

**Santa Clara County
Juvenile Justice Commission**

**Juvenile Hall Inspection Report
January 17, 2006**

INTRODUCTION

The Santa Clara County Juvenile Justice Commission (JJC or Commission) inspected the Santa Clara County Juvenile Hall on Nov. 11, 22, 29, 30, Dec. 7, 14, 2005, and January 11, 2006, pursuant to the State of California Welfare and Institutions Code § 229. Four members of the JJC administered a survey to the Hall residents on Veterans Day to get the greatest number of participants. Eight Commissioners visited the living units, inspected the physical facility and conducted interviews with wards and staff on subsequent visits. Inspection dates and the units visited included:

- November 11, 2005 - Survey conducted
- November 22, 2005 - Orientation meeting with management and Alpha wing units
- November 29, 2005 - Beta Units, Classrooms and the Kitchen
- November 30, 2005 - Medical Clinic and Mental Health office
- December 7, 2005 - School Administration
- December 14, 2005 - School Classes, ILP's & IEP's reviewed.
- January 11, 2006 - Unannounced final visit

Departmental Inspection Reports Reviewed Documents and Inspection Reports from various sources were requested and reviewed during the JJC inspection. Included were:

1. Santa Clara Public Health Department Annual Health Inspection of Juvenile Hall Facility, dated February, 2005, which reviews nutritional, environmental, and medical/mental health services;
2. Probation Department Response to 2005 JJC Juvenile Hall Inspection Report, dated October, 2005;
3. Santa Clara County Office of Education Annual School Program Evaluation to the Board of Corrections for Osborne School, dated December, 2005.

The following reports were unavailable:

1. The California Department of Juvenile Justice, formerly known as the Board of Corrections, had not yet conducted their Juvenile Hall Biennial Inspection;
2. Office of the Fire Marshall annual inspection – no inspection yet;
3. Santa Clara General Services Agency Building Inspection Report – no inspection yet.

General Information Commissioners received an information packet including:

1. Probation Department Memorandum: Daily Unit Composition Report for the JJC visit days;
2. Juvenile Hall Orientation Packet, available in three languages;
3. Parental information brochures – *Your Child and the Juvenile Justice System* and *Juvenile Hall Parent Orientation Packet*;
4. Santa Clara County Probation Department Multi-Agency Assessment Program and documents describing the case-service programs held in Juvenile Hall;
5. Volunteer Programs in Juvenile Hall;
6. Schedule describing the Activities held in Juvenile Hall in November;
7. Probation Department Daily Menus for Juvenile Hall showing Breakfast, Lunch and Dinner menus for four weeks during November and December, 2005;

8. Exit information including a questionnaire, available help, and record sealing procedures.

This report is a descriptive summary of the information gathered regarding the population, staff, responses to the survey, physical plant, programs, medical/mental health services, and school. Concerns and recommendations for action complete the report.

DESCRIPTION

Population The Juvenile Hall (JH or Hall) describes its population as its total and the breakdown for the number of boys and girls. The BOC-rated capacity is 330, 270 boys and 60 girls. Because some units have been reconfigured, the actual working capacity is 324. New admissions who arrive during the early morning or evening hours may still be in Boys’ or Girls’ Receiving units for admission procedures. No wards were from another county during the November 11th visit.

The JJC reviewed the Hall population figures at various visits:

<u>Date</u>	<u>Youth</u>	<u>Girls</u>	<u>Boys</u>	<u>New Admits</u>
11/11/05	253	26	226	1
11/22/05	250	24	225	1
12/14/05	248	23	224	1

The previous full month of population statistics, September, 2005, shows the ages of the admitted wards as:

<u>Age</u>	<u>Number</u>	<u>Percentages</u>
<12	1	.35
12	2	.70
13	10	3.70
14	30	11.10
15	55	20.40
16	69	25.60
17	75	27.80
18	27	10.00
>18	1	<u>.35</u>
		100 %

Boys aged 18 or more may be admitted for special circumstances, false age identification, or temporary transfer from the CYA for the court process. The JJC is discouraged to see that boys under 12 must be admitted and held in the Hall. The protocol is to have the youngest released to their parents, but occasionally the severity of the crime requires a Hall stay.

Also from the September, 2005 monthly population summary, the ethnic breakdown of the Hall intakes was as follows:

<u>Ethnicity</u>	<u>Percentage of Hall Population</u>
Asian	8.1
Hispanic	61.5
White	14.8
Black	11.5
Other	<u>4.1</u>
Total	100 %

The representation of minorities is over 80%. This is still a very high overrepresentation of people of color compared to the population of Santa Clara County. Yet these figures show the ethnicity of those who enter the Hall.

Most wards can understand English. Bilingual counselors are available for youths with limited or no English skills. Certain staff positions are “codes” requiring bilingual skills. These staff are scheduled on all day/swing shifts to meet the language needs of wards, primarily Spanish but also Vietnamese. To monitor tensions between Norteño and Sureño gang members, youth must speak English if capable.

Youth in the Hall are increasingly gang-identified. This can be clearly seen by observing the wards’ behaviors, tattoos, and flashing of “signs”. Some unit staff estimate gang involvement by nearly 90% of the youth. Others put the number at 50-75%. On the JJC survey many youth self-identified themselves as gang members, 42% boys and 69% girls. This number seems artificially low and the JJC feels that the boys in particular may have chosen not to identify in an effort to drop their affiliation or knowing they all must get along in the Hall. Staff maintains tally sheets in each unit to be aware of possible conflicts.

Unit Composition Youth are divided into 30-bed units for both housing and programming purposes. The current ten units are divided by gender, behavior, and function. Eight units are currently for boys and two for girls. Secure units house individuals who, for security purposes, do not leave the unit and are not allowed to mingle with the general population.

The reconstruction process at the Hall continues and units are frequently redistributed and adjusted due to construction issues. The Beta wing was opened in April 2005 as construction was completed. Across the hallway, additional units are still in construction and are expected to be completed during the summer of 2006.

There are five active units in the Alpha wing (located over the main entrance):

- B8 is a boys’ security unit for serious offenses, generally waiting for court trials.
- B9 is a boys’ security unit for serious offenses, waiting for trials.
- G2 is the boys’ placement unit of those awaiting transition to other placements.
- B10 houses boys who are committed by the Court to Juvenile Hall.
- B12 is a unit for the institution’s middle-aged boys, ages 15-16.
- B 11 is currently closed, but available should the population increase.

There are five units in the Beta wing (replacing the old original building):

- G1 includes the general population of girls and those who are a security risk.
- B2 includes a general population of the oldest boys, ages 17-18.
- B5 includes a general population of the youngest boys, ages 12-14.
- B6 is now a Boys’ Honor Unit.
- B7 is a dormitory room and now the Girls’ Honor Unit.

In the past, a ranch unit housed the boys in the Ranch Orientation Program, Ranch Escapes and Ranch Failures. This program no longer exists and the minors receive a one-on-one orientation during the week prior to placement at a Ranch.

G1 Unit G1 is the general population and security unit for girls. There were 12 girls in the unit on the day of the visit with three assigned staff.

The Behavior Modification Program, an internally generated, positive incentive-based program, is being piloted in this unit. This program has requirements and privileges designed to encourage positive behavior. Eight girls were classified as Group Enhancement Program (GEP) - similar to A level, many privileges; three girls were classified Minor Orientation Program (MOP) - similar to B level, modified program, some privileges; and one girl, who had refused school, was classified Restricted Individual

Program (RIP) having temporary restrictions. Learning positive self-discipline, not negative behaviors, is emphasized. Among the most common problems with the girls are anxiety, acting out and verbal blow-ups. Youth learn from their mistakes. They are not punished for their mistakes.

G2 Unit This is currently the Transition Placement Unit for Boys, providing intensive services through Mental Health and community-based organizations (CBO's). At the time of our visit this unit had 22 boys. "A" Level had 2; "B" was 15; "C" was 3; and "C-Mod" was 2. Two had been sent to Emergency Psychiatric Services (EPS) as they refused to take their medications. The unit has some weight training equipment and the classroom is in the unit. Twelve boys are in Special Ed classes. Probation Officers (PO's) are an important link for these youth as an appropriate placement is being located. Frequently, for a variety of reasons, a placement does not work out and the discouraged boy is returned to this unit.

Of the three staff on duty, two were extra help and one was fulltime. Staff need patience to work in this unit. Consistency is very important. The average length of stay for the wards on the unit is four to six months.

The Mental Health counselor came into the unit during the visit. He conducts two group sessions each week with a focus on helping the youth prepare for placement adjustment. He also conducts individual and family therapy. A majority of minors in this unit are on medication: ADHD, depression, bipolar, etc. His caseload is 19 to 20.

Several of the boys were individually interviewed by Commissioners. The boys complained to a Commissioner about being located in a girls' unit and being harassed and called names by the other wards for this. The boys complained about the quality and amount of the food. In general they had no complaints about the way they were being treated by staff or teachers. Many of these boys have cycled in and out of the Hall and were quite open with their comments. They questioned why they must be confined to their rooms so much, why they cannot go out to use the gym, why phone calls cost so much and why the food is not hot when it comes to the unit.

The uncertainty about being "placed" was weighing heavily on the boys. Two were awaiting placements after running and being caught. The other boy was in Special Ed, estranged from his family and seemed very detached from his surroundings. Boys returning from placement are placed on "C mod" level. The boys understand this demotion if they have "run" from a placement or failed to cooperate with the program. But if the arrangement was unsatisfactory, the boys wondered why they should receive this form of punishment.

B2 Unit B2 is a general population unit for the oldest males. There were 30 youth in the unit at the time of the November 22nd visit. Four youth were on A level; 17 on B level; and, 9 on C level. On the day the Survey was conducted, the Unit's population was 34. The normal capacity is 30. This caused a temporary overcrowding situation, handled by bringing mattresses into the unit for the four boys to use on the floor of a room during the day. These additional boys were transferred to another unit to sleep at night. Six of the youth in B2 had limited English skills making it impossible for them to complete the Survey unassisted. Two of these were non-English speaking and required constant translation and direction for all activities.

There were three staff present, plus one staff serving in a one-on-one capacity. One staff member has been working with youth for eleven years. Two others have nine and seven years of experience respectively and one, a candidate for full-time, has two years of part-time experience

This unit has significant gang issues. The youth must be divided by gang for school groups to avoid major disruptions. Staff noted that 19 of the 30 youth have a gang affiliation. Youth who are not in gangs have to be asked, "Whom do you feel more comfortable with?" The youth may have relatives who are part of a gang and the gang problem still needs to be addressed. A behavior incentive plan was instituted to help reduce gang incidents whereby wards can earn "points" to "buy" things in the canteen. It is hoped this will ease the tensions.

One staff person was asked about morale. He ranked morale as between five and six, on a scale with ten being the highest. He said, "Kids today are more sophisticated. They know how to work the system. They understand the gang nature."

B5 Unit B5 is the general population unit for the youngest males. There were 26 youth in the unit on the day of the inspection - 10 youth were on A level, 9 were on B level, 6 were on C level, 1 was isolated on C-mod level. There were three staff on duty at the time of the visit. One staff member has seven years experience, a second has three years experience, and the third, a part-timer, has two years experience.

The gang affiliation for each youth in the unit is noted on the unit roster. Seventeen of the 26 youth were noted on the roster as having a gang affiliation. The gang affiliations included Norteños, Sureños, Crips, and AOB, a local gang. None of the youth were on mental health drugs; only cold medications.

B6 Unit B6 is the Male Honor Unit. Youth in this unit are hand picked and earn this privilege for their cooperative behavior. There were 30 youth in the unit on the day of the visit. One youth was transferred out of the unit during the time of the Commission's visit. Of the remaining 29 youth, 26 were on A level and 3 were on B level. The three staff members on duty at the time of the visit have eight years, six years, and three years experience, respectively. Fifteen youth in the unit were listed on the roster as having a gang affiliation.

"Store Night" is one of the privileges available in the Honors Unit. By earning points for favorable behavior, youth can "purchase" personal items such as bar soap, shampoo with conditioner, or snacks. Once a month there is a "social" with the boys and the girls in the honor unit. Not all boys are eligible to attend, as there are more boys than girls. Boys on A level the longest period of time are eligible for these mixers.

The Honor Unit has a resource center and youth can participate in high school and college programs. After lunch all youth in the unit go to the gymnasium. A staff member said the average length of stay for youth in the unit was between 25 and 30 days.

B7 Unit B7 is the Girls Honor Unit. There were ten girls in the unit on the day of the visit. Nine of the girls were on A level and one was on B level. The girls in B7 were actively preparing for the Holiday Decorating contest. They had earned first place for the Halloween decoration contest. One girl is on mental health medication.

There were two female staff members on duty. One of the staff members has five years experience as a counselor and the second staff member is a recent hire. The inspection team was told that there must always be a full-time staff person on duty in the unit. One staff member said the girls in the unit are open and willing to talk to them. Because of their honor status, they have significantly more time for activities that the girls or their counselors plan.

“It was depressing to go to work two years ago. No one spoke up for the counselors at that time,” one of the staff stated. “Now I enjoy this unit and the girls listen and learn here.”

B8 Unit This is one of two Male Security Units. The JJC visited during the swing shift. Three probation counselors work this shift on unit B8. The day of the inspection, there were 29 youth in the unit, with 21 in Level A, 2 in Level B, 4 in Level C, 1 in C-mod, and 1 in the Restricted Program. The restricted boy has no contact with others in the unit, including the exercise period. He exercises alone in the courtyard.

A medical staff person was distributing medicated shampoo and topical ointment for several of the boys. None of the boys had been prescribed psychotropic meds. A mental health therapist was counseling one boy in the unit.

The Osborne School operates within the unit as the boys do not move to regular classrooms. The classroom is dividend into two sections, Group A and Group B. One section is taught in the morning and the other in the afternoon. Of the six SDC students, only three said they are getting special classes each day since the SDC teacher works four hours a day, in the morning. Each group has two main academic subjects, English and Math, a P.E. class and an open period. There are no homework assignments. No Science, Biology, or History classes are offered for the boys in this unit.

The counselors and students talked about the need for more credits and classes. The State of California has established a new law stating that all high school seniors must pass a written test before graduating. Staff are concerned about the educational future for these boys as the majority of the boys will drop out of high school or find themselves ill equipped for college or jobs after leaving the juvenile justice system.

B9 Unit B-9 is the second Male security unit. On the day of a JJC visit, there were 26 youth in this unit. 10 were on A level, 6 on B level, 8 on C level and 2 on Modified C level. There was three staff on duty with many years of experience. One has worked in other counties as well as Santa Clara County and the youngest has 5 ½ years of service here.

This unit has been characterized by the number of incidents of increased gang violence, fights and periods of lockdown in unit. No movements of minors outside the unit to the cafeteria, to school or to the gymnasium are allowed during standard procedures. During lockdown, all stay in their rooms with no class, group exercise or interaction. A modified lockdown has been tried when only the disruptive boys are confined and the others may have standard procedures within the unit.

Under discussion is a possible change of location for the boys’ secure units. In the spring after construction completion, these units may be moved to the new building where the courtyard is larger to allow greater exercise space.

B10 Unit B10 is the Boys’ Commitment unit for those committed by the Court to the Hall for a specified length of stay. There were 30 youth in the unit on the day of the November 22nd visit. Twenty-four minors were on A level and 6 were on B level. There were two counselors in the unit and one in the school. One of the staff members has 13 years experience, a second has eight years experience, and the third person was hired this year.

As there are no vocational education services provided, the staff of this unit has encouraged job readiness skills--- resume writing, interviewing skills, appropriate attire, and grooming. Boys are encouraged to apply for jobs in the community and continue these jobs after their release. Two boys are currently employed and leave the facility for their jobs.

Med Call, the distribution of medicines by the clinic nurse, occurred during the JJC visit. Eleven of the minors in the unit, or 30%, were on medication. One staff said youth with ADHD are put “in a zombie-like state” by medication. He felt there was need for more dollars to address the mental health needs of youth in the Hall. He said, “Mental Health needs cannot be cured by medication. It is a short-term cure, but the same problem still has to be solved.”

B12 Unit B12 is the General Population unit for middle-aged males from 15 to 17 years. There were 30 youth in the unit on the day of the inspection. Fourteen youth were on A level, seven were on B level, and nine were on C level. About 40% were taking some form of medicine. The lead counselor has eight years experience, the second counselor has ten months experience, and the third, a part-time counselor, has six years experience. One counselor was waiting to be hired as a full-time counselor.

The inspection team visited the unit during shift change. The lead staff person said all youth must go to their rooms and have “down time” during a shift change. This avoids confusion and insures that all incoming staff is aware of the number of youth and their individual needs. Youth are generally moving during the day, between the school and the cafeteria. After 3:30 pm there are programs such as MACSA, FLY, or Anger Management.

STAFF During the visits to the facility, Commissioners interviewed staff from:

- The Probation Department, including managers, supervisors, probation counselors;
- Medical Services and Mental Health Services from the Santa Clara Valley Health and Hospital System (SCVH&HS),
- Kitchen staff; and
- School and administrative staff from the SCCOE.

The Juvenile Hall management staff is comprised of two Probation managers and 12 unit and program supervisors. There is currently one vacant supervisor position. Staff work five eight-hour days each week. Counselors work the three shifts: the day shift is 7 a.m.- 3 p.m.; the swing shift is 3 p.m. -11 p.m.; and the night shift is 11 p.m.-7 a.m. Staff allow for 15 minutes of overlap at the change of shifts. During the awake hours of the day and swing shifts three counselors are assigned per unit, but only one during the night shift. Supervisory, control, admissions, and receiving counselors are available as needed for security.

The year 2005 saw shortages in, as well as the hiring of, staff for the Hall. Managers have been working diligently to hire staff. The additional positions were authorized by the Board of Supervisors based on documented justifications presented by the Probation Department. Forty new staff members were hired in February and forty others will also be added to the staff based on interviews held in November. The hiring process is time intensive due to the selection process, background checks, and training required. Some of the newly hired staff is from the extra help group.

Each newly hired staff member receives 40 hours of training, including the new restraint techniques, before being assigned a unit. They are mentored during their early assignments. Each of them also completes an additional week of training within the first year as a probation counselor.

All current staff members have been trained in the new restraint techniques. Each staff member participates in CORE training for 32 hours per year, including 16 hours of restraint training. A new interactive training program, based on “practical” topics not already in the training manual, (i.e. communication adjustments, ethics, and role playing) is being included. Open codes for counseling staff, substitutes for illness and replacements for staff training days are filled by the extra help pool of counselors or overtime assignments. Mandatory overtime shifts have been covered by requiring working counselors to stay for a second shift. This means that some staff worked a significant over-time schedule especially during spring, 2005. During the months of May, June and July, overtime was high. Many day shift counselors experienced mandatory overtime, much of which was due to vacancies. Extra help counselors, utilized to fill in when needed, are part-time and limited in their annual work hours. During July many extra help completed the 1040 hours per year allowed in that category, causing more mandatory overtime. The manager reported that there had been no mandatory overtime for the six weeks prior to the November 22nd JJC initial meeting.

Morale of the staff seems to be improving as noted by Commissioners in their conversations with staff and the managers. Whereas a couple of years ago, negative comments were the norm. Now no comments were volunteered unless Commissioners specifically asked. The JJC feels that, on a scale of 10, this good feeling is improving to a six from a low of two. Although this assessment seems subjective, the improvement is significant.

SURVEY On November 11, 2005, four Commissioners administered a Survey to the entire Juvenile Hall population to elicit opinions on a variety of items. Because the day was a national holiday, the Courts and Osborne School were not in session. Therefore, almost all of the youths participated.

Instrument Commissioners developed the survey by using the format from an instrument developed by the State of Georgia Department of Juvenile Justice. Some of the items were expanded and designed to obtain “yes” and “no” responses. A few items had other response choices. Since this was a pilot project for the Hall (surveys have been used at the Ranches for the past three years), the survey was only available in English. Some topics were included to determine similarities and differences between the Ranch and Juvenile Hall wards.

Procedure Generally, the youth were brought to Commissioners in small groups of ten or fifteen, except for the girls who were all administered the survey at the same time. In each unit, Commissioners distributed the survey and an envelope to the youth who were seated at tables. The youth received an explanation about the purpose of the Commission, why the survey was being taken, and the directions for completion. Youth were asked to complete the document and place it in the envelope. The counselors monitored pencils. During the course of the process there were some questions from the youth—mostly about the definition of a few words. Only two youths could not complete the survey due to a language difference. It is interesting to note that there were some youth at the Hall who had previously been at the Ranch and completed the Ranch survey during their stay. In fact, one youth ate lunch at the Ranch with the Commissioner administering the Hall survey!

The youth took the survey seriously and the vast majority completed the survey. Each was also allowed to write a short comment to the JJC at the end of the survey. It is important to note that these are opinions of the youth. By gathering the opinions and information from all of the youth at the Hall during the inspection, the Commission added this valuable piece to the inspection process.

Staff was notified in advance that Commissioners would be in the facility for the purpose of the survey. All the staff was very cooperative with one supervisor assigned to facilitate movement. This was another opportunity to talk with staff during the process.

Responses Of the 226 boys at the Hall, useable responses were obtained from 214, or 95%. All 26, 100%, of the girls responded to the survey. Therefore, the overall total of 240 useable responses resulted in a 95.2% response rate. Two youth were at their off-site jobs, two youth could not complete the survey due to language, three were in the medical clinic, and one youth responded with all “no” answers. That form was not tallied because there were some items where a “yes” answer would be considered a “no” or negative response, yet all answers were “no.” The remaining youth who did not participate were not in their respective units at the time the survey was administered.

Results Table 1 presents data displayed separately in percentages for the boys and girls for 29 items. It is interesting to note that all of the youth completed almost all of the items. In some instances the item statement is abbreviated to accommodate space. Table 2 compares the responses from the girls at the Hall and the Wright Center on seven items that are comparable on both survey instruments. Table 3 lists ten items of comparability for boys from the Hall Survey and the James Ranch Survey over the past two years. The Wright Center and James Ranch Survey results were part of the respective inspection reports from the JJC 2004-05 mandated inspection cycle. The items from Table 1 that are listed in subsequent tables will be discussed in those contexts.

Table 1 Selected Responses from the 2005 JJC Juvenile Hall Youth Survey

<u>Item</u>	Useable Responses		Boys= 214		Girls = 26	
			<u>Boys</u>		<u>Girls</u>	
			<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
1. See orientation video each time you came to JH?	59%	41%	69%	31%		
2. Do you have gang affiliation?	42%	58%	69%	31%		
3. Do you know how to contact your PO?	67%	33%	92%	8%		
4. Do you know how to get to see a nurse?	82%	18%	92%	8%		
5. Have problem seeing a therapist?	17%	83%	19%	81%		
6. Do you know how to file grievance?	50%	50%	72%	28%		
7. Have you ever filed a grievance?	50%	50%	31%	69%		
8. Does staff enforce rules fairly for all?	48%	52%	54%	46%		
9. Have you ever been denied right to have visitors?	21%	79%	12%	88%		
10. Do you understand how you earn & lose points?	49%	51%	88%	12%		
11. When one breaks the rule, is whole group punished?	89%	11%	96%	4%		
12. Do you get at least 1 hr. outside phy. activity daily?	67%	33%	63%	38%		
13. Do you feel safe in Juvenile Hall?	49%	51%	67%	33%		
14. Have you ever been placed at the Ranch?	36%	64%	28%	72%		
15. Can you get the school classes you need?	47%	53%	77%	23%		
16. Can you get GED classes if you want them?	66%	34%	81%	19%		
17. Are you given personal grooming articles?	77%	23%	81%	19%		
18. Can you talk freely & honestly with counselors?	53%	47%	73%	27%		
19. Are you subjected to verbal abuse by staff?	36%	64%	8%	92%		
20. Are you subjected to verbal abuse by other youth?	41%	59%	40%	60%		
21. Are you subj. to physical abuse by staff?	18%	82%	0%	100%		
22. Are you subj. to physical abuse by other youth?	17%	83%	0%	100%		
23. Do you get enough to eat?	25%	75%	Some 4%	46%	50%	
24. How is the food?	<u>Good</u> 3%	<u>Fair</u> 31%	<u>Poor</u> 67%	<u>Good</u> 4%	<u>Fair</u> 35%	<u>Poor</u> 61%
25. Not bedtime, how often confined in room?	<u>Seldom</u> 11%	<u>Some</u> 36%	<u>Often</u> 54%	<u>Seldom</u> 36%	<u>Some</u> 20%	<u>Often</u> 44%
26. How many times in a phys. fight?	<u>Never</u> 63%	<u>1-2</u> 21%	<u>3-4</u> 15%	<u>Never</u> 71%	<u>1-2</u> 17%	<u>3-4</u> 13%
27. How many times injured by 1 or more youth?	80%	15%	5%	100%	0%	0%

28.How many times injured by a staff member?	69%	19%	12%	96%	4%	0%
29.Times staff used phys. force to restrain you?	61%	20%	19%	80%	12%	8%

A significant percentage of youth, 41% of boys and 31% of girls, are still not viewing the Orientation Video at the time they are brought to the Hall. The Commission is concerned because not seeing the video may have a deleterious affect on the youth’s adjustment to the Hall. For those coming back for repeat stays, the reinforcement is important. This is the third consecutive year that this problem of not viewing the video has been brought to the attention of the Department!

The “gang affiliation” responses appear to be considerably lower than the number attested to by staff. Commissioners were informed that more than 50% of the Hall population are gang members. This discrepancy is a fact that should not be discounted. It could be that several Hall youth are thought to be gang members but are really part of the “wannabees” group. A senior manager said the unit counselors err on the side of caution. A gang affiliation is assigned to any youth with an interest in or tendency towards a particular gang, even though the youth may not be an actual member. This is to protect both the youth and the staff.

Slightly over one-fourth of the girls and fully one-third of the boys said that they had been “placed at the Ranch.” This shows high level of recidivism. Whether they failed the Ranch or re-offended, there is a large group of the current Hall population for whom the programs do not seem to be effective.

Although over 75% of each group said that they receive “items for personal grooming,” it remains clear that the items are lacking in substance. For instance, the youth **do** receive soap, but that soap also must be their shampoo! The Commission suggests that the same soap and shampoo/conditioner used at the Ranches be provided to the youth at the Hall. This is not a trivial thing because it adds to stress for these adolescents. One more thing to get in the way of adjusting to the Hall program!

The food is another big issue for the youth. The Commission knows that dieticians prepare the menus and that the caloric content meets standards for the age group. But, the Commission also knows that a significant amount of food is wasted. One youth was observed collecting seven apples from others about to dump them in the trash. The reality is that youth will not eat food that they feel is stale, cold, or do not like. Overall, two-thirds of them said that the food was “poor.” The more important issue here is that a disturbing number report that they do not “get enough to eat.” Adolescents’ growing patterns vary and their food needs also vary. The Department might try to modify the amount of food or provide a snack in the evening as a pilot study to ameliorate this difficulty for the youth.

When glancing at the responses from the boys and girls alongside each other it appears as though they are in different facilities! The item about “feeling safe in the Hall” is an important difference. Only 49% of the boys said “yes,” whereas 67% of the girls responded “yes.” The four items that address fighting and other violence in the Hall show that most of the youth have not been touched by violence during their time at the Hall.

Table 2 Girls’ Responses to Comparable Items from the 2005 Juvenile Hall Youth Survey and the Wright Center Survey Responses from 2004-05

<u>Item</u>	<u>N= 26</u> <u>J.Hall Girls</u>	<u>N=17</u> <u>Wright Center Girls</u>
1. Do you get enough to eat?	Yes 46%	Yes 94%
2. Were the rules explained to you?	Yes 96%	Yes 70%
3. Can you get the classes you need?	Yes 77%	Yes 30%
4. Talk freely with staff/counselors?	Yes 73%	Yes 53%

5. Are you subj. to verbal abuse from staff?	Yes	8%	Yes	23%
6. Are you subj. to physical abuse from staff?	No	100%	No	94%
7. Do you feel safe at the Ranch? Hall?	Yes	67%	Yes	100%

Item one above shows that twice the percentage of girls at the Wright Center say that they “get enough to eat.” This is significant. The food is prepared on site and the menus--especially lunch-- are more varied at the Center. When it comes to “rules explained to you, talking freely with staff/counselors, and verbal abuse by staff,” the difference is skewed in favor of Hall staff. Some of the differences might be due to the differences between the two programs, but not all. These differences point to some major differences between the two groups of counselors.

Table 3 Boys’ Responses to Comparable Items from the 2005-06 JJC Juvenile Hall Youth Survey and the Wm. F. James Ranch Survey Responses from 2004-05

Item	Answer	J.Hall	James Ranch	
		2005	2004	2005
1. Can you talk freely & openly with counselors?	No	46%	75%	83%
3. Do you feel safe at this Ranch? Hall?	Yes	49%	63%	58%
4. When you came were rules explained to you?	No	35%	55%	41%
5. Subjected to verbal abuse from staff?	Yes	36%	37%	70%
6. Subjected to verbal abuse from minors?	Yes	41%	57%	59%
7. Subj. to physical abuse from staff?	No	82%	89%	91%
8. Subj. to physical abuse from minors?	No	83%	89%	83%
9. Food is good?	Yes	3%	44%	45%
10. Get enough to eat?	Yes	25%	40%	54%

More than twice the percentage of boys at the Ranch say that they “get enough to eat” than did the boys at the Hall. It is important to recall that the boys at the Ranch go out on work crew assignments and many of them work in the vocational programs at the Ranch. Those activities use more energy than the daily routine at the Hall. At the Ranch youth are often permitted a second helping of food when requested.

The main difference noted for these groups is in the response to the “subjected to verbal abuse from staff” item. The response of “yes” from the boys at the Ranch is almost twice that of the boys at the Hall. There is indeed something amiss here! Something that is operating negatively with the staff at the Ranch is absent at the Hall. The JJC is concerned about the 16-hour shifts staff work at the ranches. Could this be a contributing factor to the staff stress level which manifests itself as verbal abuse?

Written comments from the minors were an opportunity to tell the Commission about a particular concern. The most frequent complaint was about the food, its quantity and quality. For example, in one unit, the only two comments were: “Better food + more” and “Lunch – Help!” Some used it as an opportunity to gripe or complain about counselors. Others tried to offer positive suggestions, like needing shampoo instead of harsh soap or suggestions for less room time and more activities. It is noteworthy that 71 individuals wanted to express additional comments and many of these were on multiple topics.

Incident Reports A new method for filing an Incident Report (IR) was installed in the Hall in 2004. The system became operational in 2005. The counselor prepares the IR on the computer. The IR is transmitted to the supervisor for acceptance or returned to the counselor for revision. After approval by the supervisor, the IR is e-mailed to the two managers for final review. Each IR is numbered and contains the reporting counselor’s name, date, time, location, a report of injuries (if needed), and a description of the incident. Two managers review each IR on the screen. Managers can accept the report or return it to the supervisor if the IR is not properly documented or the language needs correction. The Assistant Chief

reviews every IR for compliance with procedures and policies, as required by the new database. With the new database system every report is accounted for. There is no subjectivity in the new system.

Comparing 2004 with 2005 requires comparing two different report forms and different time periods. The IR data in 2004 was collected on Salient Feature Reports. All IR's in 2005 were prepared using the new database system. Because data were collected from two different sources this year, the team chose not to review any of the actual reports. The inspection team selected specific incident types for comparison, incidents that were similarly defined under both systems. These statistics do not compare a full year as the 2005 data were only complete to November. The comparison period is between the first eleven months of 2004 and the same months in 2005.

The JJC focused on the room and unit removals. This process for removing a disruptive, unruly youth has been revised. Each room removal is video recorded. Video cameras are in all the units and Receiving Units. If a room removal appears necessary, staff consults the supervisor. A supervisor must be in attendance for a removal to take place. The supervisor makes an additional attempt to have the ward come out of the room. This final attempt is also recorded. Often, this is sufficient impetus for the ward to come out voluntarily. If not, the supervisor is the team lead to direct the staff and reinforce the previous training to affect the removal. Receiving staff are called upon to assist as necessary and transport the individual. The boy or girl is escorted to the Receiving unit as an isolation room. They are constantly monitored and Mental Health clinicians are notified. These following statistics show marked improvement for the first eleven months of 2005 compared with the same period in 2004.

1. **Walkouts** A walkout occurs when a minor is removed from the unit and moved to Receiving without the need for the counselor to administer mechanical or physical restraint. Staff is able to verbally quell the incident. There is no need for handcuffs. Sometimes an individual will admit he/she needs a timeout. **Walkouts declined 56% from 2004 to 2005.**

2. **Removing minors with mechanical restraints** In this instance, the minor is cooperative, mechanically restrained, but not physically restrained. The minor is handcuffed to provide safety on the way to Receiving. The minor is undergoing stress, needs a time out, or is being disruptive in the unit. **Removing minors with mechanical restraints declined 54% from 2004 to 2005.**

3. **Physical restraints** This is the most stressful removal, for both minor and staff, and usually is caused by a fight. This involves direct "hands on" contact to subdue and restrain the minor. Management reports that almost all fights are gang related. Staff injuries generally occur when minors are physically removed. **Removing minors with physical restraints declined 62% from 2004 to 2005.**

4. **Staff injuries** Staff injuries, often accompanied by workman's compensation claims, have been cited in past inspection reports. **Staff injuries were down 57% from 2004 to 2005.**

Management staff attributes the reduction in serious incidents to increased staffing positions, a more consistent and stable staffing base, training in verbal de-escalation, and the video documenting policy. New restraint techniques lower the level of force required in removals. Verbal de-escalation techniques help staff identify and deal with an inflammatory situation, especially with mentally ill wards.

GANGS The problem of gangs and their influence on Juvenile Hall continues. The JJC survey recorded that 42% of the boys and 69% of the girls responded "yes" to the question, "Are you a member of a gang?"

The Commission's inspection visits to the living units revealed an added facet to the gang problem. The roster in each unit lists the gang affiliation for each youth in the unit. Counselors familiar with each of the youth in the unit collect the information. Because the information is subjective and unscientifically collected, there is no uniform method of correlating the information among the units. The information collected from a minor may reflect the youth's leanings toward a particular gang, a familial gang connection, or gang interest but not actual membership. Counselors need this information to protect the youth in the unit as well as themselves. Some of the counselors are part time employees and unfamiliar with many of the youth.

The inspection visits to the individual units tended to confirm that the information assessed by the counselors is reflected in the unit rosters. In one of the boys' units, 14 youth answered "yes" to the question "are you a member of a gang?" In the same boys unit, counselors record 17 of the youth as having a gang affiliation. The counselors in a second boys unit listed 15 youth with some degree of gang affiliation. Yet, only nine youth from the same unit answered "yes" to the gang membership question.

The gang membership question contains some degree of ambiguity. What are the requirements for becoming a card-carrying member of a gang? Is a tattoo required? Does membership by another family member qualify the youth as a member? Does partiality towards a particular gang qualify youth for membership in that gang? It may be difficult to collect an accurate answer to these questions in a survey. However, the counselors working in the units must utilize their assessment skills to maintain a safe environment for the youth in the Hall.

Current policy in the Hall, while including gang members in the same unit, avoids mixing opposing gang members in their rooms and avoids mixing them when they are seated or standing in rows. Some staff felt members of rival gangs should be kept separate. Others feel an attempt should be made to integrate them. Whenever members of different gangs are together, care is taken that there is an equal number from each gang to prevent either group from enjoying an advantage.

Gang problems seldom start in the Hall. They start in the neighborhood or on the street before the youth arrives at the Hall. A senior manager says the largest California counties have the largest gang problems. The counties with gang problems similar to the problems faced in Santa Clara County are Los Angeles County and Orange County. San Francisco and Alameda Counties are similar to Santa Clara County, but to a lesser degree. Staff indicated that examining how gang issues in these counties have been addressed has uncovered no effective solution to the problem. *Gangs: a Community Response*, from the California Youth Outreach Gang Awareness Training booklet, states that gangs have spread from major urban areas in California to the suburbs, and even to the rural communities. The booklet concludes by saying there is no magic bullet that will solve the gang problem.

Physical Plant The four-unit Beta wing of the construction opened in April 2005. There are three units still under construction and a multi-purpose area which have an anticipated opening of June 2006. The biggest change in all the new units is the HVAC and the pod design. Each unit has a two-tier system with 30 beds per unit (down from 42). Each of the rooms is a "wet" room with its own toilet and sink. To date, there have been few incidents of vandalism in the Beta rooms. Courtyards are larger in the new wing, also. Classrooms are closer to the units and encapsulate security. Movement of youth is also minimized.

The grounds are basically closed due to construction. Access to the gym and cafeteria are re-routed frequently to avoid active construction sites. The units in Alpha wing, especially the secure and placement units, have considerable vandalism. The maintenance coordinator indicated, "We cannot keep paint on the individual room doors."

An old unit, B7, is an open dorm-style room. Upon completion of the remaining living units, this area is planned to be converted into the School Administration and additional visiting areas. Sibling visiting cannot be accommodated in the current space. It is planned to be offered on a limited basis at the PO's discretion when this new area is expanded.

One parent, interviewed in the waiting room, complained of cold water for her son's showers but she could not identify which unit was a concern. Only one boy wrote a comment about cold showers in the comments section on the survey. Two others complained about short showers. The JJC could not determine from staff whether this complaint may be a matter of time management or a short hot water supply being rationed.

With no current fire marshall report, the JJC could not check on any compliance issues. The annual health inspection, dated February, 2005, showed a few maintenance items like painting and old light bulbs but these items have been completed.

The medical department has a well-equipped clinic with sufficient number of examining rooms, but the mental health department has very limited access to program areas. One small room is available in each unit. One of five "lawyer interview" rooms on the first floor is prioritized for use by the mental health department. But space for individual or group counseling is quite limited. Group sessions may be held in the unit classrooms during the evenings. As Commissioners passed by the visiting rooms, they questioned the uses of these small, private rooms during the daytime hours. Therapists may be able to use these rooms if they agree to wear "phase buttons" for their personal safety.

The kitchen and food storage areas were inspected. All food is stored properly, up off floor. No torn bags and no animal droppings were observed. The food preparation areas were clean, sanitary, and orderly. The temperature on dishwasher was good at 140°, sanitizing dishes and utensils.

Programs The Board of Supervisors has provided more staff and funding for more programming for the Hall. Changes have been made that enhance the assessment of incoming youth and provision of services. A goal has been established to have each youth assessed within the first week and provided with an individual case plan within two weeks of admission to the Hall. These assessments and services are coordinated through the Multi-Agency Assessment Center (MAAC). Several programs are provided by either the Probation Department or contract agencies.

Behavior Modification Pilot Program A Behavior Modification Program was instituted to initiate changes which promote and reinforce positive socialization and interaction. The pilot program, implemented in G1 Unit on October 3, 2005, includes program requirements and privileges to encourage positive behavior. The program is being assessed and, as it has been so far successful in that unit, will be expanded by implementation in the B2 unit during the early months of 2006.

The pilot program consists of three levels. The Group Enhancement Program (GEP - highest) qualifies the minor for four hours of recreation on school days and six hours of recreation on non-school days and many privileges. Incentives may consist of TV privileges, games etc. The entry level is the Minor Orientation Program (MOP - mid-level) which has the minor privileges including three hours of recreation on school days and five hours of recreation on non-school days. Wards can lose incentives, not levels. The Restricted Individual Program (RIP - temporary restrictions) penalizes the minor with three hours of separate recreation on school days and five hours of separate recreation on non-school days. There are program requirements and privileges for MOP and GEP and program requirements for completion and promotion from RIP.

The program consists of Learning Disciplines. The purpose of those is to modify behavior by invoking immediate consequences to stress accountability and build responsibility in minors. There is a list of minor learning disciplines (profanity, unclean room, etc.); major learning disciplines (refusing school, not following instructions, etc.); and assignment to RIP (fighting, escape attempt, assault on staff or minor, etc.).

The program prospectus calls for the Behavior Modification Program, if successful in G1 Unit and B2 Unit, to be implemented throughout the facility.

Modified C Level The Commission is aware of the continuing use of the Modified C Level program in the units. The Modified C Level program is designed to restrict minors whose behaviors are chronically inappropriate and to limit these disruptive behaviors by controlling the daily schedule. Youth on this level spend most of their time locked in their rooms and do not leave the unit for meals or school. Minors are permitted the state-mandated one-hour large muscle activity time, but this is generally segregated from the general population.

The number of youth of C-mod restriction has been noted in each unit. The JJC is concerned about the educational and counseling services provided to the youth on C-mod.

Contract Agencies and Services Other programs as court-ordered or selected for each individual in individual case plans include:

- Substance abuse counseling
- anger management
- sexual violence prevention
- law-related education as legal issues of 3-strikes law and unlawful sexual battery
- gang education, awareness, prevention and alternatives
- domestic violence education
- health education
- parenting classes

Some of the above services are provided through contracts with DADS, FLY, MACSA, AARS, CYO, Pathways, ADEP, AACI, and Friends Outside.

Certain religious services and volunteer programs are available with attendance optional; i.e. Catholic Mass on Saturdays, Bible studies and chaplain visits, AA, NA, Planned Parenthood and Girl Scouts. Volunteers provide cultural and enrichment activities like writing and dance

Food Service The JJC was concerned about the low approval rating for quality and quantity of the food on the survey and the high number of negative comments written by the youth. The majority of these comments were about the same, boring, tasteless daily lunches and the hot food served cold in the units. A review of the menus shows cold sandwiches served for lunch seven days a week, but accompanied by hot soup on the two weekend days. The youth do not taste any difference between turkey bologna, turkey salami, or turkey pastrami.

The kitchen has a menu prepared three months in advance, but it varies little, especially at lunchtime. State law requires a specified number of calories and types of food for the dietician, leaving little room for variation. She encourages innovation in preparation by cooks. The youth appreciated the grilled bologna and cheese open-faced sandwiches on hamburger bun as a change from the routine two bologna and cheese sandwiches on wheat bread.

The head cook has problems with staffing levels. She is understaffed and finds it difficult to staff all three facilities – the Hall and both Ranches. For instance, when an absence occurs at a Ranch she must

move someone to the Ranches, thus creating a shortage at the Hall. This leaves little time for innovation in food preparation.

On the survey several boys had negative comments about the food arriving cold in their units. When a unit is on lockdown, the food service must transfer the food to the units. If a minor is on a C-mod or restricted status, the food must again be transferred. The kitchen gets little advance notice of this need, posing an additional time burden on the staff.

The kitchen passed the annual county health inspection with primarily positive comments but noting the same issues that the minors are “tired of” the same sandwiches at lunch and the problem with relief staff.

Medical Care The Hall Clinic, staffed by employees of the Santa Clara Valley Health and Hospital System (SCVHHS) provides 24-hour nursing care seven days a week. There is one full-time doctor five days per week. A second doctor, a dermatologist, is at the clinic on Wednesdays and Fridays. A dentist is at the clinic on Mondays and Wednesdays and sees from 10 to 20 patients on each day. An on-call dentist is available. Two registered nurses (RN) and two licensed vocational nurses (LVN) staff the clinic on weekdays, from 6:45 am to 3:15 pm. Two RNs and one LVN are on duty from 3:00 pm to 11:00 pm. One RN covers the balance of the night. On the weekend, there are two RNs on each day and swing shift and one RN on the night shift. Bilingual staff is available for the major language needs. The Nurse Manager has a master’s degree in nursing and is qualified as both an RN and a Family Nurse Practitioner (FNP). She has been with the Hall Clinic for one and one-half years after six years at the county jail clinic.

The Clinic’s mission is to provide medical care for the minors at the Hall, not to collect evidence. The information collected by the clinic is not shared with the Probation Department. The clinic conducts no drug or alcohol testing. An arresting officer takes the minor to the hospital first if the minor is under the influence of drugs or alcohol. Wards with medical emergencies or in need of medical procedures are transported to VMC.

The clinic provides 100% medical coverage while the minor is in the Hall. About 40% of the current population receives medications for a wide range of medical conditions. All medications are distributed by the nurses. If additional medical history or medication information is required, the clinic may contact the primary care physician or pharmacist. Verbal parental permission for release of medical information is received by phone or fax.

The doctor reported that immunizations are being updated for childhood vaccines, TB, and whooping cough. Minors who are new immigrants are given the complete series of vaccines if vaccinations are missing from their medical history.

The clinic manager reports the budget is stable and no staff has been removed. There have been staff reassignments to increase staff effectiveness between the Hall and the Ranches. The Department is working on a teleconferencing tool for examination of minors by phone and teleconference between the clinic and James Ranch and/or Wright Center. After the project is put into place, a nurse at the Hall will see the ward and his injury via teleconference to assist in diagnosis. This will relieve Ranch staff from making medical decisions or transport as well as provide better care for the wards.

An education program is being emphasized by the nursing staff while they have the opportunity to promote good health habits. There is a “Teaching Needs Sign-up” available in the clinic. The teaching topics provided for the minors are STD & HIV Prevention, Contraception and Puberty, Smoke Cessation, Nutrition, Self-esteem, Childhood Obesity, Skin Problems, Teen Pregnancy, Asthma, Acne, and Diabetes.

There is a binder in the education office assigned to the committee responsible for each of the education areas. Games and treats are used to entice attendance and attention.

A “Bear to Dream Program” has been instituted as part of the self-esteem teaching tool. Under the supervision of foster grandparents, the youth stitch and stuff a teddy bear. They deposit a list of their dreams inside the teddy bear to re-read at a later date. Both boys and girls are involved in the project. The boys usually give the teddy bear to their girl friends.

A “Happy Birthday Project” has been started in the Medical Clinic. The birthday of each minor admitted to the Hall is noted in the database. On the minor’s birthday, the youth is called to the clinic. When the youth arrives at the clinic, he or she is greeted with a Happy Birthday song and presented with a cupcake. The nursing staff wants the minor to feel that they are important. Tough guys have been known to cry at the gesture.

Short educational videos are shown to minors while they wait for their appointment. The films cover different subjects, such as how to cope with medical problems and various teen issues.

The medical department passed the county annual health inspection easily with the additional comment on the easy access to medical attention in the medical clinic.

Mental Health Services Mental health staffing is provided 24 hours a day seven days a week by the Department of Mental Health which is a division of the SCVHHS. Staff is present during morning shift and swing shift Monday through Friday and on call during the night. Mental health staff is present during the days on weekends and on call during the night. The clinic has about 160 open cases at the present time, two-thirds of the Hall population, according to a lead clinician.

The current staff consists of 17 therapists and staff clerks. Staff positions lost in the past have never been replaced. The code determines how many times weekly, or daily, a minor is to be seen. Most staff are bilingual or trilingual. The Department can service all the major languages in SCC giving all wards the opportunity to express him/her self in his/her native language.

A psychiatrist is on-site weekdays. One psychiatrist is on duty Monday through Thursday from 8 a.m. to 5p.m. A second is on duty on Monday and Friday during the same hours.

Through CORE training, probation staff is made aware of mental health issues and basic symptoms. If Probation staff feels there is a possible mental health need, they submit a mental health request. A response to a request must be given within 24 hours.

If the youth is a danger to him/her self or others, he/she must be put on a “watch list” or transferred to a treatment facility. The initial consent for this action may be verbally given by a parent or guardian with a signed consent to follow in 72 hours. Confidentiality and compliance with the federal HIPPA provisions are big issues. If there is a court order, mental health staff can share limited information with the PO, such as medications, danger to self and/or others, and diagnosis. This is not automatic. The PO must ask Mental Health for the information.

Some Probation staff and some minors “put down” youth with mental health problems. Therapists report that some Probation staff make negative comments in the presence of minors when minors are being called out for their appointments. This is also true for youth in Special Ed. Probation Staff will say “psych wants to see you because you are crazy.” Minors do not want to be labeled as “crazy.” Some with mental health needs ask to get off medication as they don’t want to be “labeled as crazy.” There is no negative attached to going to the Medical Health clinic but, there is a negative

connotation attached to Mental Health needs. Could a name change to the Guidance Clinic, for example, be a positive step to remove this stigma?

Taking medications is voluntary by state law, so the minor has a right to refuse medication, unless the youth is in conservatorship. Probation takes points away if the youth refuses medication. The unit logs indicate youth who have medication prescribed. According to a staff member, "There is an additional issue involved." PO's are not trained for mental health responsibility by union regulations. Probation counselors use behavior modification techniques, yet they are not clinically trained. Many probation counselors are concerned that when nurses give out a med, some minors "cheek" and don't swallow it. They exchange it or overdose on hoarded meds at a later time. This is an issue that needs to be addressed. When the Commission visited G2, the nurse checked every boy's mouth to make sure he had swallowed his medicine. Mental health staff do not think minors should be punished if they refuse to take their medications. Minors have the right to refuse to take medications.

Contacting a therapist has been difficult on some evening and weekend shifts. Even though the therapist may be in the building, a phone call from a unit or supervisor regarding a youth in crisis may go to the answering machine. This is because there are no office clerks on duty during those times. This could be solved by making a list of therapists on duty available for direct paging or by providing additional clerical staffing.

The Mental Health Department staff has very limited access to program areas. Interview rooms were discussed above in the physical plant section – one room in each unit, one "lawyer interview" room, and classroom space during non-school hours. But space for individual therapy and group counseling is quite limited. The JJC observed that the visiting rooms were not used during daytime hours. Therapists may be able to use these rooms if they agree to wear "phase buttons" (panic buttons which call security). Safety and security for staff and minors is of major importance. Probation staff are nearby in the Boys' and Girls' Receiving and Admissions areas.

A potential new program is being considered for hard-to-find services. Probation staff express a significant shortage of mental health treatment and placements for minors with intensive mental health problems. There are virtually no adequate placement facilities available for them. In addition, the CYA now restricts admissions of wards with mental health issues. The Department is looking to address the issue locally and is working with the mental health staff and school staff to create a specialized program in a new unit. There is a need for intensive therapy for selected youth who have failed group homes and/or for whom placement cannot be found. The youth vent their frustration by acting out, creating more incidents. This negative action by minors also impacts other youth and staff. Staff will be informed of the potential for this new unit when bidding for duty in the various JH units.

School Program Osborne School, operated by the Santa Clara County Office of Education (COE), provides the educational program. Education services have improved significantly since the appointment of a full-time principal with both administrative and special education credentials. The presence of a principal who understands the services and resources needed for special needs students, as well as the full Hall population, has enabled a new focus on all the services needed.

The education schedule is minimum-day, four of five periods, morning and afternoon, every day. In place of a regular high school curriculum, the COE places an emphasis on literacy and numeracy. This four-period day does not provide adequate time to complete the units required for California High School credit requirements.

The current schedule is two class periods of literacy (English and Language Arts), one period of Math, and one of PE. The language curriculum is a highly recommended Character Based Literacy

(CBL) program. Science, Social Studies, High School Requirements and a GED preparation class are offered on an “as available” basis.

Class sizes are smaller due to the opening of the new classrooms in the Beta unit in spring of 2005. None of the observed classes had more than 17 students.

There are two classrooms associated with each new unit – one in the unit and one in the hallway adjacent to the unit, but not observable from the unit. So, there are four classrooms with no probation staff oversight except for the “floater” who roams the halls. Each classroom has a camera to be monitored and two permanent “phase buttons” on the walls at the ends of the classroom. Due to a construction mix-up, the portable phase buttons, which the teachers generally wear at their waists, are inoperable. This situation was brought to the attention of Hall management early last summer. During this inspection, an observation of the control room showed that **NO** classrooms are being monitored.

The teachers feel they know their students, how to handle them, and are safe. The Commission believes that the teachers are not aware that the cameras are not being monitored. Substitute teachers are at particular risk. Until the electronics for the portable phase buttons are fixed, safety and security issues require the monitoring of the cameras or the placement of Probation counselors in the immediate classroom for safety.

Individual Learning Plans (ILP) were reviewed. The JJC was happy to see the new emphasis on testing, teacher input, and individualization on these forms and completing them timely. Testing will be completed within the first week for class placement and the teacher has 30 days to complete the ILP. This plan is then monitored every 60 days for progress.

Computers were available for each teacher in the classrooms. Some teachers are still “roaming,” but should have permanent equipment when the new units open. Besides the one room which is used for testing, no other class had a student-accessible computer. Students reported that only rarely did they have access to the teachers’ computers. With the exception of the testing room, **NO** student was observed using a computer in Juvenile Hall. One teacher did have several new computers which recently had been repaired and configured but no programs for the students had been installed on the machines. It was reported to the JJC that ten new computers have been purchased for special needs students and a variety of software is available. This is a good start, but the JJC feels that the new rooms and existing classrooms should be equipped so that students can learn with the aid of technology. Each of the units constructed has been wired to accommodate 10 computers for this purpose.

GED services have been improved significantly since the JJC’s 2005 inspection and with great results. The results of GED testing since July 2004 show that only one person failed to pass at least one section of the five-part test; that 47 passed two or more sections; and 23 passed the entire test. Because of the number of students qualifying for the classes by passing the pre-test, taking the preparation course in all five subjects, and successfully passing the post-course test, Milpitas Adult Education now sends a representative to the Hall two or three times per month. Fees for this testing are divided: 2/3 paid by Milpitas Adult Ed and 1/3 by COE. In institutional schools 17-year old students can take the test in phases to pass the required five sections. Their certificate of completion can be obtained from the state after they reach age 18. Students qualify for the program, want to participate, and are passing the GED test. More would take advantage of this possibility if space and teachers were available.

Many students expressed a concern that they will not be able to pass the California High School Exit Exam (CAHSEE). Indeed, many do not have the skills required to pass this exam. Beginning in January when the current test results are returned, the COE is planning a tutoring program for the 12th grade students who did not pass. Current teachers and aides will be paid to tutor in small groups in the areas of weakness. Software for this need is available but the hardware and room to use it are not available yet.

Special Education Services have also improved since the 2005 JJC inspection, in particular, an additional full-time Resource Specialist (RS) and reduced class size for SDC. A full-time RS has been assigned to the Hall to provide a greater level of accountability for this site. This brings the number of RS teachers to four, providing 1.8 full-time equivalents. In addition, a third Special Day Class (SDC) teacher is available on call for whenever class size gets too large and now enables these teachers to deliver quality services.

New Special Ed students are identified daily as they enter the Hall using the countywide information system. "The List", a tally sheet of identified special needs students, is distributed weekly. Most IEP files of students coming to the Hall from other Santa Clara County districts are obtained within seven days from the districts. The emphasis from the Court's Education Committee and the immediate attention of school staff has resulted in shorter delays from the districts. Since students are admitted and released daily, a timely list is necessary for assigning teachers and aides for interventions and to be certain students are not missed.

Individual Education Plan (IEP) files were reviewed. Reorganization of the files has begun to make them more complete and reflective of the case management that occurs for each student. An IEP status binder has been initiated. This information needs to be complete and accurate to reflect the IEP activity.

A listing of IEP's, both completed and not completed during the last three months, in the Hall was requested. A brief summary of one month showed a majority of both annual and triennial IEP's had been completed. If an IEP was not completed before the student left the Hall, the most frequent reason for the delay was the short time frame or mental health conflicts.

Last year's JJC Inspection Report revealed that service delivered to students eligible for interventions was sorely lacking. Presently the Osborne School's goal for resource students is one hour per day. Goals and objectives are monitored by the RS teachers and direction and instructions are provided to the special ed aides who provide the required services.

There is a significant need for more space for expanded educational services. Last year the Commission recommended a reading/computer lab which could serve the multiple purposes of reading lab, remedial lab, ELL assistance, computer skills, etc. Available space was a problem. The Commission continues to recommend that this idea be pursued and even expanded. In the current B7 unit and in another new room, space has been discussed for educational services. The Commission emphasizes the need for an "Educational Specialty Room." Besides the uses identified earlier, additional services such as a library, an expanded assessment center, a vocational assessment/training program and expanded GED preparation could be offered. Students who have completed their high school diplomas or GED programs could advance to community college classes via distance learning. These possibilities for students would be exciting. The Commission feels this secure space in the building is more important for the student

services than a new office for the education staff! The existing portable building is sufficient for the teacher resource room, administrative offices and a staff room.

Communication Lapses One concern of the JJC is the lack of communication between JPD & COE. The COE principal did not know of five new classrooms until after the JJC's December 7th meeting. In a subsequent meeting between a Hall Manager and the Osborne principal it was clarified that Osborne will have five new classrooms when the last phase of construction is finished. This is not the same space as the school administrative space. There should be plenty of space for GED prep classes, CAHSEE review classes, a reading/language lab, a library and an independent studies program. What the program will be and how the staff will be utilized must still be planned.

Parental Complaints Several complaints or public comments were received by Commissioners during the inspection process regarding the care and treatment of the boys at the Hall. Some parents were interviewed in the waiting room.

- Cold water for showers
- Lack of sibling visiting
- Arrogant attitude of staff and staff publicly embarrassing the wards for problems

COMMENTARY The JJC has been discouraged by the lack of a timely response to the Commission's work by the Probation Department. This annual inspection was to have begun in October of 2005. As of our October 4th meeting, no response had been received by the JJC to the March, 2005 Inspection Report of the Juvenile Hall, necessitating a month's delay.

Control of the Probation Department has passed from the Superior Court to the Santa Clara County Board of Supervisors in March, 2004. Delays have resulted as the Probation Department must follow the county review protocol which causes considerable lag time for any action to take place. In the past after a JJC report was issued, the Department responded to recommendations within 60 -90 days. This year the Probation Department responses to the Juvenile Hall inspection report of March 2005 were drafted for submission to the county review process in June. It seems that it is appropriate to discuss the report and the responses publicly with the Juvenile Hall Advisory Board, the Public Safety and Justice Committee of the Board of Supervisors, and finally at a Board of Supervisors meeting. But, it is not appropriate for the Department administration to sit down and discuss the documents with the JJC until after all those intermediary steps. This is counterproductive, and frustrating to Commissioners who are mandated to conduct these inspections and have put in more than 240 volunteer hours. An October response to the JJC of a March inspection report is no longer timely.

COMMENDATIONS

The Juvenile Justice Commission commends:

1. The Santa Clara County Probation Department staff on duty during the Juvenile Hall day shift on November 11, 2005, for their cooperation during the completion of the Survey.
2. The Santa Clara County Board of Supervisors for funding additional staff and programs at Juvenile Hall.
3. The Probation Department management for the improvement in staff training, the video use and the significant results in decreasing the need for force during walkouts and room removals.
4. The Probation Department for piloting the Behavior Modification Program for positive changes in the effected youth.

5. The County Office of Education for the appointment of a single full-time principal with both administrative and special education credentials.
6. The teachers and school staff for the success rate in the numbers of youth passing the GED test.
7. The staff of the medical clinic for providing innovative health education programs, teleconferencing with the Ranches, and birthday parties for the youth.

RECOMMENDATIONS

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

1. Reinforce the use of the orientation film for all incoming minors. This is improved from 2005, but 30-40% of the youth reported not seeing the film.
2. Put all Juvenile Hall classrooms located outside units onto the control room monitors. If not feasible, then a Probation staff member should be present in the classrooms.
3. Provide space in visiting rooms for mental health therapy sessions.
4. Resolve the continuing conflict between counseling time and school time. Mental Health Counselors pull students from class two to four times per week for regular therapy. The JJC knows that both needs are important, but one should not constantly disrupt the other.
5. Work with the County Office of Education to facilitate an Educational Specialty Room, or rooms, to accommodate expanded programs and services including a reading/language lab, a library, and an individualized independent study area.
6. Consider changing the names or numbers of the units to avoid the harassment of boys placed in a "girls" unit, perhaps assigning names and numbers per wing.
7. Initiate a study to determine the impact of the 16-hour work day on the youth at the Ranches as compared with the regular eight hour shifts at the Hall. The differences in the data from the Survey point to the need for such an in-depth study.
8. Review the food and menu selections to provide tasty, nutritious meals where food is not wasted and youth do not complain of food quantity. Consider providing the youth with a food "snack" in the evening. This might alleviate the problem of "not having enough to eat" as indicated by the Survey.
9. Review the concerns of Probation Counselors for "cheeking" of pills by minors and coordinate with the Medical staff to emphasize that each nurse check every boy or girl's mouth to make sure that medicine has been swallowed.
10. Review the Mental Health concern that minors should not be punished if medication is refused. Minors have the right to refuse to take medications.
11. Provide the same soap and shampoo/conditioner used at the Ranches for the youth at the Hall.

12. Develop an expeditious way of facilitating the Probation response to JJC reports.
13. Improve the communication between JPD & COE to coordinate the class services.

The Juvenile Justice Commission recommends that the Santa Clara County Office of Education:

1. Pursue the reading/language computer lab for Osborne School. This is a carry over from last year's recommendation.
2. Expand the number of computers available for student use, including software and tech support, to meet the students' needs both in the classrooms and in the learning labs.
3. Work with the Probation Department to facilitate an Educational Specialty Room, or rooms, to accommodate expanded programs and services including a reading/language lab, a library, and an individualized independent study area.
4. Consider the consolidation of several Resource Specialist positions to perhaps two, along with the addition of several aides to avoid fragmentation of services and benefit the student services.

The Juvenile Justice Commission recommends that the Mental Health Department:

1. Consider a name change, like *Guidance Clinic*, to remove the stigma of "crazy" for youth requiring mental health care.
2. Solve the concern for contacting staff on nights and weekends by making a procedural change to list the therapists on duty available for direct paging or by providing additional clerical staffing.

The Juvenile Justice Commission recommends that the Medical staff:

Emphasize that each nurse check every boy or girl's mouth to make sure he has swallowed his medicine to allay fears of Probation Counselors for overdose.

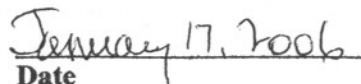
SUMMARY

Based on this visit, the Commission feels that the Santa Clara County Juvenile Hall has met the Juvenile Justice Commission's standards for a safe juvenile detention facility for the youth of Santa Clara County.

Approved by the Santa Clara County Juvenile Justice Commission on January 17, 2005.



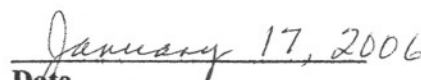
 William Scilacci, JJC Chairperson



 Date



 Carol Petersen, JJC Inspection Chair



 Date