

Superior Court of California
County of Santa Clara
Sitting as the Juvenile Court

Judicial Inspection of Juvenile Detention Facility for Suitability

Welfare and Institutions Code § 209

Juvenile Hall

FILED
JUN 02 2023

Clerk of the Court
Superior Court of the County of Santa Clara
BY CATHERINE ADAMS DEPUTY

Date(s) of Inspection: April 17, 2023 and May 08, 2023

JUDICIAL FINDINGS

The following findings are noted in the minutes of the court:

- The facility as inspected by me was found to be within the minimum standards adopted by the Board of Corrections as noted on the attached and is suitable for the confinement of minors.
- The facility as inspected by me was found to not be within the minimum standards adopted by the Board of Corrections as noted on the attached and is not suitable for the confinement of minors.

Date: June 02, 2023

L. Michael Clark
Honorable L Michael Clark
Presiding Judge of the Juvenile Court

Superior Court of California County of Santa Clara

191 North First Street
San José, California 95113
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Chambers of
HON. L. MICHAEL CLARK, Judge



Annual Judicial Inspection of Juvenile Hall 2023 (WIC 209)

Pursuant to Welfare and Institutions Code section 209, Judge Jose S. Franco and Judge L. Michael Clark performed the annual judicial inspection of the Santa Clara County Juvenile Hall located at 840 Guadalupe Parkway, San Jose, CA on April 17, 2023 and May 8, 2023. They were accompanied by Ashanti Hayes and Trina Gauthier, Co-Managers for Juvenile Hall, Juvenile Probation Department.

The last judicial inspection of Juvenile Hall occurred on February 10, 2022, by Judge Franklin Bondonno and Judge Clark. This year's inspection showed that Juvenile Hall continues to function with the same high quality of supervision and services as those described in the 2022 report.

Therefore, the judges find that the facility meets the minimum standards adopted by the Board of Corrections and is suitable for the confinement of minors.

OVERVIEW

This year's inspection included the intake area, processing area, medical clinic, boys and girls units, school classrooms, the Secure Youth Treatment Facility (SYTF), and the gymnasium and outdoor playing field.

The judges viewed the intake video required for all youth admitted to Juvenile Hall and read the "Juvenile Hall Youth Orientation" pamphlet that is given to all entering youth. The judges reviewed the admission documentation required for all youth, which includes a two-page "SOGIE Questionnaire" to determine the youth's sexual orientation, gender identity, and gender expression preferences. The judges observed copies of the Youth Bill of Rights posted prominently throughout Juvenile Hall as required by Welfare and Institutions Code section 224.71.

According to Mr. Hayes, the visitation protocols for youth in juvenile hall have been amended to reflect the broader visitation rights afforded to youth and their

families effective January 1, 2023, under the provisions of Assembly Bill 2417 (Stats. 2022, ch. 786).

The judges met with the medical director for Juvenile Hall, Shelley Aggarwal, M.D. She explained that Juvenile Hall continues to implement Covid-19 precautions, including regular testing for all staff, and initial testing for all new youth admitted to Juvenile Hall. The medical clinic has a dedicated dental office and optometric office.

The judges observed youth and staff in classrooms, in the living units, and in the Secure Youth Treatment Facility (SYTF).

The judges visited the gymnasium and the outdoor recreation area. The gym is in excellent condition and provides a variety of exercise opportunities, including a well-equipped weightlifting area. The outdoor grass field and outdoor basketball court both remain in poor condition and are not used due to safety concerns by staff. Alex Villa, Deputy Chief Probation Officer, informed the judges that the County's capital improvement plan includes an all-weather outdoor turf field, Treatment, and basketball court for both Juvenile Hall and the James Ranch facility.

SECURE YOUTH TREATMENT FACILITY

The biggest change from last year is the expanded number of youth housed in the SYTF. At the time of last year's inspection there were eight males in SYTF housed in a single unit, and no girls in the SYTF, for a total of eight youth. At the time of this year's inspection, however, there were 11 young men in the A-1 unit and 10 young men in the A-2 unit for a total of 21 young men in two SYTF units. The judges were informed that a third unit for the young men is close to opening. In addition, there were two young women committed to secure Treatment but who remained temporarily housed in the B-6 unit with the general population Juvenile Hall girls. This brings the total number of youth committed to the SYTF in Santa Clara as of the date of this year's inspection to 23.

The SYTF will face its next big challenge between now and June 30, 2023, when the State Department of Juvenile Justice (DJJ) closes its doors under the provisions of Senate Bill 823 (Stats. 2020, ch. 337). It is anticipated that

approximately 20 young people -- 19 young men and one young woman -- will transfer from DJJ back to Santa Clara County for placement in the SYTF to serve the remainder of their commitment terms. This will roughly double the number of young people in the SYTF. JPD anticipates opening a third unit for SYTF young men prior to June 30. JPD has convened regular meetings with juvenile justice partners since last September to coordinate the successful transfer of youth from DJJ back to Santa Clara County under the realignment process.

Of primary concern to the judges, based on this year's inspection, is the current absence of a separate unit for the SYTF young women.

The difference in atmosphere between the boys SYTF units and the girls B-6 unit was palpable during this year's judicial inspection.

In the boys SYTF units, when the judges entered the units, no one seemed to notice. All the young men appeared actively engaged and focused on their respective activities. The atmosphere was vibrant, positive and dorm-like in feel. JPD reports that all the young men in the SYTF have earned their high school diploma and are working on college or trade credits. Those who are taking college courses are averaging 90% on exams. Two young men were recently nominated to the National Honor Society with G.P.A.'s of 3.9 or higher.

On the other hand, when the judges entered the B-6 unit for girls on April 17, there was no hum of activity or engagement. The atmosphere was quiet, subdued and felt very institutional. The two SYTF young women sat apart in chairs in the open area and focused on the judges. There was no apparent indication they focused on any particular activity. One of the girls approached the judges and tried to deliver papers which she said she wanted the judges to read. She was invited to share her papers with her counselor and/or her attorney.

After our visit on April 17 we received -- with the concurrence of their respective attorneys -- a six-page letter co-authored by the two SYTF young women. The letter contained a detailed description of various grievances they have raised related to education, vocation opportunities, environment, WiFi access, exercise, outdoor time, gardening, food and safety. The judges reviewed the letter and forwarded it to JPD.

Also, shortly after our visit on April 17, we learned that the SYTF girls had been moved to a new location on the second floor at Juvenile Hall, so we conducted a return visit on May 8 to inspect the relocated B6 unit. It still reflected the same institutional feel as before, with both SYTF and general population girls housed together, but there was an additional room available for the SYTF girls to sit in while the general population girls attended school in the other room. There were no couches or lounge chairs in the common area, but staff informed us that those items have been ordered and were expected to arrive soon.

CHALLENGE AHEAD

The girls' unit at Juvenile Hall highlights a unique challenge facing our community. Thanks to the groundbreaking work of Santa Clara County's Juvenile Justice Gender Responsive Collaborative, with technical assistance from the Vera Institute's End Girls Incarceration Initiative, the average daily population of girls in Juvenile Hall over the last several years has ranged between zero and four girls. Santa Clara County is doing an exceptional job of finding alternatives to custody for our juvenile justice girls. On the other hand, these low numbers create challenges with fashioning and sustaining appropriate supportive programming for the small number of girls housed in the Juvenile Hall general population and the equally small number of girls housed in the SYTF program.

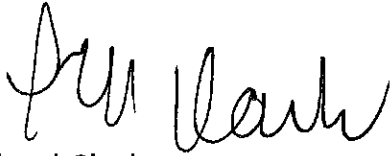
There can be no dispute that the young women in the SYTF program should receive the same opportunities and amenities as those currently afforded to our young men in the SYTF. Further, it is important that our young women in the SYTF program receive their own dedicated housing, separate and apart from general population girls in Juvenile Hall. The reason for this is that girls admitted to Juvenile Hall, on average, are younger, spend only a short period of time in Juvenile Hall, and may not be as committed to participating in programming as the secure Treatment young women. Conversely, the young women committed to the SYTF program generally are older, spend considerably more time in custody, and are more committed to programming and services.

The good news is that the County recently obtained approval from the California Board of State and Community Corrections (BSCC) to use the James Ranch facility for stepdown programs. According to Deputy Chief Probation Officer Alex Villa,

this opens the door for JPD to create a separate SYTF program for the SYTF young women at the James Ranch in the very near future.

THANK YOU

The judges wish to thank the Juvenile Probation Department and all the staff at Juvenile Hall for their tireless dedication, love and care for our in-custody youth.



L. Michael Clark

Date:

6/2/2023

Presiding Judge of the Juvenile Court



Jose S. Franco

Date:

6/2/2023

Judge of the Juvenile Court