

BUTTE COUNTY GRAND JURY REPORT 2009-2010

BUTTE COUNTY JUVENILE HALL

SUMMARY

The Butte County Grand Jury is required by law to annually inspect Juvenile Hall (JH). Accordingly, in early October 2009, the 2009/2010 Butte County Grand Jury (Grand Jury) took a tour of Juvenile Hall. Additionally, several announced visits were made to clarify and obtain supplementary information.

The new JH building was opened in November 2005. There are six pods that can house 20 juveniles each; however, existing staff can only operate three pods due to budget constraints. When the JH population approaches 54 or 55 going into a weekend, some juveniles are released early or specific juveniles are released temporarily to their families over a weekend as part of a specialized and intensive program. A fourth pod has been converted into a recreation center for the Boys and Girls Club Program. One pod is used for storage while the remaining pod is held in readiness for juveniles.

Table Mountain School (TMS) operates year round within the JH facility, under the supervision and direction of the Butte County Office of Education.

Butte County Public Health Department has reinstated AIDS counseling and testing as of January 2010.

When a juvenile is released from JH, he/she is either returned to their family or placed in a foster or group home. This decision is made by the court system based on recommendations from Children Services Division (CSD).

Juvenile recidivism rates are tracked diversely throughout the state and nation. There are no established national standards to calculate juvenile recidivism rates.

Juvenile Hall is a clean, well organized facility that is spacious and well illuminated. The Grand Jury found those associated with the JH to be sincere and earnest in their approach to the troubled juveniles in our County.

GLOSSARY

Grand Jury – 2009/2010 Butte County Grand Jury

CSD – Children Services Division

Foster Grandparents Program – Senior volunteers working in Juvenile Hall

GED – General Education Diploma

JH – Juvenile Hall

pod – the housing unit in which juveniles reside

points – credits earned to obtain extra privileges

TMS – Table Mountain School

BACKGROUND

As required by California Penal Code § 919, the Grand Jury is required annually to inquire into the condition and management of the public prisons within the County. This includes Juvenile Hall which falls under the supervision of the Butte County Probation Department.

APPROACH

The Butte County Grand Jury made several announced visits. The first visit was a complete tour of the entire facility. The superintendent and assistant superintendent of JH conducted the tour. Additionally, three announced visits were made to clarify and obtain supplementary information and were designed to observe specific areas. The goal of the first of the follow up visits was to spend time with the juveniles, have lunch with them, and engage in an open discussion on how they viewed their treatment and care. During the second visit the Grand Jury attended classroom sessions and interviewed teachers. The third visit centered on the Boys and Girls Club and the Foster Grandparents Program.

The Butte County Grand Jury also interviewed:

- Chief Probation Officer
- Superintendent of Juvenile Hall
- Assistant Superintendent of Juvenile Hall
- Members of the kitchen staff
- Members of the medical unit
- Principal of Table Mountain School
- Foster-Grandparent
- Official in charge of the Boys and Girls Club of America

DISCUSSION

The superintendent is in charge of Juvenile Hall's daily operation and staff. Currently the staff includes one assistant superintendent, 43 counselors (correctional officers), two clerical, three kitchen employees and 10 - 13 extra help. This number varies throughout the year. The JH medical staff shares hours with the Butte County Jail medical staff, e.g.,

physician's assistant, doctor, psychiatrist, program manager, and family therapist. JH has medical staff on duty twenty-four hours a day.

The Grand Jury learned that the JH administration has looked into several ways the unused pods could be utilized to help finance the JH, but none have been found feasible to date.

Butte County Grand Jury's first tour began in the intake area. In this area we learned that each juvenile has an intake/release form which includes his/her description, medical problems, medications, and special observation needs. The intake/release form also contains the reason for referral, signature of the delivering officer or agency, and the date and time parent/guardian notification was made, along with their address and phone numbers. This form will also be used at the time of the juvenile's release from JH.

During the booking process, all juveniles receive an initial health screening. The juvenile has a personal property sheet that inventories their belongings, including money, signed by both the delivering officer and the juvenile.

The juvenile, if admitted to JH, is observed and given a detailed medical screening by a member of the JH medical staff and questions answered by the juvenile about their health. By policy, California Code of Regulations Title 17, the juveniles are screened for communicable diseases if they are determined to be sexually active; this screening includes tests for Chlamydia and gonorrhea. Butte County Public Health lost funding for AIDS counseling and testing in August 2009, but resumed counseling and testing after restoration of funding in January 2010. During 2009 there were two reported cases of Sexually Transmitted Diseases and two pregnancies; however, no babies have been delivered in JH.

An orientation packet is given to every juvenile, who must sign indicating receipt of the packet. A booking questionnaire is then filled out and signed by JH staff and the juvenile. The rules and operation of JH are explained to the juvenile as part of the questionnaire. The booking packet also includes the Procedural Handbook that explains the rules and responsibilities of JH and an explanation of the juvenile's rights. A questionnaire is utilized to determine if a juvenile and his/her family would benefit from counseling services from Butte County Probation and Behavioral Health Departments.

After the intake area, we toured the rest of JH. There are six pods that can house 20 juveniles each; however, existing staff is only sufficient to operate three pods due to budget constraints. When the JH population approaches 54 or 55 going into a weekend, some juveniles are released early or specific juveniles are released temporarily to their family over a weekend as part of a specialized and intensive program. A fourth pod has been converted into a recreation center for a Boys and Girls Club Program. One pod is used for storage while the remaining pod is available for juveniles in extreme situations. The cost to house a juvenile per day is \$300.

Table Mountain School has classrooms for grades 7 through 12 within the facility for the continuing education of its minors. TMS is under the supervision of the Butte County Office of Education with 12 - 13 employees. A classroom is in each of the three occupied pods. The goal of the school is to keep a juvenile on track so he/she may re-enter the public school system after their release from JH or to receive a GED. This group of teachers and aides are very dedicated in their endeavor to help the juveniles progress in today's society.

JH has a Foster Grandparent Program that is active year round. Other contributing organizations available to juveniles are: North Valley Catholic Social Services, Catalyst, Live Spot, Alcoholics Anonymous, Narcotics Anonymous, and spiritual services as well as guest speakers. Approximately 35 adult volunteers participate in these programs.

The Boys and Girls Club is a non-profit entity that is opened to minors who reside in JH for a minimum of 20 days and offers an innovative way to transition juveniles back into their communities. Since the average length of stay is 16 days for boys and 12 days for girls, many are not able to participate. Juveniles are encouraged to continue attending the Boys and Girls Club in their own community after their release from JH. The JH Boys and Girls Club functions with a staff of between four and ten. It "costs" the juvenile two points to participate; these points are earned by doing chores, exhibiting good behavior, obtaining good grades or showing improvement in classes. Points may be used for other advantages such as snacks.

The Grand Jury visited the medical facilities, kitchen, pods, gymnasium, outdoor areas, and viewed classrooms. Through this tour and subsequent visits, the Grand Jury learned how the JH functions. The juveniles arise at 6:00 am and take their showers followed by doing their morning chores. Breakfast is served at 7:00 am. Time between breakfast and school is used for personal hygiene. The kitchen crew, assigned for the week, cleans up the kitchen and then gets ready for school. School begins at 8:45 am and continues until they break for lunch. After lunch, the juveniles clean their pod, then return to school for the afternoon session. Class is dismissed at 2:55 pm. After school juveniles may do homework, write letters, check out books and magazines, receive counseling, and participate in group activities. These activities are available before and after dinner which is served at 5:00 pm. Bedtime is usually at 8:30 pm.

The chef prepares three meals per day from scratch, plus snacks, with the assistance of a computer program designed to provide the juvenile with well-balanced, nutritional meals. Lunch is the main meal. Each juvenile is offered three hot meals consisting of approximately 3000 calories each day per state regulation. The efficient kitchen has a place for everything. Items are accounted for after each meal has been prepared. Knives and other dangerous utensils are secured in a locked box accessible only by the chef.

This facility has a Foster Grandparents Program; the program is a great asset for the juveniles. The prospective grandparents are screened diligently to make sure they are the right people to interact with the juveniles. JH never has more than four active foster

grandparents at any given time. The grandparents play games, offer guidance, and provide an understanding shoulder.

Probation officers are generally given discretion by the juvenile court to release juveniles early and release juveniles temporarily to their families. A phone call by JH staff to a supervising probation officer can be made to discuss which juvenile may be released, the juvenile's behavior while in custody, and adult supervision following his/her release are factors in the decision. Juveniles arriving at JH to serve a weekend may be turned away, after their attendance is noted, as another way to control JH population as it nears the maximum of 60. The average daily population in JH over the past three years is 51. Several beds are reserved for new intakes.

When a juvenile is released from JH, he/she is either returned to their family or placed in a foster or group home. This decision is made by the court system based on recommendations from Children Services Division (CSD). The Grand Jury is concerned that in many instances, released juveniles are placed back into the environment that contributed to their incarceration. The Grand Jury understands that JH administration is confined by state regulations, the court system and continuing budget cuts, but encourages the JH administration and probation department to focus on ways to address the individual needs within our county.

The Grand Jury is concerned about the recidivism rate for juveniles in Butte County. There are no national standards to calculate juvenile recidivism rates. Only recently have a majority of states begun to track it formally. The media, legislators, and governors' offices are increasingly asking for these recidivism figures to evaluate whether a juvenile program or service is preventing juvenile crime. Many think recidivism needs to evolve as a measurement. The Council of Juvenile Correctional Administrators has undertaken a federally funded project to help states move toward a national standard for measuring juvenile recidivism. Many on the recidivism committee agree there are flaws in measuring recidivism and want to include positive youth development outcomes as part of the standard measurements for juvenile delinquency program success.

The Grand Jury spoke at length with the JH staff. They were helpful, open, and welcoming. The JH staff is dedicated to the troubled juveniles and is a positive influence in their lives. Information we requested was readily available to us.

FINDINGS

- F1. Due to budget constraints, only three of the six pods are currently being used to house juveniles. When JH is reaching its population capacity and new arrivals are expected, juveniles are released early or temporarily released to their families.
- F2. Table Mountain School operates for the benefit of juveniles who are mainstreamed back into the public school system or are able to achieve their GED or graduate.
- F3. The Boys and Girls Club gives juveniles a place to go to socialize in a productive way, develop life skills, listen to music, and play games. A juvenile must reside in

JH for a minimum of 20 days before he/she can participate. Juveniles are encouraged to attend a Boys and Girls Club within their community after their release from JH.

- F4. Juveniles are repeatedly released back into the same environment and problems that they faced before their stay in JH. The Grand Jury is concerned about the home environment that a number of juveniles face after their release from JH.

RECOMMENDATIONS

- R1. Aggressively explore ways to finance and operate the unused pods.
- R2. Table Mountain School is essential and must continue to operate in JH.
- R3. The Boys and Girls Club offers a new direction for the juveniles to pursue and should continue to operate in JH. The Grand Jury recommends lowering the amount of days the juvenile is withheld from participating in this program from 20 days to eight days.
- R4. The Grand Jury understands that JH administration is confined by state regulations, the court system, and continuing budget cuts, but recommends the JH administration and probation department focus on ways to address the individual needs of juveniles within Butte County.

REQUEST FOR RESPONSES

Pursuant to California Penal Code §§ 933 and 933.05, the 2009/2010 Butte County Grand Jury requests responses from the following:

- Butte County Board of Supervisors
- Butte County Office of Education
- Butte County Juvenile Hall
- Butte County Department of Probation
- Butte County Department of Public Health
- Butte County Children Services Division

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person, or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Civil Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation