



STANISLAUS COUNTY PROBATION DEPARTMENT

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JERRY POWERS
Chief Probation Officer

July 28, 2008

The Honorable Donald E. Shaver ✓ DES
Presiding Judge
Superior Court – Stanislaus County
PO Box 3488
Modesto, CA 95353

Dear Judge Shaver:

On June 26, 2008 the Stanislaus County Civil Grand Jury forwarded their report on Case #08-25 detailing their findings and recommendations following annual inspection of custodial facilities in the county as mandated by California Penal Code Section 919(b). In summary, the report stated, "The Juvenile Facility is in good condition, but needs expansion to handle the longer-term wards it is housing. In addition, the County needs to establish a separate long-term commitment facility at that location to separate sentenced (commitment) wards from un-sentenced (court-process) wards."

RESPONSE TO FINDINGS

The following is the Probation Department's response to the findings related to the Juvenile Detention Center.

- 1. **Finding:** *That there are inadequate juvenile justice, mental health, and vocational programs to properly rehabilitate the sentenced (long-term) wards being housed in the facility. Currently, both sentenced and un-sentenced wards are housed here. The current programs are designed for short-term wards (about 30 days); so long-term wards (60 days or longer) just receive repetitions of the same short programs.*

Response: The department agrees with this finding. Although the Juvenile Hall is fortunate to have Behavioral Health & Recovery Services co-located at the facility to provide short term mental health services and substance abuse interventions, these services are not designed for wards serving long term commitments. The programming needs of post-adjudicated youth are different than those of the pre-adjudicated individuals. A more comprehensive array of services is needed including educational and

vocational programming, family intervention, transitional youth services, and other programs designed to promote self-discipline and responsibility. The need for a commitment facility has been identified by a number of independent sources as well. The Corrections Standards Authority (CSA) completed its required inspection on April 4, 2007. CSA found no areas of non-compliance with Title 15 regulations and complimented the department on the programming available; however, they cited the need for a commitment facility. The CSA inspection report stated in part, "Your facility does an adequate job of providing appropriate services to all minors; however, it is evident that those post-commitment minors contribute significantly to your crowding conditions and certainly would benefit from a facility and program more closely suited to their needs." The department contracted with two separate consulting firms in 1995 and 2008 to conduct a facility needs assessment and to develop a Juvenile Justice Master Plan. Both reports recommended the construction of a commitment facility to provide expanded services for post-adjudicated wards.

2. **Finding:** *That the Stanislaus County Juvenile Justice program is a critical element in the overall justice system, and its successful operation is to the immediate benefit of Stanislaus County.*

Response: The department agrees with this finding. The Stanislaus County Juvenile Justice program is a critical element of the overall justice system. The Juvenile Hall is but one element in the justice system and must be seen as a part of a broader set of approaches. The justice system cannot be seen in isolation of each element but as a continuum of responses that must work together in order to be effective in reducing crime and delinquency. There are risks to public safety from the inability to detain youth who should be incarcerated or to impose sanctions on youth who no longer take seriously the authority of the law, the Courts and the Probation Department. The successful operation of the juvenile justice system is imperative to providing public safety.

3. **Finding:** *That the housing capacity of the Stanislaus County Juvenile Justice facility will have become inadequate by the year 2010. In the Juvenile Commitment Needs Assessment, April 2008, it was previously recommended to add at least 80 beds at this location, to bring the total to 238 beds. This addition would bring the housing capacity in line with the recommendation of that assessment as projected through the year 2010. By the year 2020, the projections showed a potential need for a total of 297 beds, or an additional 139 beds more than currently available.*

Response: The department agrees with the finding. The current Juvenile Hall opened in 1978 with an 88-bed capacity. The facility was expanded in 2000 and again in 2003 bringing the total current capacity to 158 beds. The Juvenile Detention Needs Assessment completed in April 2008 projected the need for an additional 80 beds by the year 2010 bringing the total capacity to 238 beds. In 1995, Mark Morris & Associates completed the Juvenile Justice Master Plan that included housing needs for incarcerated youth to be at 225 beds by the year 2005 and 301 beds by the year 2015. The projections provided by both consultants appear to be accurate and consistent. Without constructing additional beds, the current juvenile facility is inadequate to meet the projected bed requirements.

4. **Finding:** *Lack of family involvement in offenders' treatment can affect recidivism.*

Response: The department agrees with the finding. The juvenile detention facility is not well designed to allow for family involvement other than general visitation that is limited to two-hour visits twice a week. Primarily there is no space available that would accommodate families to attend treatment and/or counseling. Programming resources are limited as well. Because of the lack of a long term commitment facility, many of the higher risk youth must be placed out of county making it difficult for the family to be involved. Without the family participation many of the youth return to the same lifestyle they had prior to placement services.

RESPONSE TO RECOMMENDATIONS

The following is the Probation's Department's response to the recommendations related to the Juvenile Detention Facility.

1. **Recommendation:** *Develop longer-term juvenile justice, mental health, and vocational programs for those sentenced wards that serve longer terms (more than 60 days). This could reduce recidivism, boredom, attitude problems, etc.*

Finding: The department agrees with Recommendation #1. The department fully supports that a full array of intervention services is needed for longer term wards. A number of barriers exist with the current facility that would make implementation difficult. Proper classification is important in the detention setting in order to protect the safety of staff, visitors and detainees. This requires the facility to house sentenced and un-sentenced minors in the same housing units. Space issues within each living unit make it difficult to provide adequate space to run separate programs for sentenced and un-sentenced minors. Utilizing day rooms to conduct programs would require un-sentenced minors to be confined to their individual living cells while programs were being offered to the sentenced minors. Construction of a separate commitment facility would eliminate these barriers. Additional

funding resources would need to be identified as well to support costs associated with the additional programming.

2. **Recommendation:** *Develop plans and move forward with the youth commitment facility (youth honor farm) project for housing sentenced wards. This project should have about 90 beds. As the County already owns the land, there is no land acquisition problem in proceeding with this project. The need for this facility is described in the Juvenile Commitment Needs Assessment, April 2008, as an "urgent service gap in the Juvenile Criminal Justice System." (Executive Summary, page EX.2)*

Finding: The department agrees with Recommendation #2. On June 3, 2008, the Board of Supervisors approved the acceptance of the updated Juvenile Justice Needs Assessment for Juvenile Detention Facilities and authorized staff to develop an overall implementation strategy for the construction of a commitment facility. One of the first phases in the implementation strategy was to issue a request for proposal (RFP) for programming services. The RFP process is near completion. A firm has been tentatively selected pending reference verification. The Probation Department and the Chief Executive Office have requested and been approved to use Public Facility Fees to fund the programmatic phase of the facility. The county has identified a site adjoining the current Juvenile Hall as the preferred location for the commitment facility. Possible issues to be evaluated may include traffic, air quality, land use compatibility and safety, water supply, and sewer service. The department will also be submitting a proposal for state construction funds as authorized in SB81. These funds which are provided on a competitive basis would give the county the ability to design and construct a new commitment facility so our youthful offenders can be maintained at the local level.

3. **Recommendation:** *Expand the current facility for un-sentenced wards, per the recommendation of the Juvenile Commitment Needs Assessment, April 2008*

Finding: The department agrees with Recommendation #3 in part. The Juvenile Commitment Needs Assessment recommends the addition of 80 commitment beds by the year 2010. It is our intention to add these in a new facility as opposed to expanding the current detention facility. Upon the completion of the commitment facility, a majority of the minors currently housed in the detention facility can be moved to the commitment facility freeing up bed space for un-sentenced minors. The needs assessment projects

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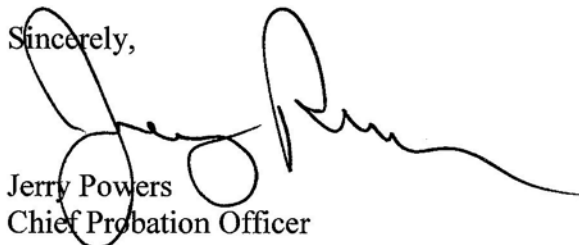
the need for an additional 59 beds by 2020 bringing the total capacity for juvenile facilities to 297. Additional assessment and planning may be necessary beyond 2010 to determine the need for expansion and for specific bed type needs.

4. **Recommendation:** *Strongly advocate for more family-involvement programs – such as whole-family counseling-for all wards. Possibly, even advocate for the courts to mandate such whole-family programs, where possible.*

Finding: The department agrees with Recommendation #4 in part. The department fully supports the concept of family-involved programs for wards, including court mandates when necessary. Like the barriers listed in Recommendation #1, the current facility is not well designed to allow for family sessions, group counseling or parent education classes. A new commitment facility, specifically designed for such programming is needed in order to implement this type of programming. The department will work closely with the programming firm to ensure that adequate space needs are addressed to accommodate family participation.

Thank you for the opportunity to respond to the comments and recommendations of the 2007-08 Civil Grand Jury. Please do not hesitate to contact me if you have any questions or need further information.

Sincerely,



Jerry Powers
Chief Probation Officer
Stanislaus County Probation Department

cc: Stanislaus County
Board of Supervisors

Richard W. Robinson
Chief Executive Officer

John P. Doering
County Counsel

Enclosure