



**COUNTY OF SAN LUIS OBISPO
BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Administrative Office	(2) MEETING DATE 6/20/2017	(3) CONTACT/PHONE Geoff O'Quest, 781-5011	
(4) SUBJECT Request to receive and file recommended responses to 2016-17 Grand Jury Report – "Juvenile Hall: Safe, Secure and Supportive... But Does It Have Surplus Space?" All Districts.			
(5) RECOMMENDED ACTION It is recommended that your Board: (1) Adopt and file recommended responses to the San Luis Obispo Grand Jury's 2016-17 report titled "Juvenile Hall: Safe, Secure and Supportive... But Does It Have Surplus Space?"; and (2) Forward the approved response to the Presiding Judge and the Grand Jury within 60 days of the Board's approval.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT ☒ Consent ☐ Presentation ☐ Hearing (Time Est. _____) ☐ Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS ☐ Resolutions ☐ Contracts ☐ Ordinances ☒ N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A ☐ 4/5th's Vote Required ☒ N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY ☐ N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW This item was prepared by the County Administrative Office			
(18) SUPERVISOR DISTRICT(S) All Districts			



COUNTY OF SAN LUIS OBISPO

TO: Board of Supervisors

FROM: Administrative Office / Geoff O'Quest, 781-5011
Probation Department / Jim Salio

DATE: 6/20/2017

SUBJECT: Request to receive and file recommended responses to 2016-17 Grand Jury Report – "Juvenile Hall: Safe, Secure and Supportive... But Does It Have Surplus Space?" All Districts.

RECOMMENDATION

It is recommended that your Board:

- (1) Adopt and file recommended responses to the San Luis Obispo Grand Jury's 2016-17 report titled "Juvenile Hall: Safe, Secure and Supportive... But Does It Have Surplus Space?"; and
- (2) Forward the approved response to the Presiding Judge and the Grand Jury within 60 days of the Board's approval.

DISCUSSION

On May 4, 2017, the Grand Jury issued a report titled "Juvenile Hall: Safe, Secure and Supportive... But Does It Have Surplus Space?" The report evaluates the amount of space available at the San Luis Obispo County Juvenile Hall following an expansion project completed in 2016. The Grand Jury report includes seven findings and four recommendations. The San Luis Obispo County Probation Department is required to respond to Findings 2-7 and Recommendation 3. The San Luis Obispo County Board of Supervisors is required to respond to Findings 2, 3, 4 and 7 and Recommendations 1, 2 and 4. All responses must conform to the response language required under Penal Code section 933 and are due to the Presiding Judge by July 5, 2017.

I. Recommended Responses from the Probation Department:

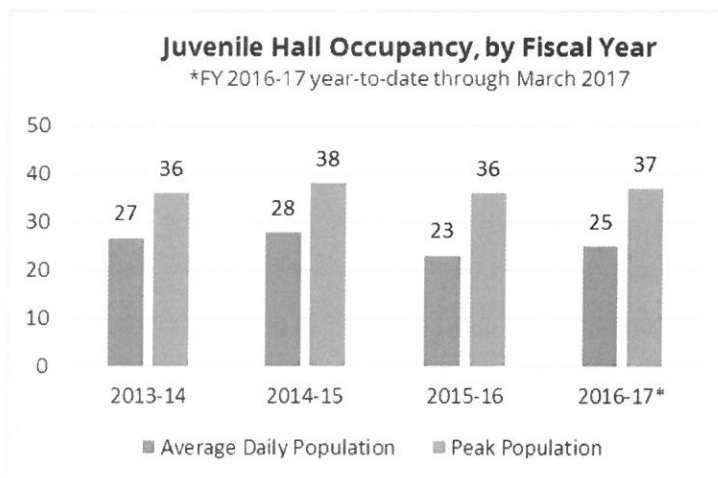
Finding F2. "With its new expansion, Juvenile Hall has more space than it is likely to need."

The Probation Department disagrees partially with Finding F2.

The average daily population of the Juvenile Hall is currently 25, about half of the rated capacity of 50 for the newly expanded facility. The Grand Jury is correct that, on average, only about half of the beds in the Juvenile Hall are being used.

However, at times of peak occupancy, such as on nights when multiple juveniles have been booked into the hall on the same day, 37 out of 50 beds, or three-quarters (74%) of the available beds, are being used.

So while the Grand Jury is correct that not all of the beds in the Juvenile Hall are currently occupied, a significant portion of the extra capacity is being used at peak times. Moreover, the Juvenile Hall was built to meet the needs of San Luis Obispo County for at least the next thirty years. It is impossible to know what the average daily population or peak occupancy population will be decades from now, but it seems reasonable that it may increase as the population of the county continues to grow in future decades.



Finding F3. "It has been 10 years since the last Juvenile Hall needs analysis was prepared."

The Probation Department agrees with Finding F3.

Finding F4. "The treatment program's repurposing of 15 beds is not expected to impact the County budget, but this depends on expected group home cost-savings or cuts in other budget areas to make the program cost-neutral. If the treatment program does not pay for itself, it adds to the expense of running a larger Juvenile Hall instead of staffing and using its infrastructure more cost-effectively."

The Probation Department agrees with Finding F4.

However, as noted by the Grand Jury, the County General Fund expense to run the treatment program is expected to be comparable to the expense incurred in prior years for Group Home placements. Over the past four years, the average Probation expense to the County General Fund for juvenile group home placements was approximately \$735,000. The treatment program will eventually replace group home placements in all but the most serious cases. The Probation expense to the County General Fund to operate the treatment program is estimated to be approximately \$660,000 per year. Moreover, the ability to treat juveniles locally, in the juvenile hall, instead of sending them out of county, or in some cases out of state, is a significant improvement that will lead to better outcomes for those being treated.

Finding F5. "The treatment program is operating without a written operational manual."

The Probation Department disagrees partially with Finding F5.

While the documentation for the treatment program, known as the Coastal Valley Academy, were not completely finished when the Grand Jury conducted their tour of the treatment program in April, the Coastal Valley Academy is operating in accordance with California Code of Regulations Title 15 and 24 as approved by the Board of State Community Corrections.

Finding F6. "A dual-purpose facility creates a statistical reporting dilemma. Occupancy trends may be harder to discern depending on how data is reported. Data such as average daily population and average length of stay are used by researchers and members of the public interested in understanding juvenile justice trends. If the numbers from both the treatment unit and the detention units are aggregated in developing this data, trends will become more difficult to discern. If the numbers are separated out, transparency will increase but reporting the data will become more complicated."

The Probation Department agrees with Finding F6.

Finding F7. "Even assuming the treatment program increases the Juvenile Hall's usage and cost-effectiveness, the larger Hall may still cost too much for the overall use it is likely to get. Additional repurposing could reduce overall operating costs."

The Probation Department disagrees with Finding F7.

As noted above, the space in the newly expanded juvenile hall is not significantly under-utilized and more space may be needed as the population of the county grows over the next thirty years, the minimum expected life of the facility. Moreover, the non-treatment portion of the facility, which includes the newly constructed space, operates with the same number of staff as it did before the new space was added. Other than expenses for utilities (mainly electric power) and routine maintenance, no new costs have been added to run the expanded facility.

Additional repurposing of the Juvenile Hall will not reduce cost to the County general fund.

Recommendation R3. "Probation should separately report statistical data for Juvenile Hall's treatment population versus its detention population for improved transparency."

Recommendation R3 will be implemented.

Through Board action taken in May 2017, the Academy is in the process of being recognized as a Juvenile Camp facility by the State of California. As part of this designation the population of the Juvenile Hall and the population of the Academy must be reported separately to the Board of State Community Corrections. The separate reporting will begin July 1, 2017.

II. Recommended Responses from the Board of Supervisors:

Finding F2. "With its new expansion, Juvenile Hall has more space than it is likely to need."

The Board of Supervisors disagrees partially with Finding F2.

The Board adopts the response of the Probation Department.

Finding F3. "It has been 10 years since the last Juvenile Hall needs analysis was prepared."

The Board of Supervisors agrees with Finding F3.

Finding F4. "The treatment program's repurposing of 15 beds is not expected to impact the County budget, but this depends on expected group home cost-savings or cuts in other budget areas to make the program cost-neutral. If the treatment program does not pay for itself, it adds to the expense of running a larger Juvenile Hall instead of staffing and using its infrastructure more cost-effectively."

The Board of Supervisors agrees with Finding F4.

The Board adopts the response of the Probation Department.

Finding F7. “Even assuming the treatment program increases the Juvenile Hall’s usage and cost-effectiveness, the larger Hall may still cost too much for the overall use it is likely to get. Additional repurposing could reduce overall operating costs.”

The Board of Supervisors disagrees with Finding F7.

The Board adopts the response of the Probation Department.

Recommendation R1. “The Board should commission a new needs analysis for completion no later than June 30, 2019, to help the County understand if 50 detention beds are too many and if the Juvenile Hall being too big adds unnecessarily to the County’s general fund expense.

The last needs analysis was in 2007. While the Grand Jury believes it is time for a new needs analysis to be done, waiting until fiscal year 2018-19 to do so will give the County time to experience the effects of new legislation (AB 403 and Proposition 57) and the impact on Juvenile Hall usage.”

Recommendation R1 will not be implemented because it is not warranted.

The previous needs assessments were completed as part of a regulatory process required by the California Corrections Standards Authority to determine the need and eligibility for State funding to construct juvenile hall facilities. This need no longer exists. In addition, as noted above, the peak occupancy data and thirty year minimum expected life-span of the facility suggest that the juvenile hall does not have significantly more beds than are necessary now or than may be needed in the future.

Recommendation R2. “The Board should request a report on program costs versus group home savings as part of its annual budget hearings, starting with the budget hearings for fiscal year 2017-18. If expected savings are not achieved, the Board should decide if cuts in other areas of the County’s budget are needed to allow this important program to continue.

The benefits of a treatment program in the Juvenile Hall need to be weighed against the costs. Probation has suggested it would make cuts in other areas of its budget if expected group home cost savings are not realized. Probation’s desire to do what is in the best interest of County youth is important. Transparency in the program’s net impact to the County budget is important as well.

Recommendation R2 will not be implemented because it is not warranted.

The treatment program in the Juvenile Hall began operation in March 2017 and will have only been in operation for three months by the time of the FY 2017-18 budget hearings. However, the Board agrees with the Grand Jury that the cost of the new treatment program should be monitored. The Probation Department and the County Administrative Office will continue to monitor the cost of the treatment program as the program becomes fully operational.

Recommendation R4. If the results of the needs analysis in R1 indicate a sustained underuse, the County should determine no later than June 30, 2020, whether the repurposing suggestions in this report or other alternative uses would benefit the community and improve Juvenile Hall’s cost effectiveness, would be feasible to implement, and would be consistent with the County’s lease agreement with the State.

As an alternative to repurposing, a staffing pattern that flexes based on the number of youth occupants—that is, based on usage—would improve cost-effectiveness.

Recommendation R4 will not be implemented because it is not warranted.

As stated above in response to Recommendation R1, a new needs assessment is not warranted. However, the Board agrees that the occupancy level of the juvenile hall should continue to be monitored. If occupancy were to drop significantly over a sustained period of time, cost reductions, including staffing reductions, would need to be considered. The Probation Department and the County Administrative Office will continue to monitor the occupancy and cost of operating the juvenile hall.

OTHER AGENCY INVOLVEMENT/IMPACT

The Probation Department and the County Administrative Office drafted the recommended responses to the Grand Jury report.

FINANCIAL CONSIDERATIONS

Costs for preparing this response are included in current department budgets.

RESULTS

This response will meet the legal requirements and time frames for responding to a Grand Jury report with findings and recommendations.

ATTACHMENTS

1. Juvenile Hall Final GJ FY 16-17 Report.pdf