple visits to Justin House, and for their prompt response to follow-up phone calls necessary to complete this inspection.
5. The owners for ensuring minors receive additional necessary clothing items should their clothing allowance be depleted.

XIV: RECOMMENDATIONS

The Juvenile Justice Commission recommends that Justin House Adolescent Group Home:

1. Incorporate a point system (or comparable system), by which advancement between levels is determined. Such a system might motivate minors to achieve levels through goal setting and positive behavior, instead of the period of time minors are on each level.
2. Monitor "OT" (Outing time) visits to ensure that staff persons verify signatures on OT forms and identify all persons picking up minors from and returning minors to Justin House, and that parents follow required procedures/rules at each visit.
3. Ensure that all required documents (e.g. birth certificates, Social Security cards, and California Identification cards) are available to minors, as necessary, through the direction of assigned social workers and probation officers.
4. Ensure that all minors have a clear understanding of the rules regarding their clothing allowance.
5. Ensure that all minors understand the procedures for filing a grievance.

6. Ensure that all minors have the opportunity to participate in religious services and events of their choice, if minors make such requests.
7. Inquire into the possibility of partnership with the Children’s Shelter Athletic Director regarding the shared use of Shelter recreational facilities and equipment. Ownership should seek donations from outside organizations/agencies, such as Sears Program for Group Homes, should there be a need for additional recreational activities or equipment for minors in the future.
8. Replace older and smaller bedroom night stands with larger, newer ones, and allow/encourage minors to make their bedrooms more personal, with less of a dorm-style appearance.

XV. SUMMARY

Based on the information gathered during this inspection, the Santa Clara County Juvenile Justice Commission reports that Justin House has met the standards and requirements for a well-run group home.

Approved by the Santa Clara County Juvenile Justice Commission on June 5, 2007.

William J. Scilacci, JJC Chairperson

Date

Pamela Serrano, JJC Inspection Chair

Date