

Juvenile Justice Commission

County of Santa Clara

840 Guadalupe Parkway

San Jose, California 95110

(408) 278-5993 FX (408) 294-6879



Juvenile Hall Inspection Report

March 2018

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

The Santa Clara County JJC conducted its annual inspection of the Santa Clara County Juvenile Hall (JH) from December 2017 through January 2018, in accordance with Welfare and Institutions Code Section 229 and Title 15 of the California Code of Regulation, Minimum Standards for Juvenile Facilities.

This report summarizes the information gathered during those visits and includes recommendations based on this information.

Notable new information or changes at JH are identified by **in blue**.

The JJC conducts inspections of Juvenile Hall at least annually, and inspection reports for prior years are available on the internet at:

http://www.scsccourt.org/court_divisions/juvenile/jjc/jjc_home.shtml.

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SUMMARY

The JJC has completed its annual inspection of the Juvenile Hall (JH) from December 2017 through January 2018.

- The annual inspection, and review of other mandated inspections completed in 2017, found the Probation Department is upholding the standards for custodial placement for youth awaiting court, serving court-ordered JH time, or awaiting transition to placement, while offering an array of services for youth and their families during and after incarceration.
- The JJC believes that, based on this inspection, the Santa Clara County Juvenile Hall meets Title 15 standards for a safe juvenile facility.
- Members of the JJC Inspection Team met with representatives from JH departments and conducted additional interviews with Probation managers from the facility, Medical Services, Behavioral Health, Facilities Management, Quality Assurance, and Osborne School to obtain an overview of policies, procedures and programs.
- The physical facilities were toured, including units, the kitchen, food supply storage areas, cafeteria and laundry.
- The JJC also held informal interviews with youth and led a panel Q&A with five youth from various units.
- In addition, with Probation's support, the JJC designed and distributed its first survey for youth in mid-February to learn more about their needs and experiences in JH. A total of 108 youth completed the voluntary survey, which is detailed in the report.

As a result of the 2017 inspection, the JJC makes the following:

COMMENDATIONS

1. The Probation Department, for implementing the Achieving Behavioral Change (ABC) Program, consolidating several behavior modification programs into one unified and coordinated program. (Section V. BEHAVIORAL MANAGEMENT)
2. Probation, for creating and implementing the Parent Orientation Program. (Section IV. PROGRAMS)
3. Medical Services for providing outreach to youth who are not incarcerated in JH. (Section VI. MEDICAL SERVICES)
4. Medical Services for providing medication upon a minor's release without increase in funding. (Section VI. MEDICAL SERVICES)
5. Behavioral Health for implementing two new trauma-informed programs. (Section VII. BEHAVIORAL HEALTH)
6. Education and Probation for partnering to provide a college and career readiness coordinator. (Section IX. EDUCATION)

RECOMMENDATIONS

1. Probation should engage county wide stakeholders to investigate the causes, effective responses and effective alternatives to address the increase in younger minors (ages 13 and under) being detained in JH. (Section I. POPULATION)
2. Probation should restore and maintain the Serenity Garden and expand the vegetable garden. (Section III. FACILITY – Gymnasium and Grounds)
3. Probation should upgrade the identified equipment and heating and air conditioning issues in the Control Room, as recommended in the 2015, 2016 and 2017 reports. (Section III. FACILITY – Control Area)
4. Probation should assess CBO programs for effectiveness. (Section IV. PROGRAMS - Community Based Organizations)
5. Probation should assess the effectiveness of the ABC Program to insure fidelity to the program goals of “reinforce and encourage prosocial behavior and to recognize and acknowledge positive behavior.” (Section V. BEHAVIORAL MANAGEMENT – ABC Program)
6. Probation should develop individual behavior plans for youth who are not responding to the ABC Program. (Section V. BEHAVIORAL MANAGEMENT – ABC Program)
7. The Court should provide permanent full-time office space for the Nursing Outreach Program. (Section VI. MEDICAL SERVICES - Juvenile Nursing Outreach Program)
8. Santa Clara County Office of Education (SCCOE) should provide an online posting of Osborne School Site Council meeting dates and details. (Section IX. EDUCATION – School Site Council)
9. SCCOE should re-establish a teacher preparation period at Osborne school. (Section IX. EDUCATION – School Day)
10. Probation, SCCOE and the San José-Evergreen Community College District should establish a policy and mechanism to enable internet access to on-campus lectures for Osborne students enrolled in college courses. (Section IX. EDUCATION – Post-Secondary Education)

I. POPULATION

- Two factors that affect the population of Juvenile Hall are juvenile arrests and the county population. The latest population figures for Santa Clara County are for 2014¹. The total youth population is: 449,605.
- The JH population has increased since the JJC's last inspection. In November 17, 2016 the population was 76. On Jan. 30, 2018 at the conclusion of the JJC inspection period, the population was 117. This population was just over 85% Hispanic.
- Seven out of a possible 13 units are open (increased from six last year). The increase is due to JH involvement in a pilot program (Young Adults Program) to provide a jail alternative for those ages 18 to 21.
 - In 2017, per SB 1004, Probation received approval by the Board of State and Community Corrections (BSCC) to house so-called transitional aged youth (TAY) for 30 to 120 days.
 - At the time of the inspection, two adult males had successfully completed the JH portion. Two more were pending for January admit. Adults are supervised for a year by the Adult Probation Department staff for compliance and community reentry. Data will follow once the first cohorts have completed their program.
- The JH population of those ages 14 and under has more than doubled since the JJC's 2016 inspection report and is concerning to both the JJC and Probation.
 - In January 2017, the monthly average for those ages 11-14 was 4.9 youth, or 6.3 percent of the JH population. The January 2018 monthly average for those ages age 11-14 was 14.4 youth, or 14.1 percent of the JH population.
 - In light of the county resolution to limit JH detention of children ages 12 (detailed in the JJC's January 2010 Report²), the JJC recommends Probation and county wide stakeholders continue to investigate the causes and effective responses and alternatives to any increase in younger minors' incarceration.
- The facility is well within its Board Rated Capacity (BRC) of 390 youth, and there is no indication of overcrowding.

¹ <https://www.census.gov/quickfacts/fact/table/santaclaracountycalifornia/PST045216>

² <http://www.sccourt.org/documents/jjc/2010/Children12AndUnderInJHall.pdf>

II. STAFFING

The current budgeted Juvenile Hall positions are 186, the same as last year, including:

- 16 vacant group counselor positions (12 are currently in background-check process)
- 17 supervising group counselors
- 3 probation managers and 1 deputy chief (no vacancies, no changes).
- 11 extra help group counselors (reduced from 19 last year).
- 19 extra help counselors (increased by six from last year) of which six are CORE trained.

Staffing shortages are managed via the use of the shift relief staff (those not assigned to a specific unit), followed by the use of extra help staff, and finally, the use of overtime. Staff receives extensive training (20 to 40 hours of professional development per year) in topics such as trauma-informed services. They are able to request to enroll in education programs during work hours.

III. FACILITY

During the inspection, commissioners toured the facility, including occupied living units, kitchen, laundry, gymnasium and grounds and cafeteria where they also had lunch with youth. Commissioners reviewed the last county fire marshal's report, the BSCC inspection report and judicial inspection report for 2017:

Scheduled Repairs. Starting in the next few months, the outside of all buildings will be sealed and painted. In addition, windows will be repaired to stop leaks.

Living Units. With the decrease in population over the last few years, several living units have been closed. Units were repurposed again this inspection year.

- **Orientation Unit (B2) closed; reopened as the Female Unit.** The Orientation Unit (B2), which housed newly detained male youth, was closed this last year. These male youth now are placed in other living units based on the initial assessment at intake.
 - Female youth were relocated to B2. This is the only unit that has a small satellite medical office. Female youth receive some medical services in this office as well as in the Medical Clinic as needed.
- **Currently, 7 of the 13 living units are in operation:**
 - 6 for youth in the Beta Wing.
 - 1 unit in the Alpha Wing (A1) for the Young Adults Program (males ages 18 to 21) sentenced in adult court. As part of a pilot project, these males are housed and receive services in Juvenile Hall from 30 to 120 days based on their needs. At the time of the inspection, only 1 transitional aged youth resided in this unit.
 - The commissioners found the boys and girls living units to be clean and well maintained.
- **Painting.** In the next 6 months, B5 and B7 will be painted. Youth will be moved to B6 during the painting.

- **Graffiti reduction pilot.** The graffiti on the doors of the individual sleeping rooms continues to be an issue. In 2017 as a pilot, Probation painted a 2' x 3.5' chalkboard on the walls of three sleeping rooms in B4 as an incentive to reduce the door graffiti. The wall rather than the door was selected to maintain the prohibition of youth standing in front of the door. While two of the boards are intact, one board was scratched within a day of installation. Probation is still working on a solution.

Gymnasium and Grounds

- **Gym.** Commissioners toured the gymnasium and outside grounds. The gymnasium is used primarily for basketball and for large special events. A section is set aside for fitness equipment. The gymnasium is well maintained.
 - During this inspection, staff reported that the current HVAC system has been leaking and the output inadequate. During the summer, blowers were used to circulate and cool the air. The two existing HVAC units have been removed from the roof and new units will be installed. Repairs also have been made to the bleachers. Probation reported that the gym AC will be replaced and the project is in process as of Jan. 8, 2018.
- **Serenity Garden.** Several years ago, the grounds were re-landscaped. The playing field was reseeded and a serenity garden constructed, which is available to staff and youths. *The field is well maintained, but the serenity garden is overgrown with weeds.* The JJC recommends that Probation consider a project to restore and maintain the serenity garden.
- **Vegetable Garden.** In 2015, the facility revived a garden where youth grow vegetables with the help of volunteer master gardeners. This garden has become part of the education program and the youth not only learn how to grow plants, but also prepare and eat the vegetables they harvest. The vegetable garden has been a success. The youth enjoy working in the garden. Probation is considering expanding the garden to another area adjacent to the existing garden, which would almost double the garden space.

Control Area. Cameras are placed in all living units, hallways and grounds and are constantly monitored in the control room by two staff. As the JJC has been reporting in five previous annual inspection reports, *the cameras and equipment are at least a decade old and are not totally reliable.* The layout of the Control Room has been “cobbled together” to allow staff to monitor living area and hallway activities. The air conditioning continues to be totally inadequate which means that room temperature is 4 to 5 degrees higher than the rest of the facility and very uncomfortable for the employees who work in the room. The commission has made numerous previous recommendations and continues to recommend that funds be allocated to improve this vital function. Probation agrees and has provided assurances that funds would be made available to address the issue.

- Last year \$1.3 million was approved to upgrade and add cameras, video equipment and to enable recording capability. Probation will be requesting funding this year for the replacement of the control panel, intercom and the HVAC system. The intent is to combine all needed equipment into one project. The JJC supports this request for additional funds to fully correct the issues identified in the last five reports.

- Staff also identified concerns about the “annunciator,” which alerts staff to fires. This system has had ongoing issues. For example, in January this year, the annunciator sounded false fire alarms, which were traced to rain water seepage into the equipment. The annunciator was fixed, but parts have become obsolete and difficult to find. Probation and County Fleet and Facilities Department are working on a resolution to the problems with this system.

Food Service and Kitchen

- The remodeled kitchen opened at the beginning of 2017. The kitchen and dining area were clean. The equipment is new and well organized for operation.
- Double trays are still served to youth who have a doctor’s note. Youth can sign up for double entrees at the evening meal. In addition, staff offers meals they believe youth will enjoy: *“We’re not serving standard food. We also serve ‘home recipes’ to create a cultural connection.”* —Food service team member
- The inspection team shared lunch with some youth—the food was healthy, well balanced and flavorful.
 - In discussing the food with youth, they agreed that they enjoy most of the meals, but not all. While they recognize the need for a healthy diet, they prefer foods that are similar to what they are used to eating outside JH.

Laundry

- No changes have been made since the last inspection. The laundry was clean and neat, and clean clothes were stored on shelves and dirty laundry in hampers. The washing and drying equipment were functional and are maintained under service contracts.
- Commissioners are concerned that the boys’ white T-shirts exhibit excessive wear-and-tear and yellowing.

IV. PROGRAMS

Juvenile Hall programs continue to be planned and monitored by a committee of JH counselors, and a supervising group counselor oversees the program committee. The JJC commends JH staff for expanding its programs and framework of support for youth.

New Programs. Additions or changes to programs offered are as follows:

New Program Descriptions
<p>Multi-Agency Center (MAAC). For MAAC, 2018 is a new contract year. The new contract includes the following:</p> <ul style="list-style-type: none">• In addition to assessing youth who are in JH for more than 72 hours for appropriate referrals to services and supports, providers will be asked to submit a plan to reintegrate Santa Clara County youth under the age of 18, back into the community.• A focus will be placed on providing evidence-based programs or promising practices.• MAAC services will be divided between two service categories: 1.) Prosocial activities and 2.) Treatment-oriented services. Potential proposers will be able to apply for one service category or both service categories.
<p>Girls Service Coordinator. Probation implemented a new position in 2017 in which a JH counselor is assigned as the girls service coordinator.</p> <ul style="list-style-type: none">• The coordinator tracks all female youth who remain in custody.• The coordinator conducts an Intake Case Review, similar to a Multi-Disciplinary Team meeting (MDT). All parties involved in the girl's life are invited to attend the meeting. Parties include but are not limited to: the girl, her parent or legal guardian, probation officer, social worker, youth advocate, any CBO that has worked with the youth in the community, medical staff, behavioral health staff, school staff, the unit counselor and supervisor. The intent of the meeting is to coordinate the best possible services while the youth is in custody. Should a girl be transferred to James Ranch, all information gathered in JH will be given to Ranch staff to have a seamless transition in services.
<p>XINACHTLI. This is an indigenous, culturally based female rite of passage program that provides a supportive process for girls to develop a positive identity, life skills and support system.</p> <ul style="list-style-type: none">• Delivered by counselors in JH, the program focuses on the individual's interconnectedness to the family, community and the nation; this curriculum provides a dialectic process of Reflection (<i>Reflexion</i>), Creation (<i>Creacion</i>), Conscience and Knowledge (<i>Concientizacion</i>) and Action (<i>Accion</i>), while supporting and building on the strengths of the individual.
<p>Parent Orientation Program. Probation's Parent Orientation Program assists all parents or guardians who have children in detention:</p> <ul style="list-style-type: none">• Addressing questions and concerns they may have while their child is in JH.• Providing them with information about their child's rights, facility procedures, rules, behavior expectations, services and programs provided to youth while in JH.• The orientation is conducted by group counselors who work daily with their children and allows for questions to be answered in a timely manner.• Two group counselors conduct orientations in English, Spanish or Vietnamese. Orientations are held on Saturdays from 9:00 a.m. to 11:00 a.m. and 12:00 p.m. to 2:00 p.m. in JH.• One-on-one orientations are offered during the week to parents who are interested.• All parents who attend the orientations are given a 21-page "Parent Handbook," detailing Juvenile Hall's programs and services.

Ongoing Programs. The JJC recommends that Probation assess all CBO programs for effectiveness. According to Probation, they are currently conducting a new request for proposal and a review of all CBO contracts. In addition, the MAAC is working with Probation's Research and Development Unit to create the appropriate assessment to evaluate effectiveness and outcomes for all CBOs who provide services to JH youth.

Ongoing Program Descriptions

COMMUNITY BASED ORGANIZATIONS CBOS OR COUNTY AGENCIES	VOLUNTEER	PROBATION
Anger Management, Violence Reduction, Gang Intervention, Sexual Abuse, Substance Abuse and Re-entry		
<ul style="list-style-type: none"> • Health Right 360. Individual counseling, referrals, anger management units, aftercare services and substance abuse prevention education. Uses the county wide best practices model "Seven Challenges." • California Youth Outreach (CYO). Anger management, alternatives to gang involvement, develops life skills and restorative justice. • Family and Children's Services (FCS). Domestic and family violence. • Female Intervention Team. Provided through the San Jose Mayor's Gang Prevention Task Force, the program assesses the needs of a youth for a mentor. • Peace-It-Together. Provides Positive Pathways designed to work with girls who have experienced sexual abuse. • Catholic Charities. Case management, gang violence prevention, food pantry, clothes closet, youth groups, school advocacy, placement services and other daily needs support. • Planned Parenthood. Dating violence and STDs. 	<ul style="list-style-type: none"> • Alcoholics Anonymous • Al-Ateen/Al-Anon • Narcotics Anonymous 	<ul style="list-style-type: none"> • Probation contracts CBO counselors who are available for one-on-one individual 15-minute sessions and invoice Probation for services. • Probation Terminated on Release (PTOR) Reentry Program. The goal of this program is to provide youth in this program with identification cards, a multi-disciplinary team meeting, job readiness and medical and housing support.
Life Skills: Art, Cultural, Leadership and Health & Wellness		
<ul style="list-style-type: none"> • Girl Scouts. Provides services for both boys and girls in JH. • Art of Yoga. Yoga/mindfulness (girls unit only) • Fresh Lifelines for Youth (FLY). Legal education, mentoring, and leadership programs. • Valley Medical Center. The VMC nursing staff continues to provide health-related classes such as Asthma Management, Sleep and Health Realization, Dangers of Methamphetamines and Pot, Sexually Transmitted Diseases, Diabetes, Self-Esteem Building, Dental Health, Pregnancy in Teens and Girls' Talk. • Unchained. Dog training program. • Intersection for Art. Youth process thoughts and feelings through writing. 	<ul style="list-style-type: none"> • Aztec Dance • Chess King Corporation • Catalyst for Youth: Art, gardening, fashion design. • Flower Programs • Furry Friends 	<ul style="list-style-type: none"> • Hot August Nights Car Show • JH Olympic • Halloween and December Holiday Decorating Contests • Santa Claus visits • Black History Month • Cinco de Mayo, Honors Assembly • Career Day • Pizza Night provided by the Public Defender's Office and Alternate Defender's Office.
<p>Garden Project. Volunteers/Probation staff work with youth in the JH garden or via planter boxes in secure units to harvest, cook and eat the vegetables.</p>		
Chaplain Services		
<p>A Protestant chaplain and a Catholic nun, along with a host of their volunteers, provide religious services to the youth. These volunteers received PREA training. The services include:</p> <ul style="list-style-type: none"> • Orientation is provided to the youth to determine their religious preference and faith needs. • Sunday services. These include music and videos, and are provided once a month to the youth. • One-on-one counseling and Bible Study. Takes place weekly in units (Catholic and Protestant). • Special programs: A bilingual Bible Study, "Agape Art" for girls, which connects girls to religious art, and new programs, such as "Overcomers Overcoming Speaker Series" and "Word, Sound and Power" one-on-one mentoring in the spiritual disciplines of in-depth Bible study, prayer and meditation. 		

V. BEHAVIOR MANAGEMENT

New Behavior Modification Program. In August 2017, the Achieving Behavioral Change (ABC) Program was implemented across all JH units:

- The purpose of this program is to provide prompt staff intervention and promote positive prosocial behavior. The goal also is to align ABC with Positive Behavioral Interventions and Supports (PBIS), which is a widespread behavior management framework used by public schools. ABC is using standards for PBIS that were designed specifically for juvenile detention settings. The core values of the program are: Safety, respect and responsibility.
- In the ABC Program, incentives and privileges are used to reward positive behavior while negative behavior is met with immediate consequences. The intended goal is to hold youth accountable for their actions and as responsible for changing their behavior.
- Prior to the implementation of the ABC Program, there were four different approaches to handling behavior in all JH living units, which made behavior management particularly difficult for staff members who were not assigned to a specific unit but moved between units. (The inconsistency was also difficult for the youth in those units.)
- Six members of JH's ABC Committee began working in January 2017 to develop a single program that would:
 - Be consistent throughout JH.
 - Maintain youth accountability.
 - Provide positive rewards and meaningful sanctions.
 - Provide clear and concise program expectations.
 - Balance the needs of youth and staff.
- A total of 200 staff members received four hours of training in the implementation of the ABC Program. When needed, ABC Committee members provide refreshers to the various units.

ABC Program: Tiered Approach

In the ABC Program youth are categorized by their ongoing behavior into distinct privileges, with counselors utilizing increased levels of privileges and a “token economy” that rewards positive behavior.

Daily points. Youth can earn up to 32 daily behavior points each day and have an opportunity to earn an additional 2 bonus points. Points are earned for performing life skills activities such as showering, getting up on time, and attending classes.

Note: All youth receive the state required recreational activities (three hours each weekday and five hours each weekend day) no matter which level they are on—unless they pose a safety threat to the unit. In the latter case, the ABC levels dictate the type of activities youth can engage in during the stated period of time.

Improper Behavior Reminder (IBR). When youth are not demonstrating the expected positive actions, they will receive verbal counseling or warning. The next step is an IBR, which means the youth loses the opportunity to earn 2 points.

Major Sanction. For more serious behavior, the youth can receive a Major Sanction, which results in one hour of time (out of their room) participating in an activity as directed by staff.

B-Level: Youth start here. They are on this level for seven days when they first arrive at JH. B-Level privileges include watching TV, playing board and card games, creating art and other activities. If they receive no more than two IBRs in this period (and no major sanctions), they are promoted to A-Level.

A-Level: This level gives youth more privileges such as gaining access to video games, movies, special programs, the unit “store” or having special visits with family members. Youth move to or stay on A-Level by continuing to have no more than two IBRs.

C-Level: Youth move to C-Level from B-Level when they have four IBRs within a seven-day period or when they receive a Major Sanction (or commit an action that leads to an Automatic Demotion.)

- Youth move from A-Level to C-Level when they commit an act that leads to an Automatic Demotion.
- C-Level recreation time includes quiet letter writing, telephone, group counseling, prosocial activities, reading, drawing and time in the courtyard.
- When a youth is demoted to C-Level, an Incident Report (IR) is completed. New behaviors that result in additional sanctions or continuance on C-Level require a new incident report and additional days on C-Level. Days on C-Level are served consecutively.
- When youth receive three IRs (for demotion/continuance on C-Level or other behavioral issues such as assault, gang-related activities) a Multi-Disciplinary Team meeting is held to address the behavioral issues.

Incident Reports (IRs). An IR is filed by staff for a variety of youth behaviors such as fights, assaults, self-injury or being demoted to C-Level.

- A total of 144 incident reports were reviewed from April to December 2017 covering a wide range of topics. No irregularities surfaced in this review.
- Additionally, there were 10 room removals in 2017. The JJC Inspection Team reviewed seven videos of removals, and procedures were followed correctly in those reviewed.
- There were no room removals between August in 2017 and January 2018.
- For ease of tracking, Probation has implemented the JJC’s 2016 recommendation that for “follow-up” incident reports the original IR number is used rather than a new number.

The JJC recommends that Probation should assess the effectiveness of the ABC Program to insure fidelity to the program goals of “reinforce and encourage prosocial behavior and to recognize and acknowledge positive behavior.” The ABC Committee could consider the following suggestions as well:

- **Utilize IRs to evaluate the success of the ABC Program.** To better understand how the ABC Program is functioning, the JJC reviewed by unit the IRs filed between October 2017 and January 2018. In October and November a consistent method of logging and coding these IRs had not yet been instituted. It appears there was more consistency in this coding in December 2017 and January 2018. The table below reflects a hand count of IRs for C-Level incidents during this time period:

IRs Filed for C-Level Incidents							
Month / Year	B-1 Security Unit Males ages: 14-16	B-3 Security Unit Males ages: 16-18	B-4 Transition Assessment Unit: Males	B-5 Gen. Population Males ages: 13-16	B-7 Gen. Population Males ages 16-18	G-1 Female Unit All ages	TOTALS
Oct. '17	1	0	5	4	4	2	16
Nov. '17	2	2	1	7	15	9	36
Dec. '17	5	3	3	8	8	3	30
Jan. '18	5	6	7	12	20	7	57
TOTALS	13	11	16	31	47	21	139

- While this table may reflect variances in logging and coding and developing adherence to fidelity of the ABC Program, several issues or concerns arose that the JJC believes warrant further investigation by the ABC Committee:
 - Based on the number of IRs, youth in Unit B-7 did not seem to respond to the ABC Program as well as youth on other units. This could be a factor of the high rate of youth entering and leaving this unit (average time on this unit is 21 to 28 days), adherence to the fidelity of the ABC Program or the number of youth in the unit.
 - In some cases, a youth may acquire so many days of being placed on C-Level, that it no longer serves as a deterrent to negative behavior. For example, one youth had three IRs in four days.
- **Review the feedback process.** A general principle of providing feedback is that it be timely. In the theory of Positive Discipline, for instance, prosocial behavior should be acknowledged often to re-enforce the desired behavior. In discussing the feedback model with the chair of

the ABC Committee, and in reviewing the program materials, it did not seem that providing youth with regular and prompt positive feedback was clearly built into the program framework.

- **Consider coding IRs in a way to differentiate the reasons a youth is demoted to C-Level.** For example, the difference between Automatic Demotion and the accumulation of lower level sanctions (IRBs) could be noted. This differentiation could allow staff to “spot-check” how the ABC Program is impacting serious negative actions that warrant an automatic demotion versus how it impacts chronic, lower-level negative behavior.
- **Further study JH youths’ capacity for self-regulation related to the expectations set in the ABC framework.** For example, a body of research—including adolescent brain research, the Adverse Childhood Experiences study and child development theory—show that youth have different capacities than adults in terms of self-regulation. Moreover, youth in JH—like those in detention nationwide—may also have attention deficit issues, anxiety, trauma or other mental health issues that would also interfere with strong self-regulation and maturity compared to others their age without these experiences. As such, this may affect their ability to be successful in the ABC Program. In these cases, it may require an evaluation and the development of an individual plan for youth, by an expert for special needs populations. The JJC recommends that Probation develop individual behavior plans for youth who are not responding to the ABC Program.

Appeals and Grievances. The Policies & Procedures Manual section for Appeals and Grievances remains the same as in previous years (youth file a grievance when they feel their rights have been violated and an appeal when they have received a sanction or demotion that they do not feel is fair.) Commissioners reviewed 64 grievances and 207 appeals submitted in 2017. No irregularities or concerns were surfaced in this review.

Room Confinement. Senate Bill 1143 became law on Jan. 1, 2018. This bill defines “room confinement” as the placement of a youth in a sleeping room or separation room alone with minimal contact with persons other than group counselors or attorneys. The law requires that room confinement be limited to four hours generally, can be used only when all other less restrictive options have been exhausted and cannot be used to the extent that it compromises the mental and physical health of the youth. Probation has developed draft Policy & Procedures for room confinement that was implemented on Jan.1, 2018. It is expected to receive approval by the chief of probation in the near future.

Quality Assurance. The JH quality assurance team unit conducts audits, surveys and analyzes data to improve the environment and outcomes for staff and youth. Commissioners met with the Quality Assurance (QA) team that were preparing to conduct the pre PREA audit and were also working on the ABC behavior modification program recently implemented in JH.

- **Quality assurance teams are developed** and implemented adding and subtracting team members depending on the area they are studying. For instance Food and Nutrition Title 15 compliance would include food managers and feedback from youth and the medical clinic.

- **Each of the areas of the Policy and Procedures Manual** would rotate for study into the Quality Assurance team.
- **QA had recently provided fidelity checks about the various units attempting to apply the new ABC Program.** Youth were interviewed and Supervisors queried about issues of staff training and compliance. The QA staff provided one-on-one consultation for staff having problems with implementation.
- **Always striving for improvement, QA staff review and revise policies after data collection.** They have recently completed a Policy Review Tracking system that visually identified compliance with Title 15 Standards and areas of improvement. The Policies & Procedures Manual is in hard copy in the units as well as online.

VI. MEDICAL SERVICES

For the inspection, commissioners met with the chief nurse manager to complete the inspection of the medical services provided in JH and in support of medical services at the Ranch. The focus of this year's inspection, which included a walk through and review of the medical facilities, is on the outcomes for ongoing programs and services that are new since the JJC's last inspection.

While the JJC was unable to meet with the medical director, commissioners did spend several hours with the medical services nurse manager, a nurse practitioner who has been in her position for more than 11 years, is an advocate and leader in innovation and continuous quality improvement, and who has been recognized regionally and nationally in the field of health services for youth in the juvenile justice system. The JJC found the following:

- **Staffing.** As indicated in previous JJC reports, 25 county healthcare professionals and support staff, including pediatricians, a dentist, nurses and others, staff the JH clinic. The nursing staff is present seven days a week, 24 hours each day. Two registered nurses (RNs) are on site during the day and evening shifts, and one RN is on-site at night. One licensed vocational nurse also is present in the afternoon and evening. A pediatrician is on-site at JH five days a week and available on-call evenings and weekends. Medical students and interns continue to provide additional resources and health education to youth.
- **Medical services.** A robust program of medical services is provided to youth involved with the Juvenile Justice Court, consisting of comprehensive health assessment screenings (including communicable diseases, vision and hearing), treatment of episodic and/or chronic health conditions, preventive services such as immunizations and contraception, medication management and age-appropriate health education.
- **Dental services.** These services continue to be provided one day a week by a dentist. (The presence of the group counselor along with a metal detector in the clinic assists in searching for small dental tools to insure none are removed from the office.)

Juvenile Nursing Outreach Program. In 2016, through the Juvenile Court Nursing Outreach Program, nurses from the JH clinic began an innovative project of offering services to youth returning to the Juvenile Justice Center to attend court.

- **In reviewing the outcomes for this new program,** commissioners were told that there were some issues at first as parents were concerned that they would be charged for the services. To overcome this barrier, attorneys representing youth were asked to explain the program and nurses in medical dress now circulate in the Court waiting room with signs, which read "free medical services."
- **According to the chief managing nurse, 85 percent of youth who come to the attention of the Juvenile Justice Court did not receive routine medical care.** In response this outreach program was designed to bridge this care gap. This program is successful with the addition of office space three days a week—when the Court does not need that space.
- **The nurses conduct routine hearing, vision and physical screenings with parent's permission—585 youth have been seen in the last six months.** The need going forward is

to establish a full-time, permanent location and to increase parent/guardian education about the services. The JJC recommends that such a location be found and that this plan be supported with the appropriate funding and resources.

- **Another program advantage is that medical staff have an opportunity to speak with parents and then refer them to an eligibility worker (EW).** The addition of two EWs to the Juvenile Justice Court was discussed in the JJC's 2016 Inspection Report. If appropriate the nurse gets verbal permission from the parent to have the EW worker contact them to provide services, including bus passes. This outreach program has enhanced the use of the assigned EWs.
- **Finally, the outreach program has received national attention having been presented at conferences in San Antonio and Georgia.**

Young Adults Program. Since the 2016 JJC report, JH has begun a program of housing transitional aged youth ages 18 to 21. Young adults in JH are provided with a free vaccination program, which includes Gardasil, pertussis vaccine, especially important for young fathers, and meningitis vaccine. This is the only medical facility in Santa Clara County offering this free vaccination program to young adults.

Medical Clinic Services. Every youth admitted to JH receives a two-step nursing exam. The youth is checked in the Receiving Area for communicable diseases. After being cleared for admission, a record check and comprehensive exam are conducted, including various health screenings, substance abuse inquiry, medical and surgical history, and a suicide-risk assessment. The medical director conducts a full physical examination within 24 hours for weekday admissions and 72 hours for weekend admissions. (The Title 15 standard is 96 hours.) As indicated above, approximately 85 percent of admitted youth have had no regular healthcare services, so that the juvenile justice system often becomes the entry point for medical intervention.

- **At the time of the inspection, the most recent full-year statistics for clinic healthcare services were for 2016. Key clinic activities are tabulated on the next page.**

JH Medical Clinic Statistics: 2014-2016			
Type of Service	2014	2015	2016
Admissions to Juvenile Hall	1299	1017	921
MD Clinic Appointments	2477	2200	1876
RN Sick Calls	5298	3806	3153
X-Rays	72	53	48
Dental Appointments	476	445	296
Eye Clinic Visits	30	34	26
Pregnant Minors	4	7	6
Hospitalizations	8	8	6
Estimated # of Children on Psychotropic Medications	103	123	110
Sexually Transmitted Disease Screenings	1082	817	635
Hepatitis B Vaccinations		2	2
Hepatitis A Vaccinations		51	46
Flu Vaccinations	554	256	247
HPV Vaccinations		36	32

Medication Management

- **The Pyxis Medstation®** automated medication management, which was added in 2016, continues to work well and the medication requirements of youth in custody are well met.
- **Medication supply for released youth.** In the JJC’s 2017 report, it was recommended that “options be evaluated for providing a 30- to 90-day supply of critical medications to youth released from custody to support the sustainability of health improvements.” Commissioners’ discussion with the nurse manager revealed that in 2017, all youth who needed medication upon release were provided a 30-day supply. This new policy affects three to five youth per month. The Clinic has been able to provide this medication without requesting additional funding.

Pregnancy. Pregnant girls continue to be referred to the Public Health Department’s Nurse Family Partnership (NFP) program. The program works to support girls in decisions they make regarding their pregnancies.

- Teen mothers are supported with an incentive for participating in public health nurse visits and receive support with childcare or returning to school. The program continues to follow the babies and mothers for three years beyond the mother’s JH stay.
- The nurse manager is working to get some of these services provided to young men with children when they return to the community.

Mandated Reporting. The data for mandated reports made to the police and Department of Family and Children's services in 2017, show that at least 15 reports were filed, but all reports were for incidents occurring outside of JH prior to the minor being brought into custody.

Electronic Health Record. As indicated in the JJC's 2016 report, the EPIC HealthLink system Electronic Health Records (EHR) launched in November 2016. This system had a few challenges at first. But with the assistance of the IT department it is now working well.

- A new chart-check feature, which communicates from the nurse to other providers, also has just been implemented.
- At present Behavioral Health (BH) is still not part of the EHR. This is the result of different levels of confidentiality required by statute for BH. County Counsel is working with IT to resolve these issues and hopes to do so by May 2018. This date has slipped several times, requiring the medical clinic to develop a binder where BH can note issues with medications.
- Some youth who are on psychotropic medication need judicial permission to be prescribed these medications. This order is obtained on a judicial form, JV 220. When a JV 220 is generated by the Juvenile Justice Court judge, a hard copy is forwarded to the clinic and is entered in the youth's EMR, by scanning if the youth is in custody. The IT department developed an alert system for JV 220 orders so an alert is entered into the EHRs of all youth by the medical clerk. This alert generates notice to the Public Health Nurse (PHN) in the County responsible for tracking all JV 220 ordered medications.
- Last year, an EHR alert was also added for youth with a Body Mass Index (BMI) of more than 30 to ensure that youth receiving double trays at meals are not experiencing negative health effects. So far this has not been an issue other than the boys are more inclined to skip their vegetables when they get extra servings of protein.
- In conjunction with the switch to EMR, youth who leave JH can access their own records online, where they can view follow-up medical appointments, lab results and medications.

Regulatory Compliance, Quality Assurance and Quality Improvement. The nurse manager reported last year that a Multidisciplinary Quality Improvement Committee, a Nursing Quality Improvement Committee, and a Policy Review and Revision Committee meet regularly to plan, develop, monitor and improve the standard of clinical care provided at Juvenile Hall and the Juvenile Ranch. These efforts continue and a reviewed by the Institute for Medical Quality (IMQ), Corrections and Detentions Health Care Committee, in November 2017 found that the facility met all essential standards and provided high quality healthcare to the minors in its care. A two-year reaccreditation was earned through 2019.

VII. BEHAVIORAL HEALTH

Behavioral Health in JH is in transition to better serve the in custody youth. The BH team includes therapists who speak English, Spanish, Vietnamese and Cambodian, and:

- 17 BH clinicians with degrees as LCSW, ASW, LMFT and MFTi
- 2 rehabilitation counselors
- 2 clinical psychologist

On the date of the JJC inspection interview, there were 116 youth in JH:

- 16 receiving psychiatric medications.
- 87 youth had signed consents for treatment were receiving counseling through BH.
- While all youth can and do receive supportive services, they are checked regularly as to whether they would like to actively participate in BH's services.

New Workflow. The new workflow waiting for approval by Probation's JH supervisors will better coordinate with the new ABC Program that was developed by the JH staff.

- This system of enhancement and reduction of benefits is now applied throughout the units. This new workflow coordinated by the BH staff follows the pattern previously used for the girl's and mental health units. It provides that a consistent member of the BH staff check in with each unit once a day.
- At the check-in the youth evaluates and rates their mental status for the day. If youth communicate that additional counseling and support are needed on a given day, they may receive those services.
- To better serve youth, BH hopes to integrate the assigned BH staff to participate in the weekly unit staff meeting. BH also participates in the new JH Parent Orientation Program offered on Saturdays.
- BH is mandated to see, orient and evaluate youth for safety of self and others within 72 hours of their admission to JH. Since the last inspection, the unit dedicated to orientation was closed. Now this orientation usually takes place in the Learning Lounge within the first 24 hours of placement. A youth may, during this evaluation, opt to receive ongoing BH services.
- If youth have more than one stay in JH, BH has access to their cumulative records to better coordinate their care.

New Groups. New groups started in the last year include:

- **Seeking Safety.** An evidence-based program that provides multiple levels of service is provided by two BH clinicians in the girl's unit.
- **Seven Challenges program.** Clinicians are developing new groups incorporating the best of the Seven Challenges program, which is a trauma-focused, cognitive behavioral health, self-esteem building program.
- Seven Challenges and Seeking Safety are available to the youth upon discharge from JH through CBOs, to ensure post-release continuity of services.

Operations

- All therapists have completed trauma informed training.
- BH clinicians are now available 7 days a week with after-hour coverage available as needed.
- BH will be converting to a Electronic Health Record (EHR) system called Health Link/Avatar in May 2018. The clinic and psychiatric team are already using this system. Upon any risk factors or concerns raised by the medical or psychiatric teams regarding any of the youth, BH is notified and follows up with the youth to address the concerns.
- To improve coordination of care between medical and BH services, BH staff now attends the daily report with the nursing team.
- To further improve the outcomes for the youth they serve, BH would like to work more closely with the judges and probation officers to help formulate recommendations that are appropriate for each youth and upon discharge have all the necessary services in place.

VIII. EDUCATION

The Osborne School is one of two Court Schools operated by the Santa Clara County Office of Education (SCCOE) Alternative Education Department (AED). The National Institution of Justice states that inmate education is one of the most effective means to reduce recidivism. To this end, accommodating state and federal mandates that education be provided to incarcerated youth, the Osborne School staff is dedicated to providing an effective and meaningful education experience for the youth in JH.

Enrollment

- 93 students were enrolled as of the inspection date.
- 566 total students were served during 2017.
- The disparity between the typical daily enrollment of approximately 100 students, and serving nearly 600 students over the course of a year, highlights a significant challenge for Osborne. Although an average student will be at Osborne for about 60 days, some are there much longer. For example, on the inspection day, 18 students had been enrolled for at least 90 days, with five students enrolled for more than 180 days. On the other hand, many students may be at Osborne for only a week or two. Constructing a cohesive and useful curriculum for a significant transient population remains an ongoing challenge.

Staffing. In school year 2017-18, the Osborne School staff consists of:

- 1 principal (half-time at Osborne school, half-time at Blue Ridge school at James Ranch)
- 8 Alternative Education Department (AED) teachers
- 1 school office coordinator
- 1 assessment technician
- 1 AED counseling staff
- 1 custodian
- Special Education:
 - 3 special day class teachers
 - 6 para-educators
 - 1 school office coordinator
 - 1 resource specialist
 - 1 program specialist

School Day. Due to an increase in James Ranch population in early 2017, and a similar increase in JH population in the last half of 2017, teacher reassignments and class size needs have resulted in the elimination of the teacher's preparation period. The JJC recommends that the preparation period be reinstated both for the well-being of the teachers and the quality of the teaching that students receive.

Assessment. Students enrolled at Osborne are given the Northwest Evaluation Association (NWEA) Measures of Academic Progress (MAP) assessment. Within 72 hours of entering JH, a youth receives a MAP assessment for reading and mathematics. This test helps gather necessary educational and demographic data and is used to plan the student's curriculum. If still enrolled, students are re-tested every 90 days.

- **Grade levels.** Based on the MAP data provided to the JJC for 53 students initially tested

from July- December 2017, the average reading and math scores were about 3-4 years below grade-level for students in grades 8-9, and 5-6 years below grade-level for students in grades 10-12.

- **Assessment results.** Although in 2017 the average length of stay in JH hovered around 60 days, several youth are there for much longer periods, some over 300 days. For them, repeated assessments can show educational progress, stagnation or regression.
 - Based on Osborne data provided to the JJC, for 18 students who had been enrolled for at least 90 days, 64 percent improved their assessment scores with corresponding 1.4-1.5 educational grade level improvements during 90 day test intervals.
 - Unfortunately, testing results also showed that 36 percent stagnated or regressed during these same intervals.
- **Assessment reflections.** The accuracy of these assessments was repeatedly noted by the Osborne staff, pointing out that educational testing is typically not a high priority for the students who may also be stressed due to court matters, removal from family, health or emotional issues related to prior substance or physical abuse, or a lack of prior education involvement. Several staff spoke of the need to incentivize students to take the assessment seriously, but none had a suggestion for actual incentives.

Graduation. The Osborne educators interviewed by the JJC during this inspection displayed their commitment to the goal of graduating students from high school, a goal that was echoed by students interviewed. The educators are clearly dedicated to helping students leave JH with a high school diploma with the ability to continue their education, with life skills, and with marketable job and computer skills, for example. According to the AED, the online Odysseyware program implemented in 2015 is helping more students complete their graduation requirements.

- According to the SCCOE AED 2017-18 Local Control and Accountability Plan (LCAP), 14 students graduated while attending Osborne School during 2016-2017.
- While this represents fewer than 3 percent of the students served, for most students their Osborne experience is the first time they have attended *any* school on a regular basis. And for those who do graduate, it represents a significant positive achievement. As one youth who is on track to graduate before being released noted during a JJC interview: *“Spending time [in JH and Osborne] helped me believe, for the first time, that I could succeed in school.”*

Curriculum. Osborne offers a curriculum that is consistent with what is offered to students throughout the county, but is also aligned with the reduced graduation requirements of AB-167.

- Since most youth are seriously deficient in their accumulation of high school credits when they enter JH, AB-167 allows a student to earn a high school diploma with 130 credits rather than the more typical 200 credits.
 - The difference in subject requirements between the two criteria is that AB-167 eliminates requirements for General Electives (e.g., foreign languages, arts, music, and social sciences), Computer Applications, and Life Skills/Health.
- Fortunately, Osborne teachers, Probation counselors and Custody Health staff provide

informal instruction in the subjects of life skills and health.

- Recognizing the transient nature of the student population (average length of stay 50 to 70 days), many course offerings are designed, to the greatest extent possible, as two-week blocks. In addition, since classes contain students with widely differing educational attainment, teachers must engage in substantial individualized instruction.
- As referenced in past reports, teaching aids are widely used to assist students in various subjects. Osborne utilizes Lexia, Rosetta Stone, Read 180, and Odysseyware as teaching aids for Reading and English Language Arts. In similar fashion, TouchMath, IXL Math, and Cyber High are used as teaching aids for Mathematics.

Computer Use. Laptop computers are available in all classrooms and internet access is available, although extremely limited. Recognizing legitimate security concerns, Probation and Osborne staff collaborated to restrict internet access to “approved” sites, rather than controlling access via a list of “non-approved” sites. Even so, student access is monitored in real time to ensure computers are not misused. Allowing internet access is an important part of the youth’s education re-engagement process.

Post-Secondary Education. After several years of inconsistent focus, a full-time college and career readiness coordinator is now in place and is consistently providing course materials and support to Osborne students enrolled in college-level courses.

- Both current high school students and high school graduates are able to take college courses, if they receive recommendations from Probation and Osborne staff. All go through an initial interview and assessment process with the coordinator.
- Once approved, the student is enrolled and fees are usually waived. Though the college instructor is not on site at Osborne, all materials—books, course videos and lectures, PowerPoint slides and other related course materials—are provided.
- The coordinator works with the student in preparing papers, answering questions, and proctoring tests. Unfortunately, internet access to live on-campus lectures is not available.
- Prior to release from JH, the student and coordinator together create a “College Portfolio,” which includes copies of the student’s Admissions Applications, additional resources (campus map, counseling/tutoring center info, etc.), financial aid information (FAFSA, BOG Fee Waiver, Scholarship info, deadlines, websites, etc.), and list of classes for the program they have selected for the following semester.
- Crucially, the coordinator remains as a resource if their Probation officers choose to reach out with any questions the student may have.

College Course Enrollment

During 2017, 16 students enrolled in at least one college class while at JH. The college course offerings as of January 2018 are:

Evergreen Valley College

- ETH 42, Asian Pacific American Culture and Experience
- HIST 17B, US History

San Jose City College

- KINPE 30, Kinesiology Fit For Life
- ETH 37A, Mexican American History I (Pre-Columbian)
- ETH 37B, Mexican American History II (Reconstruction to Present)
- ADS 80, Addiction in the Criminal Justice Population

Special Education. During 2017, according to Osborne data, 178 (or 31 percent) of the 566 students enrolled at Osborne had an Individual Education Plan (IEP). Based on this data, it appears that the special education population has dropped from previous years when it was nearly half of Osborne's enrollment. Despite this reduction, the special education teachers and para-educators continue work with students during their other classroom sessions.

Student Honors Assemblies. Osborne, in collaboration with Probation, held two Student Honors Assemblies, one during the 2016-2017 spring semester and the second, during the 2017-2018 winter semester. Using the SCCOE REACH goal expectations—Responsible Citizen, Effective Communicators, Active Learner, Critical Thinker and Healthy Individuals—select students were publically acknowledged and honored for their individual achievements.

Research on Justice Involvement and Education Outcomes. AED initiated a new collaboration with Probation to develop a research project to explore the relationship between the length of juvenile justice involvement and educational outcomes. At this point, no conclusion date has been determined.

School Site Council. The council meets several times each year. The goal of the council, which includes students, parents and staff, is to give input into how Title 1 federal funds are spent at the Osborne School. Unfortunately, there is no online posting of meeting dates, times, locations, agendas, or past meeting minutes. As this is an important vehicle for engaging parental/guardian involvement in Osborne's educational endeavors, the JJC recommends that the SCCOE provide an online posting of the School Site Council meeting dates and details.

IX. YOUTH SURVEY

Starting this year, Probation is designing and implementing a new tool to measure its overall impact. Dubbed the Client Experience Survey, the survey will measure youths' feedback regarding all aspects of their JH experience. It is unclear how and when the results may be shared with the JJC or the public.

Separately, in mid-February 2018 the JJC distributed, with Probation's support, its own survey for the purposes of this inspection. The JJC wanted to hear from more youth than in the past to better understand their experiences, needs, and concerns during their time in JH, but also pertaining to their future release.

A total of **108 youth voluntarily completed the anonymous survey**, which asked eight open-ended questions. The JJC's assessment of the anecdotal hand-written responses follows:

Top Themes of Responses

Q1. When you think about leaving the Hall, what are you concerned about?

The most common concerns were about:

- **School.** Returning to their old school or being able to graduate from high school or enroll in college.
"That people will reject me from certain places like school or work."
- **Relationships.** Many were worried they'd be attracted to hanging out with their "old" friends they got into "trouble" with. Others were concerned about what their family would think about them.
"I'm concerned how society will look at me."
- **Re-offending or Probation violations.** Some showed genuine concern about returning to their "old ways," "making stupid choices," not being equipped to avoid future arrest. Others worried they would not pass their electronic monitoring program (EMP), not pass probation, or that they would be re-arrested for a minor infraction.
- **Work.** Being able to find a "good" or any job.
- **Safety.** Some were concerned about finding housing, returning to their old neighborhood or being shot or stabbed.
"I'm concerned about where I'm going to live, my [immigration] status, and how the world views us."

Q2. In your time in the Hall, what has been helpful to you?

Overwhelmingly the responses mentioned:

- **School** and being able to "catch up" or "earn more credits."
"Getting some credits for school and changing as a person."
- **Programs.** *"During my time here, the programs they provide have been the most helpful to me."*
- **Staff support including counselors.** "Talking to the staff," was frequently mentioned.
"Staff helping me prepare for a bigger steps."
- **Reflection and growing.** Some also mentioned being able to have time in their rooms to think about their choices, learning how to communicate better with others, and being able to get or stay sober from substances.

Q3. And what have you not liked about it here?

The responses varied and included:

- **ABC Program.** Youth showed an awareness of the levels in their responses. *"How B-Level [level they start at] can't make phone calls."* A dozen or so just wrote "C-Level."
- **Loneliness.** One of the most common responses was "missing my family."

Q4. Has anything changed about your attitude toward school since you got to the Hall? If so, what?

More than half of the youth said that their attitude toward school had improved, their ability to finish school work had improved, and that they wanted to graduate from high school or attend college:

- *"Yes since I came in the Hall, all I want to do is catch up with my credits and graduate."*
- *"I've learned more here and like school now—I like to learn things I never knew."*
- *"They actually teach me new stuff and make me feel good about myself."*
- *"I love educating myself—it's an essential need."*

Q5. How do adults in the Hall show you that they want you to succeed?

Examples the youth shared, included:

- **Talking to them with respect** and care. Helping them solve problems, chose positive behavior or make “better choices.” *“It’s how they treat and talk to you.”*
- **Making time.** *“Adults provide me with their free time. They also have programs that come in volunteer so we can talk about many topics.”*
- **Encouragement.** Numerous youth mentioned that adults in JH give them “advice” and guidance about how to not return to JH and achieve goals in the future.
 - *“Some I look up to.”*
 - *“By telling me I’m capable of doing good.”*
 - *“Adults in the Hall show me they want me to succeed by talking to me, giving me good advice, and not judging anyone.”*

Q6. Do you ever feel unsafe in the Hall? Why?

- Only 7 percent of youth who responded said they had ever felt “unsafe.” Reasons included being in JH with strangers (the other youth) or feeling threatened by peers.
- Others said they felt safe for reasons such as the staff being very aware and attentive.

Q7. What (if anything) would you change about the “ABC” program—where you get or lose points based on what you do?

Of those surveyed, 42 percent offered feedback about the ABC Program and the responses were almost equally split between those who would change “nothing” and those who offered feedback to improve the program. Top suggestions to improve it included:

- **Understand more clearly how many points they have throughout the day and week.**
- **More differentiation in A and B level points.**
- **More points for attending school/not missing or completing assignments.**
- **Reduce solo activities in C-Level** so youth can interact with others.

Q8. Who helps you succeed in life—at or outside the Hall?

The most popular answers included: Family, friends, and JH staff or teachers (some of who were mentioned by name.) A dozen or so mentioned “myself.”

Based on commissioner interviews with youth, a panel discussion with youth on Jan. 18, 2018, and the above survey insights, the JJC suggests:

- **Probation and SCCOE continue to partner to offer students a variety of education options and experiences** during and outside school hours. Youth surveyed recognize the value of education and many are enjoying school for the first time. The JJC encourages JH to leverage this strength to engage youth and to help them improve educational success once they’re released.
- **Probation researches how to strengthen youths’ protective factors in its Programs and Behavior Management framework (ABC).** Youth acknowledged what is helping them most in JH is what’s referred to as “protective factors” in youth development (e.g. when adults listen to, take an interest in and respect youth). As youth acknowledge the power of their positive relationships with staff, the JJC encourages Probation to continue its mentioned exploration of how it might codify staffs’ strengths and knowledge to design internal Probation youth development framework (versus numerous CBO programs). A codified, research- and evidence-based framework delivered by Probation staff also might help to improve program fidelity and effectiveness as well youth’s sense of “readiness” to re-enter the community when they’re released, and to better navigate the primary concerns they articulated in the survey about leaving JH.

X. POLICIES AND PROCEDURES

Commissioners reviewed the Juvenile Hall Policy & Procedures Manual (P&P), to inquire as to how often the manual is updated, and to learn more about the implementation of the latest revisions.

Changes to the P&P

- Section 14.01-8. regarding the Young Adults Program (SB-1004)
- Section 4.03. regarding the new ABC Program.
- **Room Confinement policy changes.** As mentioned in the Behavior Management section, on Jan. 1, 2018, a change to Title 15 eliminated “room confinement” as a form of discipline. The change dictated that youth may only be confined to a room for reasons of normal institutional operations, safety and security and exigent circumstance. Unit staff experienced difficulty upon implementation as it was a major change from what was previously allowed.

Prison Rape Elimination Act (PREA). The federal Prison Rape Elimination Act was passed in 2003. Its purpose was to provide for the analysis and identification of resident-on-resident and staff-on-resident sexual abuse in prisons including juvenile facilities. The JJC Inspection Team reviewed JH’s implementation and compliance audit process for PREA:

- When PREA was passed, a federal commission was subsequently formed and developed national standards to prevent, detect and respond to sexual abuse within all institutions, effective August 2012.
- As a leader in best practices, Santa Clara County was one of the few to comply with these standards in California. One of the main reasons for this is the cost associated with obtaining certification.
- PREA reduced JH’s staff-to-youth ratio to 1:8 from 1:10 during the day and to 1:16 from 1:30 during sleeping hours.
- The PREA standards are organized into eleven categories including: prevention, training and education, reporting, investigation, discipline and auditing and others. There are 180 separate provisions within the standards.
- According to the JH PREA 2016 Annual Report the “most substantial requirement is that the department must provide evidence that efforts are integrated and practiced within the culture of the agency.”
- On its county website, Probation has provided transparency to the public by placing PREA reports and audits online.

PREA at JH:

- **JJC Inspection Team members met with JH Quality Assurance Team assigned to prepare for the 2018 PREA audit.** During the audit, the QA team systematically examines each of the requirements as they review the results of the 2017 audit. A whiteboard marked all of the areas that needed to be documented as a part of the pre-audit process. Additional medical and behavioral health staff participates in the pre-audit team.

- **Santa Clara County has a Zero Tolerance Policy for sexual abuse, harassment and misconduct.** All incidents must be investigated; victims will be protected from further harm, and provided medical and emotional support services.
- **Youth entering Juvenile Hall are provided an orientation in which the PREA guidelines are shared:**
 - The Department has produced a brochure to be reviewed by new admits and staff together.
 - Youth are required to take a PREA risk assessment, and then attend a PREA training. Sexual victimization is explained and youth are taught how to report sexual victimization for themselves or others.
 - There is a Red Phone in the medical clinic where youth can report sexual abuse privately and the phone is connected to the YWCA Rape Crisis Center. Youth could also report to Probation staff and or management.
 - There are posters throughout the units citing the county's Zero Tolerance for sexual abuse in English, Spanish and Vietnamese.
- **According to the Probation's 2016 JH PREA Annual Report, there were two allegations of "staff-on-youth" sexual misconduct** in juvenile facilities including JH and James Ranch. As of the Annual Report's publication date, one allegation was found to be "not sustained" by a local law enforcement agency and the other remained under investigation.
- **The 2016 independent auditor's report** reviewed all PREA requirements implemented at JH in great detail, indicating whether each exceeded standards, was complaint or was in need of correction.
 - Staff, administration and youth were interviewed and the auditor identified several blind spots where mirrors and/or cameras needed to be placed. There is a camera monitoring system that has been recommended by the JJC, which has been approved by the SCC Board of Supervisors, but is not yet in place.
 - The state auditor found that five PREA standards were exceeded, 32 standards were met and five standards were not met. *After a corrective action plan, the auditor found that all standards were currently met in JH.*

Approved by the Santa Clara County Juvenile Justice Commission.



Jean Pennypacker, JJC Chairperson

4/4/18

Date



Courtney Macavinta, JJC Juvenile Hall Inspection Chair

4-04-2018

Date

DOCUMENTS REVIEWED

- P&P Manual Updates
- SCCOE AED Local Control Accountability Plan (LCAP) and Annual Update, 2017-18
- SCCOE AED Single Plan for Student Achievement (SPSA), 2017-18
- SCCOE AED School Accountability Report Card (SARC), 2016-17
- Environmental Health Inspection 2017- Date 10/24/17- Letter 12/8/2017
- Facilities Inspection- County FAF 11/21/2017
- Superior Court Judicial Inspection of Juvenile Detention Facility for Suitability, 2017
- Santa Clara County Fire Department Fire Clearance Notice, 2017
- Santa Clara County Fleet & Facilities Inspection Notice, 2017
- Title 15 Minimum Standards for Juvenile Facilities, Board of State and Community Corrections, eff. 1 April 2014
- PREA Annual Report 2016, SCC Probation
- PREA Audit Final Report 2016
- JJC Juvenile Hall Annual Inspection Report 2016
- Chief Probation Officer Laura
- Garnett Response to the 2016 JJC Juvenile Hall Inspection Report, 04/13/17
- JJC Youth Survey 2018