Juvenile Justice Commission County of Santa Clara

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Santa Clara County Juvenile Hall Inspection Report

2023 Inspection Report

May 2024

TABLE OF CONTENTS

EXECUTIVE SUMMARY	2
COMMENDATIONS:	3
INTRODUCTION AND AUTHORITY	5
FACILITIES	5
ADMINISTRATION/OPERATIONS	7
JH YOUTH	8
MULTI-AGENCY ASSESSMENT CENTER PROGRAMS AND ACTIV	VITIES 14
MEDICAL	16
BEHAVIORAL HEALTH	19
EDUCATION	22
POLICIES AND PROCEDURES	26
DISCIPLINE, INCIDENT REPORTS, DUE PROCESS FORMS, GRIEV	'ANCES
AND ROOM REMOVALS	28
YOUTH SURVEY	29
Appendix A	34
Appendix B	36
Appendix C	38
Appendix D	39

EXECUTIVE SUMMARY

The Santa Clara Juvenile Justice Commission (JJC) conducted its 2023 annual inspection of the Santa Clara County Juvenile Hall (JH) operated by the Santa Clara County Probation Department (PD, PDO or JPO). The Juvenile Justice Commission conducts inspections of Juvenile Hall at least annually, and inspection reports for prior years are available online at: Juvenile Justice Commission - Superior Court of California, County of Santa Clara.

The facility has housed approximately 60 plus youth throughout the year, but there is a population of approximately 30 youth who would have been housed at DJJ prior to the passing and institution of Senate Bill 853 which closed the California Department of Corrections: Division of Juvenile Justice (DJJ). The Inspection of those youth, in what is now titled Secure Youth Treatment Facility (SYTF), is a separate inspection done annually by this JJC. Juvenile Hall, for all other youth, is primarily a short-term detention facility for those who have been arrested, and a judicial officer has found that they should remain in custody for certain safety reasons until the case has been adjudicated and the appropriate dispositional recommendations have been made and acted upon. A few youth spend their custody time in JH after disposition.

The process of the inspection included in-person and virtual interviews with managers, staff, educators, medical and behavioral health providers and with visits to JH to see how the facility is being used to support the goals of those providing services.

All new information is available in blue font for emphasis.

Policies and Procedures Manuals, Due Process forms, Grievances, Incident Reports and Room Removal videos were monitored throughout the year. Documents reviewed included judicial, state and local level inspections.

A survey of the youth housed in JH on a single day explored their perception of JH, staff and services offered, and their goals. The JJC is specifically focusing on the analysis of data done by the Research and Development team to support the programs and activities and has also monitored this throughout the year.

¹ June 30, 2020 was the time that admission to DJJ was closed to all but youth subject to being tried as adults and it was shut down entirely on June 30, 2022.

² Also found on the web page http://www.scscourt.org/court_divisions/juvenile/jjc/jjc_home.shtml

³ Unlike adult criminal cases, there is no right to a jury trial in Juvenile Justice. All proceedings are held before a judicial officer. The charging document is called a "petition", the finding to culpability is that the petition is "true", and instead of being sentenced the youth receives a "disposition".

COMMENDATIONS:

County Office of Education (COE):

- For facilitating and expanding Career Technical Education (CTE) for those youth who want to be prepared for employment when in the community.
- For adding new curriculum approved for Science and Social Studies.

Probation and Behavioral Health Services Department (BHSD):

- For the collaboration between BHSD and Probation Officers who can contact BHSD's Call Center to centralize the referral for appropriate and needed community based services for youth after they leave JH.
- For a stronger partnership and culture shift to be able to work together to sensitively meet the needs of their youth.

Probation:

• For the addition of the *Brighter Day* program to prepare youth for job interview preparation, resume building, and employment resources.

Juvenile Custody Health Services (JCHS):

- The medical team for managing medically complex youth with multiple needs and is working with partners to advocate for comprehensive services.
- For adding a full-time medical social worker.
- For lessening Covid restrictions by following CDC guidelines and allowing youth to merge into the general population more seamlessly and allow the youth to participate in activities within the units.

Behavioral Health Services Department (BH):

- For providing more family-based treatment to youth who are in custody
- For increasing the number of family-assisted therapy sessions.
- For strengthening their use of evidence-based models.

Probation and JCHS:

• For a Peer Health Curriculum with the Youth Advisory Council who have completed two cycles of a youth-led peer health education curriculum.

Behavioral Health and JCHS

• For medication assisted withdrawal from recent drug use, accompanied with therapy for youth in custody.

RECOMMENDATIONS:

Previously Recommended:

Probation:

- Identify and report Native American youth in detention as a distinct group rather than grouping in the" Other" category.
- Make available culturally specific programming for Native American youth and assign Probation staff who identify as Native American.
- Continue evaluating issues specific for Santa Clara County in the Policies and Procedures.
- As recommended in 2020, 2021, and 2022, reach out to other Bay Area Counties to develop Mutual Aid Agreements so that assistance can be rendered in the event that an emergency necessitates moving Santa Clara County youth to another facility. This is preferable to moving youth to the County Jail as is the current alternative.
- Continue to develop alternative menus and snacks that provide additional food and that still meet nutritional guidelines and are culturally appropriate.
- Convene with Juvenile Justice partners to address the disparity of black and brown youth being arrested and detained in Juvenile Hall.

New Recommendations:

Probation:

- Evaluating the efficacy of the Risk Assessment Instrument (RAI) and/or incorporating the factors that generate the override in the initial scoring.
- The Multi-Agency Assessment Center (MAAC) provide the JJC with the monthly data regarding the effectiveness of the programming.
- Develop or adopt a more efficient way to track the status of each program in use by the MAAC program in order to streamline the monitoring programs including Community Based Organizations (CBOs) and to make the results available to both probation and its partners.
- Upon evaluation, consider the return of Alcoholics Anonymous, Narcotics Anonymous and Alateen to the JH population.
- If not already in effect, return the youth's dining to the cafeteria.
- Return the intramural sports for JH youth.

County Office of Education (COE):

- To strenuously seek to add the need qualified substitute teachers
- To publish to education partners the results and data upon which measure budget effectiveness via the mid-year Local Control and Accountability Monitoring.
- To follow through with the use of a Student Exit Survey, and monitor and publish the

results of the survey to the JJC and other interested parties.

Santa Clara County Department of Health Services:

• To add additional dedicated staff to provide complete wraparound youth and families.

Santa Clara County Department of Behavioral Health Services and Santa Clara Board of Supervisors:

- Develop and fund crisis centers that specifically treat adolescents, add more beds and tailored services for youth and children at Emergency Psychiatric Services (EPS),
- Develop and fund a residential treatment program for teenagers
- Fund additional dedicated staff to fully wraparound youth and families in a meaningful way and to address health inequities and the subsequent consequences.

Facilities and Fleets:

• Maintain the JH grass and fields areas and fight the infestation of rodents.

INTRODUCTION AND AUTHORITY

The Santa Clara County Juvenile Justice Commissions (JJC or Commission) is established in Division 2, Part 1, Chapter 2, Article 2 of the California Welfare and Institutions Code (WIC) and Chapter II of Division A6 of the Santa Clara County Ordinance Code. One of the charges of the Commission is "to inquire into the administration of justice in a broad sense, including but not limited to, operations of the Juvenile Court, Probation Department, Social Services Agency and any other agencies involved with juvenile justice or dependency.", and (Section 1.2 (B) of the Bylaws of the Juvenile Justice Commission of Santa Clara County; see also WIC 229. The JJC conducted its annual inspection of the Santa Clara County Juvenile Hall from December 2023 through March 2024 in accordance with Welfare and Institutions Code Section 229 and Title 15 of the California Code of Regulation, Minimum Standards for Juvenile Facilities.

The annual inspection found the Probation Department continues to maintain an orderly and safe custodial placement for youth awaiting court, serving court-ordered Juvenile Hall time, or awaiting transition to placement, while bringing together services for the youth and their families during and after incarceration.

FACILITIES

Commissioners were able to inspect the facility in person and discuss the state of the facilities with JH management. It had been some time since Commissioners and staff were able to meet in person and without masks as Covid precautions are currently well-managed.

At the time of the inspection, eight of the thirteen units were in use at JH with capacity from four to sixteen youth per unit. Upon entry into JH, youth must now quarantine for just five days while in a general population unit, down from the previous guideline of fourteen days, before being allowed to interact with the other population in the unit. One unit was used for new female entrants as well as for all other female youth including security youth with its population at four. On the day commissioners visited JH, the general population stood at 36. Other units can be allocated for youth from James Ranch (JR) as needed (Covid exposure or weather- related emergencies).

A Board of State and Community Corrections (BSCC) report dated December 5, 2023, states that Juvenile Hall met all minimum standards set forth in Title 15.

Food Services

Youth continue to eat in their individual units, rather than in the cafeteria. The cafeteria is used as a staging area to load meals into delivery carts. All meals are delivered from the kitchen to individual units. Since the kitchen remodel was completed over five years ago all ovens and refrigerators are in good working condition. Staff is planning to return to in-cafeteria eating in March, 2024.

JH also hosts a Culinary Arts program coordinated through the COE's Osborne School. Youth have participated in a food handling program which allows for a youth to receive a certification in Food Handling which might be a step forward towards finding a job when released.

The kitchen participates in the National School Lunch Program. The food service staff provides menu items based on federal nutritional guidelines. Menu changes are made based on availability and suitable options of food items.

Youth may be provided double entrees on request (most request them). The Commission solicited comments from the youth about their meals and the results are available in the survey of JH youth included later in this report.

Other Support and Facility Areas

- Laundry: Two new dryers are on order but yet to be delivered. These were expected in 2023 but were delayed due to approval cycle and supply chain issues. The laundry policy is to do washing by unit and tag clothes per individual. This allows the youth to retain their own set of clothes. The laundry room is staffed around the clock. Youth do not work in the laundry due to the outside exit door in the facility.
- Gymnasium: The gymnasium is in good condition and used by the youth for various activities including the use of weights, assemblies, entertainment opportunities and

- family visiting. The day the Commissioners visited there were tables and chairs set up on the gymnasium floor to allow for family visits.
- Control Desk: JH staff work the control desk. The Control Desk is a contained space within JH. It has a partial glass exterior which allows visuals of youth leaving their unit (e.g., going to court, to medical or for other reasons.) The control desk also controls unlocking the unit doors. The Department has a contract with a vendor to provide virtual and in-person maintenance of the cameras and other equipment that have a presence throughout the living units, hallways and within the Control Desk. Staff is satisfied with the safety provided around the clock through the control desk.
- Outdoor Area/Fields: The fields and outdoor area is minimally maintained. The grass areas are unmowed and issues with rodents continue. Agave plants and maple trees provide some landscaping. Plans are being discussed to replace the grass with artificial turf. Intramural sports ceased during Covid and have not returned.

Fire Marshal's Report

The last Fire Marshal's report was dated April 2023. It pointed out some deficiencies in the standpipe and sprinkler system. Work orders were written to address these issues.

ADMINISTRATION/OPERATIONS

JH staff manage the operation of services provided to youth while detained in the facility. Operations include the delivery of basic needs – food, clothing and housing to overall safety, security and order throughout the institution. In addition, Administration/Operations coordinates with program providers for education, mental health services and enrichment activities. These responsibilities have always been challenging but were especially so during Covid.

COVID Response

In 2023, JH changed its policies and procedures in managing COVID cases. Staff no longer test daily, and division managers no longer conduct contact tracing if a youth or staff tested positive. If a youth tests positive, they will quarantine in their unit. The exposure unit is closed but will reopen when two or more youth are confirmed positive. All but the outside drug and alcohol treatment programs and other community-based organizations have returned for on-site service provision except Alcoholics Anonymous, Narcotics Anonymous and Alateen.

During 2023, one hundred and sixty-six staff tested positive, which is below 193 for 2022. The monthly number of cases in 2023 fell significantly below those in 2022. Staff were directed to stay off work for five days if they tested positive; if they test negative on the fifth day, they are able to return to work on the sixth day. If the symptoms persist, the staff will be placed off work for ten days to return on the eleventh day.

Staffing

At the end of 2023, JH had a total of 174 full-time equivalent staffing positions to manage the youth detained in the general population and the SYTF program⁴. This total included group counselors, supervisors, division managers and a Deputy Chief of Institutions. When JJC Commissioners met with JH division managers on January 10, 2024, one hundred fifty-seven positions were filled, 17 were vacant, and 20 staff were out on medical leave. Twenty extra-help staff also were working in JH. Table 1 below is the breakdown of the positions.

Table 1: Juvenile Staffing							
Job Title	Filled	Vacant	Total	Extra Help			
Deputy Chief Probation Officer	1	0	1	0			
Group Counselor I	17	17	34	19			
Group Counselor II	21	0	21	0			
Sr. Group Counselor	103	0	103	0			
Supervising Group Counselor	13	0	13	1			
Probation Division Manager	2	0	2	0			
Total	157	17	174	20			

Staffing at JH is required to be compliant with the federal PREA (Prison Rape Elimination Act) standards of 1 staff per eight youth and for overnight, one staff per 16 youth while also providing adequate staff to cover the eight open units (two general population, two security units and four SYTF units) of at least two staff per unit. Group counselors and the control and living unit supervisors are included in the ratio count. If the ratios fall below the standard, JH uses voluntary or mandatory overtime.

Filling vacant group counselor positions continues to be difficult. Citing as an example, Juvenile Probation recruited for 13 vacant positions mid-year. After conducting interviews and background checks, only six were added by December.

Other County Agencies in JH

Santa Clara Department of Health Services provides staff for custody health services in the JH Medical Clinic and BHSD oversees mental health and substance use services. COE delivers education services. The services offered by these agencies will be detailed in individual sections of this report.

⁴ The reference to SYTF in this instance also includes those youth returned from the Department of Juvenile Justice state institutions (DJJ).

JH YOUTH

The youth and young adults housed in JH fall under four categories. In the first category are youth who are detained while their cases proceed through the court process (predisposition and post-disposition) and are awaiting placement. The JJC focused on this category of youth for its inspection. Consequently, when able to clearly pinpoint this data, this report will include only those youth who were proceeding through the Court process and awaiting placement. If a youth has been charged with a serious offense and is awaiting a hearing to transfer the case to adult court the stay in JH may be lengthy. Other youth frequently spend from 2-3 days to around thirty days.

The second category is a very small number of youth (on average 1 youth a month) who have been committed to JH for a brief period rather than being sent to the James Ranch.

The third category are youth and young adults who have been transferred from County Jail to serve their commitment.

The final category are youth committed to the SYTF noted above or who have been returned to this county from DJJ.

Population

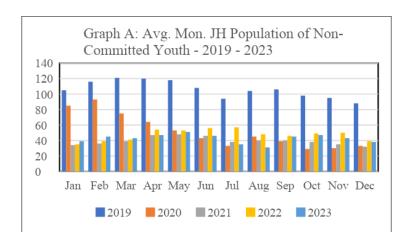
Looking at the average monthly population of youth awaiting the outcome of their cases and placement in Table 2, the overall monthly average was 107 in 2019 and then dropped 51% in 2020, when shelter-in-place was instituted in the first quarter. The downward trend continued in 2021 but started to climb in 2022.

In 2023, the monthly average decreased by 9% when compared with the average for 2022. The decrease could be attributed in part to the sharp decrease of youth awaiting transfer hearings. At the beginning of 2023, a monthly average of 10 youth were awaiting transfer hearings and by the end of the year that number was an average of four.

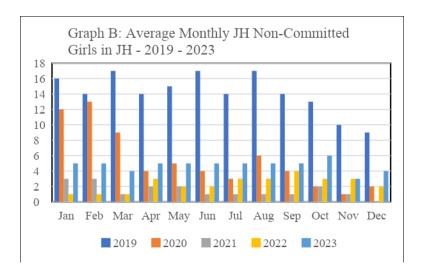
Table 2: Average Mon. Pop of Non-Committed Youth & % Change Per Year ⁵						
Year 2019 2020 2021 2022 2023						
Mo. Average	107	52	39	47	43	
% Change		-51%	-25%	21%	-9%	

Graph A shows a monthly comparison from 2019 to 2023 where the population variations have been detailed.

⁵ All figures in the graphs and tables in sections on Population, Race and Ethnicity and Intake and the RAI were provided by the RAD division of the Probation Office.



Graph B provides the monthly average for girls awaiting disposition or placement in JH. Please note since 2019, the number of girls has greatly decreased. However, in 2023, the average number of girls awaiting the end of their cases grew from an average of two in 2022 to five in 2023. The decrease was based on a concerted effort by the Juvenile Justice partners to find alternatives to detention for girls as data showed that many girls were detained despite low Risk Assessment Instrument (RAI). scores⁶.



Race and Ethnicity

As have been reported in previous JH inspection reports, JH holds a disproportionate number of non-committed youth of color/ethnicity in comparison with the breakdown of children and youth in the Santa Clara County general population. While the number of youth housed in the JH has decreased dramatically after SIP, which started in 2020, the percentages of youth of color/ethnicity remained disproportionate each year between 2019-2023. As seen in Table 3, Latinx youth still comprise the largest group of non-committed youth in JH in 2023 at an average of 77%, followed by Black youth at 14%. In comparison, Latinx youth represent only 29% of the youth population in Santa Clara County, Black youth only 2%, Asian at 37% and White at 21%.

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⁶ See below the explanation of the RAI.

Table 3: Average Daily Population of Non-Committed Youth of Color/Ethnicity 2019 - 2023											
	As	ian	Bla	ick	Wł	nite	Lat	inx	Otl	her	Total
	No.	%	No.	%	No.	%	No.	%	No.	%	No.
2019	4	4%	9	8%	8	8%	84	79%	1	1%	106
2020	1	2%	4	8%	3	6%	43	83%	1	2%	52
2021	0	0%	2	5%	1	3%	34	87%	2	5%	39
2022	1	2%	6	13%	2	4%	34	74%	3	7%	46
2023	0	0%	6	14%	2	5%	34	77%	2	5%	44

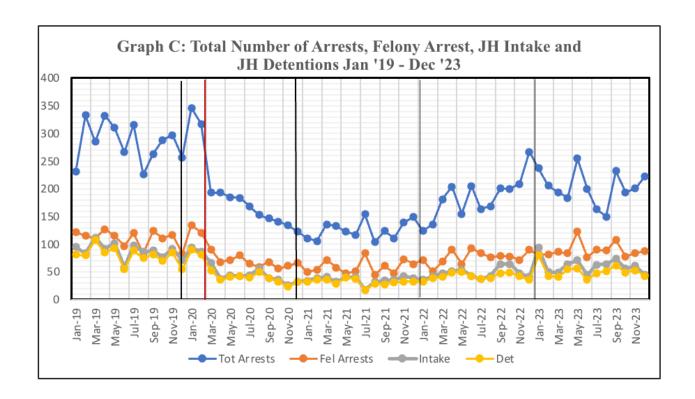
In last year's report the JJC recommended that Native American Indian youth be identified and reported in JH population data. These youth traditionally have been involved disproportionately in the justice system and should be tracked. The COE is aware of the number of Native American Indian students attending its school within the institutions. Tracking this figure in JH and other Probation facilities would enable Probation to understand the need for and provide culturally appropriate programs to this category of its populations, including at JH. No changes were made by Probation in 2023 in reporting of race/ethnicity.

Intake and Detention Decision-Making

In 2022, the JJC inspection focused on a review of the intake process for youth entering JH. The JH division manager confirmed that the process has not changed.

After arrest, Probation has requested the arresting officer to call ahead and confer with the JH screening officer to determine if other options were available rather than bringing the youth to JH. Generally, only youth facing WIC 707b (serious felony) charges or misdemeanor offenses involving violence are brought to JH.

When the youth is brought to JH, the youth is placed in a holding cell and is searched and receives an initial medical assessment. The officer provides a Juvenile Contact Report (JCR) to the screening officer who then assesses the JCR for completeness and whether it meets all elements of the offense(s). Additionally, during the screening process, the youth is interviewed to gather information about the youth's family and social history, including if the youth or family has had any contact with child welfare.



Graph C provides a historical illustration of overall arrests, felony arrests, intakes and detentions from 2019-2023. As can be seen the numbers in all categories dropped after SIP, but since the beginning of 2022 through 2023, the total number of arrests has climbed. All other categories have remained relatively the same.

The guide used by the screening officer to determine whether to detain or release a youth is the RAI. The assessment assigns a score to several categories of factors to measure the risk to reoffend or of non-appearance in court. A youth who is at least 14 years old and has committed a WIC 707b offense generally will be detained. Other factors are taken into consideration include: the presence of a violence in the offense, domestic violence, use of a firearm or significant prior delinquent behaviors. The final score can be adjusted upward for aggravating factors or reduced for mitigating factors. The screening officer can override the low and medium scores based on state law and local policy (mandatory overrides) or for other reasons (discretionary overrides). The reasons for discretionary overrides could include:

- Self/Victim/Community safety
- Parent/Guardian issues
- Family violence at home
- Violations of probation (e.g. technical, substance abuse and/or new arrest)
- Domestic violence with mitigating factors
- Other reasons

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⁷ Scores: 0 - 6 (low), 7 - 9 (medium) and 10 or more (high)

In reviewing the data⁸ for discretionary overrides in 2023, the largest category was self/victim/community safety at 79%, with parent/guardian who either could not be located (22%), the second largest category or refused to take custody (14%), the third. During the interview with the division manager for JH, the Commissioners learned that the inability to locate a parent/guardian or the refusal to take custody generally was resolved within 24 hours, which makes detention for these reasons temporary. JH has developed alternatives to detention in these instances (e.g., Bill Wilson Center⁹) with the parent's authorization.

Table 4 provides a comparison between the last three years in the number of detentions and overrides, and also indicates the percentage of overrides to the total youth detained. The expectation is that overrides would be used as an exception to the outcome of the RAI. In reality, the percent of overrides is significant enough for Probation to consider evaluating the efficacy of the RAI and/or incorporating the factors that generate the override in the initial scoring.

Table 4: Comparison of Overrides to Detentions 2021 - 2023						
	2021	2022	2023			
Total Youth Detained	380	506	580			
Total Overrides	172	230	281			
% Overrides	45%	45%	48%			

Tables 5 and 6 show the breakdown of overrides for 2022 and 2023 by race and ethnicity. In comparing the overall detentions and the discretionary and mandatory overrides for 2022, the percentage for each of the race/ethnicity categories remain somewhat the same in 2023 except for the **Other** category (90%), which is quite small in the total at 10 detentions. In 2023, the White (59%) and Black (51%) showed a rise in overrides when comparing the two years.

Table 5: Percent of Detention Overrides vs. Total Detentions by Race/Ethnicity 2022								
	2022	White	Black	Latinx	Asian	PI	Other	Total
Total Detentions		31	75	369	21	0	10	506
Overrides								
Discretionary		10	21	76	4	0	5	116
Mandatory		3	11	91	5	0	4	114
Total Overrides		13	32	167	9	0	9	230
% of Overrides to								
Detentions		42%	43%	45%	43%	0%	90%	45%

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⁸ All data was provided by Probation's Research and Development Unit (RAD).

⁹ The Bill Wilson Center offers a youth shelter, housing and counseling services.

Table 6: Percent of Detention Overrides vs. Total Detentions by Race/Ethnicity 2023								
	2023	White	Black	Latinx	Asian	ΡI	Other	Total
Total Detentions		32	70	454	19	0	5	580
Overrides								
Discretionary		12	21	107	6	0	1	147
Mandatory		7	15	107	3	0	1	134
Total Overrides		19	36	214	9	0	3	281
% of Overrides to Detentions		59%	51%	47%	47%	0%	60%	48%

Length of Stay

As was stated at the beginning of this section, JH is intended to be a short-term detention facility. Using the daily population report for December 31, 2023, as a snapshot for the length of stay for the JH population awaiting disposition and placement, the majority (89%) of the youth were detained 100 days or less. This is an improvement from 2022 (65%) and 2021 (59%).

On the other end of the continuum are the youth awaiting transfer hearings on whether they should remain under the jurisdiction of the Juvenile Justice Court or be transferred to Adult Criminal Court for prosecution. The length of time in JH for these youth have been significantly higher. Four youth (11%) fall within this category, and they have been detained in JH for over 600 days. In 2022, the percentage of youth awaiting transfer hearings was 29%, but the length of stay was nearly half at 351 days.

The length of stay for transfer hearing youth falls out of JH control. Decisions that affect the length are made at various points in the process by other system members. Generally, these youth are charged with serious criminal violations and may require additional court preparation time and the presence of co-participants in adult court could delay the resolution of a youth's case.

MULTI-AGENCY ASSESSMENT CENTER PROGRAMS AND ACTIVITIES

Commissioners interviewed Juvenile Hall supervisors, MAAC staff, and managers to receive information about programs offered to the youth in JH. The JH MAAC unit evaluates youth in custody for more than 72 hours in order to make appropriate referrals tailored to each youth's needs. MAAC programs rotate throughout units so not all youth in JH are receiving the services at the same time. Contracts are reviewed quarterly.

Facilitated by JH MAAC unit staff, meetings are held with CBOs hosting MAAC programs to review contracts. Additionally, evaluations for contracts are conducted annually and renewed based on the needs of youth in the general population. Through annual assessments, outcomes are tracked to ensure program viability.

As youth enter the program, their assessment is used to identify potential services that would be applicable. As youth engage in these programs, staff adds case notes to each youth's electronic file so all parties have access to the services the youth is receiving. Supporting staff like BHSD will also have access to see what services the youth is receiving to avoid duplication.

The MAAC staff tracks the status of each program manually, using sign-in sheets and pre- and post-service evaluations. All of these items are on paper, and must be consolidated and reviewed each month, to confirm compliance. In addition, the staff must be paid overtime to review some of the after-hours programs, so it can be challenging to monitor all of the programs.

Through evidence-based programming, MAAC allows youth to participate in specific programs approved by panels and providers and allocated based on funding criteria. Monthly meetings are held by the MAAC program supervisor to assess program effectiveness and scheduling.

Community-Based Organizations offer a variety of programming both virtually and in-person: Most services are offered under contract, while some are offered under an operational agreement and staffed by volunteers. Services are paid for by grants through the Juvenile Justice Crime Prevention Act and the Juvenile Justice Realignment Block Grants.

CBO Services

- *Brighter Day*: prepares youth for job interview preparation, resume building, and employment resources. Brighter Day directly connects youth with employment opportunities with community partners such as Target and Safeway.
- HealthRight 360: Substance abuse programming
- New Hope For Youth: anger management and conflict resolution where the youth also participate in workshops and individual sessions, including gender responsive programming including Girasol Girls Rites of Passage and El Joven Noble for boys, and mentoring services
- Cognitive Behavioral Interventions Core Youth (CBYCY): another anger management curriculum.
- Fresh Lifelines for Youth: provides workshops and individual sessions that address the youth's rights and the juvenile justice and criminal justice systems and individual counseling to more than one youth
- *The Beat Within*: workshops in creative writing, art, and drawing (attempting to move in person programing)
- Painters of Legends: Art Workshops (rotates between units)
- Catholic Charities Religious Services: Catholic Chaplaincy still available for youth upon request; coming in person on Sundays, bible study in units during the week.
- The Barbers Inc, and Clipdart Giveback (Contractors): haircuts, braids, and beard trimming services monthly (strict with guidelines, offer to give them a haircut no continuing to allegiance to gangs)
- Furry Friends: Pet-assisted therapy services
- New Skin Tattoo Removal: both in JH and after release

- Planned Parenthood Mar Monte: family planning and education service
- Young Women's Freedom Center: (in person began in April 2023) workshops for female and Transgender and Gender Non-Conforming (TGNC) population
- *Girl Scouts of Northern California*: "Got Choices" program, weekly workshops for female population focusing on promoting a healthy lifestyle and prevention
- YWCA Golden Gate: sexual assault/PREA education workshops, crisis hotline services, victim advocacy services and support services (virtual)
- Art of Yoga: workshops (online) rotates weekly (virtual)
 - a. Art with mediation- teaches more subtle moves (virtual)

Alcoholics Anonymous, Narcotics Anonymous and Alateen used to be active at JH but have not returned.

Staff are trying to transition all programs back to in-person. Staff may also make one-time relevant referrals through submission of a Universal Referral Form, when appropriate (e.g., referral to FIRST 5 Santa Clara County for new parents.)

Recreation:

All units participate in visits to the library weekly. Youth have access to updated novels, art materials, and to listen to music. Units can visit the gym and are able to play team sports.

Prison Rape Elimination Act

Every youth is required to receive a PREA orientation. This orientation occurs in the observation units where youth are initially housed. Additionally, all new admits are given the opportunity to attend the YWCA PREA workshop every Wednesday.

MEDICAL

Juvenile Custody Health Services (JCHS) continue to follow evidence-based protocols on infection control practices and adheres to the Public Health guidelines. All youth are still screened at intake and housed per classification. There is no quarantine period at initial intake or when youth are exposed. If there is an outbreak in a unit, they do not place the infected youth in a unit separate from the other youth in that unit, but they will not put new youth in that unit.

Youth that test positive are separated for medical isolation and monitoring. The exposure and quarantine protocols have loosened in alignment with public health guidelines. Exposed youth are offered testing on Day zero and encouraged to retest on Day 5. Masking (surgical masks at a minimum) is strongly recommended for all staff and visitors throughout the facility. Masking is required for all JCHS staff and in the clinic, when participating in direct patient care activity, and in exposed units or patient care areas. While Probation is no longer doing contact tracing where they review videos to determine exposure contact, reported close contacts are notified in alignment with the policies of the Public Health and the Infection Prevention of Santa Clara County. There are no longer restrictions on programs or visitation. They currently follow the

Public Health and Safety guidelines that allow positive youth to be evaluated for clearance after a 5-day minimum and wear a mask for a full 10 days.

If medical staff test negative on day 5 and their symptoms improve, they can return to work the next day (day 6) and wear a mask through day 10. The facility posts the current recommendations for Covid protocols. There will continue to be updated practices based on new recommendations and guidelines as appropriate.

JCHS has a full-time medical social worker on board who started at the end of December 2023. The social worker is supporting medical education, medical transitions of care into the community, and expanding various high needs services such as care coordination for medically-assisted therapy (MAT) for opioid use disorder and other substances as needed, among other things. The medical administrative assistant retired after more than 30 years for the county and will be honored at a Board of Supervisors meeting. JCHS is recruiting for this position.

The full-time medical unit clerk rotates between JH and the Ranch. They have one vacancy for a full-time medical unit clerk.

There is currently a hiring freeze within the County, so they must submit a Free Exemption Review Committee request to hire new positions. The nursing positions are filled but they still need additional medical staff and extra help/per diem nurses to support the workload due to the increasing SYTF population, and to provide relief for coded staff for planned and unplanned shift replacement.

The Health Information Management department implemented a new document management system (Hyland OnBase) on December 4, 2023, to scan all hard documents into the electronic medical record, which is viewable in HealthLink.

They have reintroduced Stanford residents (two to three per month) but not back to its previous level. The San Jose State University Nursing students have not resumed yet, but they are hoping to resume this soon.

They have expanded sexually transmitted infections screening and now have universal gonorrhea and chlamydia screening for all youth entering the facilities. They had two county leadership fellows work on advocacy projects last summer. Through this work, the team created novel posters and educational materials in collaboration with the Santa Clara County Public Health Department and started an Opioid Use Disorder (OUD) education project that is currently in progress. Materials included crisis line numbers and also reproductive health and sexually-transmitted infections information posters and other educational content.

Opioid/Substance Use – MAT (Medication-Assisted Treatment)

More youth are being treated for OUD and withdrawal within the juvenile facilities. Some youth are newly diagnosed while others are being treated for a known diagnosis. There continues to be a lack of community-based resources to support teens, and JCHS may be one of the few opportunities that youth have for comprehensive medical treatment and multidisciplinary care coordination. JCHS offers and initiates MAT for youth who have OUD and/or other substance

use issues and who need support for withdrawal and/or continuation of medical care for chronic substance use. There are now multiple pathways by which youth are medically stabilized onsite through comprehensive medication management, but youth may also be admitted to Valley Medical Center as needed for acute opioid withdrawal and a higher level of care for stabilization before return to the facilities. The JCHS has close collaboration with the BHSD team and psychiatrists as well as the inpatient Valley Medical Center team and will work with the probation team as appropriate to support youth and families. The medical social worker is a key partner in streamlining this workflow and this role is vital in addressing care coordination for youth and families. The BHSD team coordinates MAT MDTs and their collaboration and care of the youth is appreciated. There is a significant need for more county-wide services related to substance use that specifically address the unique health needs of adolescents.

There is a critical need for crisis centers that specifically treat adolescents. Emergency Psychiatric Services needs more beds and tailored services to youth and children. There are insufficient residential treatment programs that accept teenagers, especially those that may have specific insurance or other financial limitations. More high-quality and accessible care is a must if there is to be a meaningful response to the opioid crisis and substance use treatment among teens. JCHS is leading a project and is collaborating with probation and Santa Clara County Behavioral Health to utilize youth's voice and lived experience for harm reduction and opioid use education. JCHS is continuing to work with multidisciplinary partners to finalize their written protocol and streamline clinical care needs.

Positives

There is a strong collaborative relationship across the systems with JCHS, Probation and BHSD, however, there was an implied need for more support from BHSD. The goal of the combined services group is to improve education and expand resources for youth, and the new social worker will help with this goal.

The California Advancing and Innovating MediCal (CalAIM) program is an enhanced care management program that has yet to be rolled out. This program aims to provide comprehensive care for justice-involved populations, including youth, and ideally provides enhanced care management mental health, other health-needs and also social determinants of health (such as food and housing, etc.) There is a significant need for increased and enhanced resources for youth. JCHS hopes to utilize comprehensive programs such as CalAIM to maximize the services available to youth and families. However, staffing limitations have resulted in no dedicated eligibility worker to juvenile health. JCHS is working on systems collaboration and how to implement CalAIM with Health and Human Services leads and advocating for more resources for justice-involved youth.

They have put together a Peer Health Curriculum with the Youth Advisory Council and have completed two cycles of a youth-led peer health education curriculum.

Challenges

System-impacted youth are known to have health needs beyond those of non-system impacted peers. The medical team is managing medically complex youth with multiple needs and is working with partners to advocate for comprehensive services. They are closing the gaps with youth transitioning back into the community, but additional dedicated staff are needed to fully wraparound youth and families in a meaningful way and to address health inequities and the subsequent consequences.

JCHS experienced an increase in youth with high medical needs due to complex BHSD diagnoses (such as eating disorders, etc.) requiring significant staff resources across departments and the facilities. There is a lack of resources for youth that have a primary mental health diagnosis and associated medical complications. While there is a strong collaborative relationship across the systems with Medical, Probation and Behavioral Health, JCHS indicated that, due to the complex needs of youth entering the facilities, there is a need for added support from Behavioral Health.

As in past years, medical staff repeated their desire for Behavioral Health to utilize the same electronic health record (EHR) so that there is easily accessible documentation for medical and BH teams. Medical has read-only access through My Avatar, but they need to do training for medical staff to be able to use this system. Behavioral Health has read-only access to HealthLink. Psychiatrists have access to both systems. The adult justice system utilizes one medical-mental health EHR system, HealthLink. The MultiDisciplinary Training Systems had good collaboration. The Integrated Care Team through the County Health System needs to focus more on transition care support for youth in the community for primary care and screening, housing, transportation, etc.

Facilities

The infirmary beds have been upgraded to mechanical medical beds but they are locked to prevent youth from accessing the controls. The optometry clinic has added ocular tonometry equipment to measure eye pressure. The optometrist can now see more youth at the clinic.

BEHAVIORAL HEALTH

Behavioral Health Services Department provides therapeutic services for all youth in custody, beginning at their intake and through discharge. The level of individualized treatment services varies amongst every youth per the time they are in JH custody. BHSD at JH was redesigned last year. There are two teams of staff providing services, the Guadalupe Services Team (GST), and the Custody Treatment Team (CTT). Services are provided from 8:30am until 7pm seven days a week, with a clinician on call outside of those hours. The core team, four clinicians from GST and two rehabilitation counselors is allocated to work solely at Juvenile Hall. They manage intake, care coordination, safety risk assessment, crisis response, and run group counseling sessions. The second team, CTT comprised of seven clinicians and a clinical

supervisor, provides individual and family therapy. ¹⁰ They also participate in child and family team (CFT) meetings. CTT also is assigned to both JH and James Ranch (JR), which provides them with the ability to continue to serve youth who are transferred from JH to JR, thus ensuring continuity of care. Previously, youth who were transferred to JR would be assigned to a new clinician, thus disrupting the flow of their treatment.

At the time of inspection, a total of one GST clinical position was vacant, and another one is in the process of county hiring. The Court of Individual Treatment of Adolescent (CITA) has one vacancy. It has been particularly challenging hiring a bilingual (Spanish and English-speaking) clinician. The current pool of clinicians has the capacity to provide services in Spanish, Hmong and Arabic. Interpretation services are also available through a third party and have been used once during the past year to assist with Eastern European languages.

Before COVID, BHSD screenings of youth occurred within 24 hours of admission. Now with BH staff on-site, this practice has returned. The use of the MAYSI II (Massachusetts Youth Screening Instrument), a standardized screening tool, was used and self-administered. That practice has been suspended. BHSD staff felt that it was not as useful as it needed to be. Youth often filled it out with disinterest and the results did not match the screening done by staff. BH staff feel that their more extensive in-person interview is better able to provide valid diagnoses and to determine suicide risk.

BHSD stated if the youth were detained for a short-term, the staff focuses on stabilization and maintenance. However, now if a youth is detained over two weeks BH staff can provide actual mental health treatment within the JH setting, which is a clinical shift. Immediate needs of all system partners can be provided to address mental health issues. Substance abuse education is more pertinent to the JH milieu

BHSD at JH reports the prevalent admitting diagnoses are as follows: approximately 35% of the youth served were diagnosed with an adjustment disorder, 14% with an anxiety disorder, 13% with PTSD, 8% with a major depressive disorder, 3% with a dysthymic disorder.

Furthermore, it is reported that 1% were diagnosed with an opioid disorder, .05% with cannabis disorder, and .05% with a cocaine disorder. BHSD's current process can now capture secondary diagnoses; in general, they see additional substance use diagnosis and mental health diagnosis as secondary. Note these are admitting diagnosis that are updated over time.

The youth who are diagnosed as having an opioid disorder are referred to the medical clinic for Medication-Assisted Treatment (MAT), an explanation of which can be found in the Medical section of this report.

BHSD is providing more family-based treatment to youth who are in custody and the number of family-assisted by therapy has increased. They are also strengthening their use of evidence-based models, which include the Neurosequential Model of Therapeutics and Multi-Dimensional Family Therapy (MDFT). The Neurosequential Model of Therapeutics (NMT) is a

¹⁰ At the beginning of 2023 the 8 clinician were assigned, but with the County's budget shortfall, the number was decreased by one as of July 1, 2023.

developmentally sensitive, neurobiology-informed approach to clinical problem solving. NMT is not a specific therapeutic technique or intervention. It is an approach that integrates core principles of neurodevelopment and traumatology to inform work with children, families and the communities in which they live. MDFT is a family-centered treatment for youth struggling with mental health and other challenges. Staff are now in training to perfect their ability to provide this type of therapy. It gives parents hope and tangible help and enables youth to create a positive lifestyle. Through MDFT, youth and their family will communicate more effectively, function better day-to-day, and ultimately grow closer and stronger together. MDFT addresses a range of youth behavior challenges including substance use, mental health, crime & delinquency, antisocial & aggressive behaviors, school & family problems, and emotional difficulties. Therapists use a comprehensive approach by meeting individually with the youth, individually with the parents/guardians, together as a family, and together with youth, the family, and community influences. Therapy could be provided virtually both for youth and family. BH has always had a shortage of interview rooms where privacy and security could be provided clients. JH is in the process of dividing up a room for use as two interview and therapy room.

Court for Individualized Treatment of Adolescents (CITA)

The Court for Individualized Treatment of Adolescent (CITA) is a therapeutic court intervention for youth with both a mental health and substance use diagnosis. Most participants live in the community, but some youth in custody have participated in CITA. Currently only one youth is participating in CITA. This specialty court is dependent on youth/parents consenting to participate, which is no longer happening. Efforts were made to increase participation, but without success. Youth in JH still experience substance abuse with co-occurring mental health disorders. With CITA several new practices were instituted that now have been incorporated generally and were created during COVID for youth.

- MDT (Multi-Discipline Teams) In response to COVID, Court reviews have decreased and instead MDTs are used to solve problems for youth in need or do not engage in provider programs or are not following court orders. However, court reviews could still be scheduled.
- Care Coordination Every youth now has access to CITA level services through BH.
- Education Advocacy Education Services Unit has expanded to include early referrals for support and advocacy.
- Wraparound Services Many of CITA participants also received wraparound services which currently are available to those who are not in CITA.
- Record Sealing This was used as a motivation to participate. Several years past the record sealing laws changed and sealings are now a common aspect of case dismissal and is no longer an incentive to participate.

The whole system of care for youth in this area has changed. The result is that there is no longer a need for this Court. CITA is expected to close in 2024 and probation staff will be reassigned. BHSD is considering relocating the one clinician's time into the community.

Competency Services

One and one-half rehabilitation counselors and one licensed clinician are assigned to provide services to youth who have been deemed unable to participate in legal proceedings due to an inability to understand the court process and to assist their attorney in the preparation and defense of their case (resulting from developmental delay, psychological impairment, or insufficient age.) The services are aimed at increasing the youths' competency to participate in their legal case. Most participants in competency services live in the community, but youths in custody may be referred to the program.

The Behavioral Health Resource Consultation (BHRC)

The BHRC operates in collaboration with the Probation Department and community-based organizations. Referrals were previously made directly by any probation officer seeking services for a youth, including any released from custody, but now the probation officers contact the BH Call Center. This helps centralize all referrals. It is particularly helpful since the Call Center knows what services have open slots. The one clinician assigned to BHRC is now used to help Probation determine what type of referral should be considered and collaborate with community-based organizations. Services include Responsive Intervention Services (RISE) and Empowerment, Substance Use Treatment Services and Pathways to Wellbeing (formerly called Katie A Services). BHRC staff collaborate with Probation to guide them in making referrals to Full-Service Partnership, Intensive FSP services, or to Transitional Aged Youth Outpatient Services. BHRC has one staff member supporting this function, along with other duties.

Psychological Assessments and Medication Services

An on-staff psychologist and several contracted psychologists provide psychological evaluations. Evaluations are usually completed within ten to fifteen days, but there have been unique situations that require additional time for completion (e.g., if foreign language translation is needed, etc.). Two part-time psychiatrists provide medication services. Dr. Aggarwal, JH Medical Director, and the medical team, partnered with the Behavior Health Clinical team to meet the needs of youth and coordinate services for MAT for OUD.

Medical Clinic staff follow a protocol to ensure that youth discharged from custody have continued access to any prescriptions, including psychotropic medications, that they have been prescribed while at Juvenile Hall.

Collaboration between BHSD and the Medical Clinic.

BHSD is using myAvatar for its electronic health records. The Medical Clinic uses HealthLink. BHSD staff have access to youths' medical records, but due to stricter privacy regulations for behavioral health records, staff in the medical clinic do not have ready access to behavioral health records. Despite the challenges presented using two electronic systems, there is strong collaboration between BHSD and the medical clinic. They participate in meetings together, including MDTs. At this time, myAvatar does not have a portal that allows patients to view their own record.

Collaboration between BHSD and the Probation Department

BHSD administration reports that the Covid pandemic necessitated increased coordination with the Probation Department, which has resulted in a stronger partnership and a shift in culture that is more sensitive to the behavioral health needs of youths.

EDUCATION

The National Institute of Justice states that providing educational opportunities while in custody is the most effective means to reduce juvenile recidivism. The Osborne School, within JH, is one of the four Court and Community Schools operated by the Santa Clara County Office of Education Alternative Education Department (AED). The other facilities in the AED include Blue Ridge, at James Ranch, Sunol and South County Continuation Schools.

Commissioners conducted an in-person visit with the Osborne Principal. On that date there are 33 students enrolled; 25 students had an Individual Education Plan, three students had a 504¹¹. In many cases, students arrive after disengagement with school, and IEPs are out of date. The staff makes sure that the plans are updated and executed. One of the biggest challenges is getting the plans approved by the educational rights holders and the team has stories of creative ideas for gaining approval (even going to court for approval.)

StaffOsborne School full-time staff:

Staff	# in 2022	# in 2024
Osborne School full-time staff:		
School Principal (dedicated to Osborne & Sunol Community School	1	1
Core Content Teachers	5	5
Intake Teacher	1	0
Special Education Teachers	2	1
Para Educators	4	4
Assessment Technician	1	0^{12}
College Liaison	1	3
CTE Teacher	1	1
School Office Coordinator	1	1
Education Navigator	1	1
Shared with Blue Ridge School at James Ranch:		
Academic Counselor	1	1
Assessment Technician	0	1
Shared within the whole Alternative Education Department (Suno	l and South	
County Continuation Schools plus Osborne and Blue Ridge, at Jan		
Special Education Program Specialist	1	1
School Psychologist	1	1

¹¹ Under a 504 education plan a minor can get special services based on whether they have a disability that limits daily activities such as self-care, walking, seeing, breathing, hearing, speaking etc.

23

¹²10. Assessment technician is now a shared resource.

The school psychologist fulfills the need for education related mental health services, and provides one to one school therapy when needed. A report is sent to the psychologist each week noting the students who require one to one counseling on the day prior to the psychologist's visit to the court schools.

Osborne: Biggest Challenge, Substitute Teachers

Commissioners asked multiple staff members about their biggest challenge, and almost all replied that it is the shortage of substitute teachers. They currently have two substitute teachers, but believe they need six. Ideally, they seek educators with experience with the JH population.

Positive Behavioral Interventions and Supports

Positive Behavioral Interventions and Supports (PBIS) continues to be the focus of discipline in the classrooms. There is a monthly PBIS leadership team meeting, including staff from JH, COE, Probation, and JR, that provides consistent standards for use of and rewards for the end-goal behaviors. During these meetings, the team ensures that all parties are calibrated (i.e., each teacher is providing consistent incentives.) At this meeting, nominations are made for student of the month, with each month focusing on a different theme (for example, in 2024 January's theme was perseverance, February's theme was self-awareness.)

RenStar

COE is using RenStar as an educational assessment tool both when youth enter the JH and every 45 days thereafter. Since the last inspection, this assessment staff position has been filled and the tools are regularly being used now. The teachers use the test to challenge youth to improve their level of achievement and anecdotally this has had success, but test scores are still within the disappointing 5th grade level, as most of the youth who come into JH are at a low level when they enter. Test results testing is shared with the teachers.

As in previous years, those entering JH are, on average, not performing at a grade level consistent with their out-of-custody peers. According to the data provided to the JJC, entering reading levels average grade 4.5 and math levels average grade 5.1. However, again based on data, over successive 50-day periods, average grade level improvements were noted to be an increase of 0.4 in reading and 0.9 in math. While substantial variation in attainment and improvement levels from student to student exists, the trends are encouraging.

Curriculum

Since the last inspection, a new curriculum has been approved for Science and Social Studies (World History, US History, Government, and Economics.) They are now in the process of training the teachers and introducing the new textbooks and workbooks.

Credit Recovery

In preceding inspections, credit recovery had been fulfilled by the on-line educational tool Edgenuity, and also designed by a Special Education Osborne teacher who assigns work, oversees the progress and reports the issue of credit completion enabling youth to view a path toward completion of a high school diploma. Both options are still available to students.

The youth's time in custody allows reengagement in learning. By using a credit recovery option and using the AB 167/216 option, available for foster or probation youth, who have been removed from their home, the 220-credit graduation requirement was reduced to 130 credits. On the inspection date, there were 2 high school graduates in the JH program.

Library and Book Clubs

The library has been built out and enhanced over the last few years, in part, based on a relationship with the Santa Clara County libraries. The site has been thoughtfully planned, with comfortable seating, new books for checkout aimed at adolescents, and magazines and "coffee table books" that can be reviewed in the library. Youth may check out audiobooks that are independent electronic devices that only need headphones to work. Staff plans to keep statistics on youth interests (books checked out, subjects, etc.) once the library is fully cataloged. The staff has recently added a section of Spanish-language books.

Author Sunil Singh visited the library last summer, to meet the kids and play math games from his book, Math Recess. He wrote an article about it for Medium magazine, telling the story of his interaction with "at first disinterested" young men, but as they played more math games, they started to enjoy them and apply math principles. The highlight of the day was that Mr. Singh introduced a math game with some of the boys and he ended up losing the game to a young student—and Mr Singh had never lost the game before that day. It's an inspiring story of the staff embracing opportunities for new programming and experiences for the youth. There will be another author, Ellen Kagan, visiting in 2024 to discuss her young adult book, Don't Call me a Hurricane. The staff plan to arrange a book club around this title to discuss it with her when she visits in person.

Career and Technical Education

For interested youth in preparing for a job instead of pursuing higher education there are several options for Career Technical Education (CTE).

The virtual forklift has been expanded to allow JH youth to participate. Youth in JH may complete the program on the virtual forklift but must test on the actual forklift at JR to receive a certification as a forklift operator.

In June, 2023, JH, through the COE, received a grant from the Career Technical Education Incentive Grant program that will allow JH to engage with Foothill College in a horticulture program. Two professors from Foothill teach students about horticulture, including aquaponics, and the students use those skills to create and care for a garden on site, growing their own vegetables. Youth have enjoyed the program, and the staff is hoping to expand the CTE program to include solar power, a topic proposed by the youth. A visiting judge helped start a new program to raise trout from eggs and ultimately release them into the wild.

The chef from JR will be coming to JH twice a week to start a culinary program. His program at

¹³ Credits in all core subjects remain while credits for Physical Education, Health and Electives are not required.

 $^{^{14}} https://sunilsingh-42118.medium.com/uplifting-students-by-uplifting-mathematics-an-emotional-day-at-osborne-juvenile-center-732737c2f83e$

JR has been very successful and popular, and ultimately assists the youth to get food-safety certifications.

The art teacher from JR will also be at JH three times a week to introduce new art programs.

There is a program and lab for digital music, in which students use instruments and electronics to create their own music. They plan to work in conjunction with Dr. Shelby on a new video, aimed at youth, for the Narcan vending machine, with content created by the youth in JH, including music and art.

Education Navigator

The Education Navigator is part of a team of people who work to return the youth to their school of origin or best placement. A large screen has been added to the Special Education room, specifically for Zoom meetings to discuss IEPs.

On the date JJC inspected the education services for JH youth, there are 33 students enrolled; 25 students have an IEP, 3 students have a 504¹⁵. In many cases, students arrive after disengagement with school, and IEPs are out of date. The staff makes sure that the plans are updated and executed. One of the biggest challenges is getting the plans approved by the educational rights holders and the team has stories of creative ideas for gaining approval (even going to court for approval.)

Outcomes Tracking

The principal primarily measures budget effectiveness via the mid-year Local Control and Accountability Monitoring. They have commenced a Student Exit Survey, and plan to monitor and publish the results of the survey. There is a weekly leadership meeting to track the budget, discuss specific cases, and ensure that youth are moving through the system in the scheduled time limits. The staff is sometimes limited by the youth's willingness to engage, but most assessments are completed within the times committed.

Osborn: Biggest Challenge, Substitute Teachers

Commissioners asked multiple staff members about their biggest challenge, and almost all replied that it is the shortage of substitute teachers. They currently have two substitute teachers, but believe they need six. Ideally, they seek educators with experience with the JH population.

¹⁵ Under a 504 education plan a minor can get special services based on whether they have a disability that limits daily activities such as self-care, walking, seeing, breathing, hearing, speaking etc.

POLICIES AND PROCEDURES

Policies:

Juvenile Probation adopted a new set of Policies and Procedures in October of 2022. These Policies and Procedures were adopting through a company, Lexipol¹⁶, that offers various versions of policies and procedures for law enforcement involved agencies¹⁷ and has a number of variations that might fit each agency. The Policy portion of the manual applies to both JH and JR. The stated purpose for these adoptions is:

Santa Clara County Juvenile facilities have modified our policies and procedures to better utilize trauma informed approaches that are gender and culturally responsive to the needs of the youth we serve. These policies present awareness that the youth entering the juvenile facilities who may have experienced trauma. These policies also support the juvenile facility staff's ability to take necessary to prevent any further victimization of this population.

The JJC's review of these policies and procedures note improvement over the previous iterations of the Manual that was updated by Juvenile Probation Officer (JPO) staff.

JPO indicates that a review of the juvenile facilities policies and procedures should be conducted biennially and JPO's own inspections of JH should include the areas covered by these Policies and Procedures.

Of note in the Policies Section includes guidelines on Americans with Disabilities Act Compliance, ¹⁸ Continuing Education requirement for Staff, ¹⁹ and Chemical Weapons Training. ²⁰ These policies include the existence of emergency and evacuation plans, and a section on Discipline within the facilities. ²¹

Procedures: 22

¹⁶ Lexipol is a private company that provides policy manuals, training bulletins, and consulting services for detention and investigation for law enforcement agencies.

¹⁷ The JJC checks their use by the Law Enforcement Agencies as part of our yearly inspections of the agencies within Santa Clara County (See the yearly inspection reports at http://www.sccsuperiorcourt.org/juvenile/jjc.htm)

¹⁸ Policy 212

¹⁹ Policy 301

²⁰ Policy 303, but it contains no reference to JPO's decision not to use chemical weapons within the facility.

²¹ Policies 401, 406 and 600.

²² Procedure Sections 100 and 107 list the Juvenile Justice Commission with the duty to inspect JH annually.

These Procedures give Probation the duty to review their Policies and Procedures biennially, which puts the onus on JPO to do that after October 2024. Not only does the JJC have a duty to inspect the facility yearly, so does the Juvenile Court Judges, the Health Department, the Fire Marshal and the COE, and JPO itself. BSCC must inspect JH every other year.

As noted in past inspection reports, the JJC continues to recommend seeking a mutual aid agreement with contiguous counties. ²³ Procedure 401.2.4(2)(e) specifically recognizes that need. The subsequent sections make clear what different entities in the facility should do.

The behavior expectation of the youth is covered in both the Policies and the Procedures, but the outline of what information regarding the expectation for the youth is included in their orientation. They view a PREA video, receive an orientation packet, and they agree to a behavior program for their unit. Their success, or lack thereof, is recorded in Juvenile Automation System notes and the duty of the group counselors not only includes this documentation but also requires each group counselor to meet with each youth at least once a week, and to seek assistance from MAAC to help adopt programs to meet the youth's behavioral needs. These sections also require the group counselors to include explanation of telephone usage, Pill Call, and the youth's rights regarding clothing, personal care items. Included is lengthy direction on use and distribution of razors for safely.²⁴

The following sections are either inconsistent with what was the present practice in JH or are inconsistent with each other:

- Procedure 501.2.2(d) (f) lists the Department of Juvenile Justice as a dispositional option despite the fact that intake into the facility was extremely limited by July 2021 as the facility was permanently closed on July 31, 2023.²⁵
- The Procedures list the use of the Cafeteria for meals while JH has had the youth receiving their meal on the unit since the onset of Covid, and even lists a major sanction for refusing to go to the cafeteria. These Procedures do not cover the delivery of meals for all youth while they are still in their units. ²⁶
- Procedure 501.3.1 lists that youth with Mental Health or Developmentally Disabled issues be housed in B4 as a dedicated Mental Health Unit. Since the special funding for a designated mental health unit has ceased, this section should be deleted.
- Procedure 501.7 talks about "writing on an admission form," despite the fact that all information regarding youth is in the present computer form.
- Section 501.10.1 includes the option that the charges for a youth could be directly filed in adult court and have a "Fitness Hearing" and includes the language regarding DJJ parolees. These are outdated options before the passage of SB 823.

Last year's recommendation: As was recommended in 2020 and 2021, (Juvenile Probation) reach out to other Bay Area counties to develop Mutual Aid Agreements so that assistance can be rendered in the event an emergency necessitates moving Santa Clara County youth to another facility. This approach is preferable to moving youth to the County Jail as is the current alternative.

²⁴ Procedure 500 et sec

²⁵ Procedure 502.2.8

²⁶ Procedure 900

• Within these Procedures the reference to "SR youth" have two different labels. In early sections of classification the SR youth are defined as "Severity Risk" youth²⁷ whereas in later sections they are referenced as "Security Risk" youth.²⁸

The entire compilation of these newer Policies and Procedures continues to be a work in progress but are much further reaching that those used before.

DISCIPLINE, INCIDENT REPORTS, DUE PROCESS FORMS, GRIEVANCES AND ROOM REMOVALS

The JJC monitors the Incident Reports²⁹ (IRs), the subsequent Due Process Forms, and Grievances that are filed by the youth throughout the year The rare room removals are also reviewed as they are videotaped. Any medical need, injury or assault at JH is entered electronically in JPO's IBS Lotus Notes and given an IR number. Also recorded in an IR is any instance where a youth has received a Discipline since they have a right to agree or disagree with the outcome. Each instance is also logged on a Due Process Form. If the youth disagrees the matter is appealed and it is reviewed by a supervisor. All personnel involved in disciplinary action to which they were a witness must record the incident on the numbered computer tracked IR.

Discipline

The Behavioral Management Program used by JH staff is based on the PBIS program used in the school systems. Youth are informed about PBIS in their orientation to JH. This system rewards the youth for good behavior with StarBucks which can then be used to purchase snacks, video games or desired toiletries in a weekly store. If the youth violates the outline of acceptable behavior they receive a discipline which can be used to demote them in their program level or to restrict opportunity to receive rewards.

IRs

The JJC reviewed all Due Process Forms for 2023 and read the corresponding IRs when the incident's discipline imposed was not successfully resolved or the Due Process form raised other issues. From the review of IRs and Due Process forms all appeared to have been handled appropriately, both procedurally and substantively.

²⁷ Procedure 502.2.5

²⁸ Procedure 526.2.2 (i)

²⁹ In the past trends have been identified that show problems in a particular unit which may have been caused by friction between assigned probation counselors, gang tensions, etc. These trends have been identified and discussed with managers. An incident of counselor's criminal misbehavior was immediately shared with the JJC.

Grievances

Grievances are appropriately filed for failures to meet specific needs of the youth. Most often these are complaints about a lack of warm enough showers or a desire for better/different food. A number of grievances were filed because of perceived unfair treatment by staff. All grievances received in 2023 were reviewed and were apparently handled by the necessary referrals or counseling.

Room Removals

All instances of (forcible) room removal of a youth are preserved on video tape. Two room removals in 2023 were viewed by the JJC. Room removals occur when the youth is misbehaving and refusing to come out. Both remarkable was the infrequency of this procedure in 2023, and the forbearance of staff who tried to encourage the youth to come out peacefully for one hour and 17 minutes before the prescribed trained and suited staff followed the room removal protocol. A third room removal involved only the staff entering to escort a youth out.

YOUTH SURVEY

During the Juvenile Hall inspection, the JJC distributed an anonymous survey to the youth. As with past years, the survey served as an opportunity for youth to inform the Commission on pressing issues at JH, such as education, visitation, and available programs. At the bottom of the survey, the JJC provided the Commission's contact information for any youth wishing to voice additional concerns.

During the distribution of the surveys, a total of 32 youth were present at the Hall. Out of this total, 30 surveys were completed and collected. Two youth were absent due to appointments with MH services.

In the 2022 inspection, the Commission noted that some youth were unable to complete the survey if it was offered only in English. As such, in the 2023 inspection, the JJC offered surveys in Spanish. Two youth voluntarily elected to use the Spanish translation of the survey, and their results were translated and included in the Commission's analysis.

The 2023 Juvenile Hall Youth Survey was composed of four Likert-scale and 6 open-ended questions. A copy of the English translation of the survey is labeled as Appendix A. The Spanish translation of the survey is labeled as Appendix B. The survey results are in tabular form in Appendix C.

The four satisfaction scale questions are as follows:

- 1. I feel safe at the Hall.
- 2. Adults at the Hall are supportive and want me to succeed.
- 3. I feel good about the education I receive while at the Hall.
- 4. I have been able to stay in touch with my family.

Each question could be answered by one of five options: strongly disagree, disagree, undecided, agree, and strongly agree. When analyzing the results of the survey, each response was assigned a numerical value of 1 through 5, respectively.

Youth also had an opportunity to respond to the following open-ended questions:

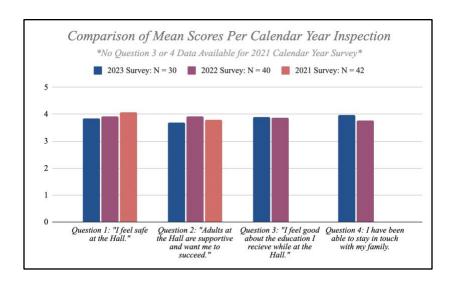
- 5. What has been the most difficult part of being at the Hall?
- 6. In your time at the Hall, who has been the most helpful for you?
- 7. How have you been able to stay in touch with your family?
- 8. When you think about leaving the Hall, what worries you?
- 9. If you could improve one thing about the Hall, what would it be?
- 10. Is there anything else that is important for us to know?

The 2023 inspection marks the third year in a row that the Commission has offered a Likert-scale youth survey at the Hall. To better utilize both present and past survey results, the Commission compared the mean scores on the satisfaction scale questions between the 2023. 2022, and 2021 youth surveys to determine whether there had been any marked differences between the three years.

Due to slight variations in the surveys distributed year by year, only Question 1 - I feel safe at the Hall — and Question 2 - A dults at the Hall are supportive and want me to succeed — could be compared between all three years. For Question 3 - I feel good about the education I receive while at the Hall — and Question 4 - I have been able to stay in touch with my family — the Commission used only the data gathered in the 2023 and 2022 surveys.

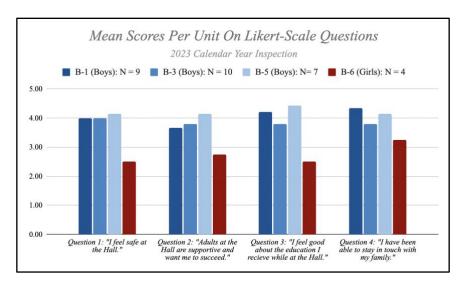
Of the four satisfaction scale questions, youth responded most positively to the fourth statement: I have been able to stay in touch with my family. Eighty percent of the youth either agreed or strongly agreed with this statement. In the free-response portion, however, a significant portion of the youth noted that while they have been able to contact their family, more phone and Zoom calls are needed. In response to Question 7 — How have you been able to stay in touch with your family? — one youth said that while they have been able to stay in touch with relatives, "there is just too much family, and a small number of calls." Another youth wrote that while their family has supported them while incarcerated, the five-minute calls "are not long enough for a conversation." In total, over thirty percent (33.33%) of youth requested more or longer phone calls.

The Commission also compared the mean scores on the satisfaction scale questions between the 2023, 2022, and 2021 youth survey to determine whether there had been any marked differences between the two years. The third question — *I feel good about the education I receive while at the Hall* — and fourth question — *I have been able to stay in touch with my family* — was excluded, as it was not asked to the cohort surveyed in 2021. The results of the Commission's analysis are displayed below.

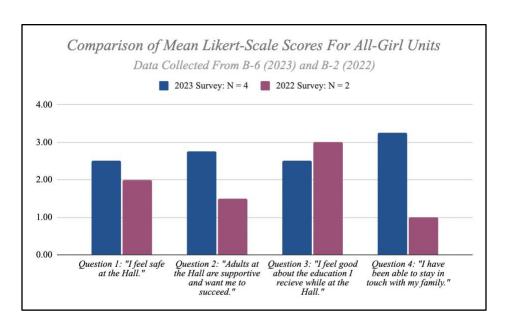


While the number of youth surveyed in 2023 is a marked decrease from the 2022 and 2021 inspections, the mean score for responses remained relatively stable across all three years.

It is important to note, however, that the Commission's analysis of the 2023 survey data found a significant difference between the responses from the B-6 unit and the rest of the youth at the Hall. Composed of all four girls currently held at the Hall, the B-6 unit's mean score was, on average, a point-and-a-half lower than the three all-boys units. The Commission's analysis of the mean scores between all four units is displayed below.



While the discrepancy between gender units is concerning, the Commission also acknowledges that the small sample size makes it difficult to determine whether the data is skewed. To determine whether the scores were representative of past years, the Commission compared the 2023 responses from B-6 to the results of the 2022 youth survey of the all-girls unit, which in 2022, was the B-2 unit.



In 2022, the all-girl unit's mean satisfaction ratings were even lower than the 2023 survey results. The Commission notes, however, that the 2022 survey has a respondent-size of two, and one of the respondents marked the lowest possible response for all four questions — "Strongly Disagree." The Commission manually reviewed the 2022 survey results and discovered that the respondent that marked the lowest possible scores for 2022 was also surveyed in 2023. Unfortunately, the youth again marked "Strongly Disagree" for Question 1 — I feel safe at the Hall — Question 2 — Adults at the Hall are supportive and want me to succeed — and Question 3 — I feel good about the education I receive while at the Hall — and marked Disagree for Question 4 — I have been able to stay in touch with my family.

The Commission, therefore, began to review the free-response portion of the surveys, beginning with B-6. The Commission immediately noticed a concerning trend in the youth responses to the living conditions at Juvenile Hall. In 2023, 36.66% of youth requested warmer showers. This represents a 25% increase in shower temperature complaints, as compared to 2022. It is important to note that there is no statistically significant difference between the gender of the youth, their unit, and their request for warmer showers. In addition, three youth requested better soap. As with past years, youth continued to request access to better food. The Commission also noted an increase in complaints about the lack of time spent outside. In 2023, a total of 11 youth requested more activities and time spent outside. As one youth noted, being "locked-up meant [their] mental health was suffering."

SUMMARY AND FINDINGS

The JJC has completed its 2023 annual inspection report of Juvenile Hall. Based on the interviews, physical visits and interaction with probation and other service providers during the inspection. Along with the review of documents, data and inspections by other agencies and surveys of the youth, the JJC finds that the youth at JH were offered many opportunities based on the different amount of time that youth was in custody in JH. The addition of career and technical education, and the expansion by BH to include a family focus in their services are examples of JH's dedication to provide the best education, physical and mental health concurrent with the programming offered, appears to be always ways on how best to serve youth during their time in the facility.

Something else to be included after Commendation and Recommendations are resolved.

The Commission requests responses to its recommendations by August 6, 2024

Dated: May 7, 2024

Stehria Murtenpurho

Elepho Biros

Victoria BurtonBurke: Chair of the Juvenile Hall Inspection Committee

Stephen H. Betts:

Chair of the Juvenile Justice Commission

Appendix A

Demographic Information

Juvenile Hall Youth Survey

Hello! We are the Santa Clara County Juvenile Justice Commission (JJC), and we inspect the Juvenile Hall to make sure it is a safe and supportive place. By completing this survey, you will help us continue to improve the Hall. Please DO NOT write your name on this survey. Your responses are confidential—meaning no one else sees your answers—and your honest opinion makes a difference. Thank you for your feedback!

POD:	Age:			
How long have you bee	n at the Hall? _			
How many times have y	you been at the	Hall?		
For each statement, pl	ease select the	number below wh	ich best repres	ents your experience.
I feel safe at the Hall.				
1 Strongly Disagree	2 Disagree	3 Undecided	4 Agree	5 Strongly Agree
\bigcirc	\bigcirc	ζ	\bigcirc	\Diamond
Adults at the Hall are s	upportive and w	vant me to succeed.		
1 Strongly Disagree	2 Disagree	3 Undecided	4 Agree	5 Strongly Agree
\bigcirc	\bigcirc	$\langle \hat{\zeta} \rangle$	\bigcirc	\Diamond
I feel good about the ed	lucation I receiv	e while at the Hall.		
1 Strongly Disagree	2 Disagree	3 Undecided	4 Agree	5 Strongly Agree
\bigcirc	\bigcirc	$\langle \hat{\zeta} \rangle$	ζ	\Diamond
I have been able to stay	in touch with n	ıy family.		
1 Strongly Disagree	2 Disagree	3 Undecided	4 Agree	5 Strongly Agree
O	O	O	O	()

Please respond to the following questions about your experiences at the Ranch:

What has been the most difficult part of being at the Hall?
In your time at the Hall, who has been most helpful for you?
How have you been able to stay in touch with your family?
When you think about leaving the Hall, what worries you?
If you could improve one thing about the Hall, what would it be?
Is there anything else that is important for us to know?

Appendix B

Encuesta del Juvenile Hall

Hola! Somos la Comisión de Justicia Juvenil del Condado de Santa Clara (JJC). Inspeccionamos Juvenile Hall para asegurarnos de que sea un lugar seguro y de apoyo. Al completar esta encuesta, nos ayudará a continuar mejorando el Juvenile Hall. Por favor NO escriba su nombre en esta encuesta. Sus respuestas son confidenciales. Nadie más ve tus respuestas. ¡Gracias!

information Demog	ranca			
¿En qué grupo estás?:	¿Cu	iántos años tiene	e?:	
¿Cuánto tiempo llevas				
¿Cuántas veces has es	stado en el Juvenile	Hall?:		
Para cada declaració	ón, elija el número	que mejor rep	resente su tiemp	o en el Juvenile Hall.
Me siento seguro en e	el Juvenile Hall.			
1 Muy Rechazada	2 En Desacuerdo	3 Indeciso	4 De Acuerdo	5 Muy De Acuerdo
\bigcirc	()	\circ	\bigcirc	ζ
<i>Los adultos del</i> Juven	ile Hall <i>me ayudan</i>	y quieren que te	enga éxito.	
1 Muy Rechazada	2 En Desacuerdo	3 Indeciso	4 De Acuerdo	5 Muy De Acuerdo
\bigcirc	\bigcirc	$\langle \rangle$	\bigcirc	ζ
Me siento bien con la	educación que reci	bo mientras este	oy en el Juvenile l	Hall.
1 Muy Rechazada	2 En Desacuerdo	3 Indeciso	4 De Acuerdo	5 Muy De Acuerdo
\bigcirc	()	\bigcirc	\bigcirc	\bigcirc
Puedo contactar a mi	familia.			
1 Muy Rechazada	2 En Desacuerdo	3 Indeciso	4 De Acuerdo	5 Muy De Acuerdo
0	O	O	O	O

Por favor responda a las siguientes preguntas sobre sus experiencias en Juvenile Hall:
¿Qué ha sido difícil de vivir en Juvenile Hall?
¿Quién ha sido de mayor ayuda para usted en el Juvenile Hall?
¿Cómo has podido contactar con tu familia?
Cuando piensas en salir el Juvenile Hall, ¿qué te preocupa?
Si pudieras mejorar algo del Juvenile Hall, ¿qué sería?
¿Hay algo más que sea importante que sepamos?

Appendix C

Vandh Comer	C	12/20/2023	D. J.	All							
Youth Survey	Survey date:	12/20/2023		All							
			Surveys								
Juvenile Hall	Population:	32	returned:	30							
Demographic Informati			16		18	19	20				
Age	4	3	6	12	3	1	1				
Time		Lowest	Median	Highest							
Length of Stay (Months		0.06	3.5								
No. of Times in the Hall		1	3	10							
	Strongly				Strongly		Total	B-1	B-3	B-5	B-6
Question 1:	Disagree	Disagree	Undecided	Agree	Agree		Mean	(Boys)	(Boys)	(Boys)	(Girls)
I feel safe at the Hall.	1	1	4	15	8		3.83	4.00	4.00		2.50
ricorcuro at the riam							0.00	1.00	1.00		2.00
	Cturant				Ctoonale		Total				
0 " 0	Strongly	D:			Strongly						
Question 2:	Disagree	Disagree	Undecided	Agree	Agree		Mean		Mean	Mean	Mean
Adults at the Hall are	2	0	8	10	9		3.70	3.67	3.80	4.14	2.75
supportive and want											
me to succeed.											
	Strongly				Strongly		Total				
Question 3:	Disagree	Disagree	Undecided	Agree	Agree		Mean	Mean	Mean	Mean	Mean
I feel good about the	1	1	5	11	11		3.90	4.22	3.80	4.43	2.50
education I recieve											
while at the Hall.											
	Ctrongly				Ctronalu		Total				
Question 4:	Strongly	Diagras	Undecided	Agrac	Strongly		Mean	Mean	Mean	Mean	Mean
	Disagree 0	Disagree		Agree	Agree						
I have been able to	0	3	2	13	11		3.97	4.33	3.80	4.14	3.25
stay in touch with my											
family.											

Appendix D:

Documents Reviewed

Board of State and Community Corrections (BSCC) report dated December 5, 2023

El Joven Noble Overview

Girasol Girls Rites of Passage Curriculum Summary

Osborne School: Package of Materials

Santa Clara County Childrens' Data Book published by Kids in Common, the County Office of Education and the County of Santa Clara

Santa Clara County Juvenile Probation

- Juvenile Hall Population Summary By Gender (01/012023-12/31/2023)
- Juvenile Hall MAAC Program Calendar (02/2024)
- Juvenile Hall 30 Day Case Plan (Example)
- Juvenile Hall Youth Orientation Booklet
- Juvenile Hall Youth Handbook
- Juvenile Hall Parent Handbook
- Juvenile Hall Policies and Procedures
- Juvenile Hall Youth Risk Assessment Classification (Example)

Santa Clara County Probation (Website)

- Juvenile Probation Data
- Monthly Reports Juvenile Hall and James Ranch
- Santa Clara County Juvenile Justice Systems Collaborative Monthly Data Trend Reports for 2023
- Special Report on Detention Overrides

Santa Clara County Juvenile Justice Commission Juvenile Hall Annual Inspection Report 2022