



# Contra Costa County

To: Board of Supervisors  
From: David Twa, County Administrator  
Date: August 11, 2020

Subject: Response to Civil Grand Jury Report No. 2006 "Juveniles in Detention"

## **RECOMMENDATION(S):**

1. APPROVE response to Civil Grand Jury Report No. 2006, "Juveniles in Detention", and
2. DIRECT the Clerk of the Board to forward the response to the Superior Court immediately following Board action.

## **FISCAL IMPACT:**

No fiscal impact. This is an informational report.

## **BACKGROUND:**

On May 27, 2020 the 2019/20 Civil Grand Jury filed the above-referenced report regarding "Juveniles in Detention". The Report was referred to the County Administrator and the Chief Probation Officer for by the Board of Supervisors on June 23, 2020 for response. The County Administrator and Chief Probation Officer have prepared a response for consideration by the Board of Supervisors, which clearly specifies: whether a finding or recommendation is accepted or will be implemented; if a recommendation is accepted, a statement as to who will be responsible for implementation and by what definite target date; a delineation of the constraints if a recommendation is accepted but cannot be implemented within a six-month period; and the reason for not accepting or adopting a finding or recommendation.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **08/11/2020** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

## **VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: August 11, 2020

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: Stephanie Mello, Deputy

Contact: Paul Reyes,  
925-335-1096

cc:

### CONSEQUENCE OF NEGATIVE ACTION:

In order to comply with statutory requirements, the Board of Supervisors must provide a response to the Superior Court within ninety days of submission of the report.

### ATTACHMENTS

Response to Grand Jury Report No. 2006

Grand Jury Report No. 2006 - Juveniles in Detention



## CONTRA COSTA COUNTY CIVIL GRAND JURY REPORT NO. 2006

### "Juveniles in Detention"

#### BOARD OF SUPERVISORS' RESPONSE

**FINDINGS** – *California Penal Code Section 933.5(a) requires a response to the designated findings of the Grand Jury.*

- F1. The Contra Costa County Probation Department has changed services and added services for youth in detention since the settlement of the class-action lawsuit in 2015.**

Response: **Agree.**

- F2. In Contra Costa County's juvenile detention facilities, information on recidivism and effectiveness of programs is not available due to a lack of a case management system.**

Response: **Agree.**

- F3. The Probation Department and other Contra Costa County agencies such as Behavioral Health Services are not able to share data when coordinating post-release care for youth, due to the lack of a case management system in the Probation Department.**

Response: **Agree.**

- F4. The percentage of mental health diagnoses in Contra Costa County juvenile detention facilities is between 35% and 50% of the youth population in detention.**

Response: **Agree.**

- F5. Post-release, youth and families may have to wait up to a month to access mental health services provided by Behavioral Health Services and a community-based organization called Community Options for Family and**

**Youth.**

Response: **Agree.**

- F6. In 2016, cognitively based programs for anger management, drug and substance abuse, and positive social skill development were initiated at both Juvenile Hall and Orin Allen Youth Rehabilitation Facility.**

Response: **Agree.**

- F7. All residents at both Juvenile Hall and Orin Allen Youth Rehabilitation Facility have access to these cognitively based programs.**

Response: **Agree.**

- F8. All girls in juvenile detention in Contra Costa County are housed at Juvenile Hall.**

Response: **Agree.**

- F9. Work experience programs at Orin Allen Youth Rehabilitation Facility such as carpentry, landscaping, food service, and small engine repair are unavailable to girls in detention at Juvenile Hall.**

Response: **Agree.** Orin Allen Youth Rehabilitation Facility only houses male youth.

**RECOMMENDATIONS** - *California Penal Code Section 933.05(b) requires a response to the designated recommendations of the Grand Jury.*

- R1. The Grand Jury recommends that the Board of Supervisors consider directing the Contra Costa County Probation Department to acquire and install a case management system to compile data on recidivism and program effectiveness by June 30, 2021. The system would also facilitate coordination of post-release services for youth with other agencies.**

Response: **The recommendation will be implemented by September 2021.**

The County has tentatively identified a proposed vendor and will be finalizing the contract in the coming months, with development efforts commencing Fall 2020. The Probation Department and Public Defender's Office case management systems will need to go live at the same time; work orders have been submitted for the necessary data exports. System is expected to go live in September 2021. The Superior Court plans to go live with their new system in December of 2021, and the Probation and the Public Defender are scheduled to go live prior to the Court.

- R2. The Grand Jury recommends that the Board of Supervisors consider directing the Contra Costa County Probation Department hire a case manager to coordinate the use of the case management system by June 30, 2021.**

Response: The recommendation will not be implemented because it is not warranted or is not reasonable. The County is currently under a hiring freeze resulting from the unprecedented budgetary impacts related to COVID-19. The Probation Department has however identified a Probation Director to serve as the department's lead administrator and subject matter expert on this project, working closely with the assigned analysts from the County Administrators Office. The department has also enhanced its training operations, which will be essential to the successful roll out and implementation of the case management system. Lastly, to ensure adherence to the timeline, the department is prepared to reassign additional staff to meet any additional staffing needs resulting from this project.

- R3. The Grand Jury recommends that the Board of Supervisors consider directing the Contra Costa County Health Services Department to hire additional mental health care staff to reduce the wait time for post-release services for youth and families, by June 30, 2021.**

Response: The recommendation requires further analysis. By November 27, 2020, the Health Services Department will review the wait times for post-release mental health services and will assess staffing needs or if other action could be taken to reduce the wait time or to expand availability.

- R4. The Grand Jury recommends that the Board of Supervisors consider directing the Contra Costa County Probation Department to evaluate the propriety of relocating girls in detention with low-level offences to Orin Allen Youth rehabilitation Facility, by June 30, 2021.**

Response: The recommendation will not be implemented because it is not warranted or is not reasonable. Relocating low-level female detainees to Orin Allen Rehabilitative Facility is cost prohibitive. Significant physical and structural renovations as well as programmatic revisions would be required to safely operate a co-ed facility at that location. Furthermore, the population of girls that are in the Juvenile Hall continues to decline, and we anticipate this trend to continue as additional diversion and detention alternatives are implemented throughout Contra Costa County.

**Grand Jury**

**Contra  
Costa  
County**

725 Court Street  
P.O. Box 431  
Martinez, CA 94553-0091



May 28, 2020

David Twa  
Contra Costa County  
651 Pine Street  
Martinez, CA 94553

Dear Mr. Twa:

Attached is a copy of Grand Jury Report No. 2006, "Juveniles in Detention" by the 2019-2020 Contra Costa County Civil Grand Jury.

Sincerely,

A handwritten signature in blue ink that reads "Anne N. Granlund".

Anne N. Granlund, Foreperson  
2019-2020 Contra Costa County Civil Grand Jury

Enclosure

**A REPORT BY  
THE 2019-2020 CONTRA COSTA COUNTY CIVIL GRAND JURY**

725 Court Street  
Martinez, California 94553

Report 2006

# **Juveniles in Detention**

**Changing Conditions, Changing Lives**

APPROVED BY THE GRAND JURY

Date May 27, 2020

Anne N. Granlund  
ANNE N. GRANLUND  
GRAND JURY FOREPERSON

ACCEPTED FOR FILING

Date May 27, 2020

Anita Santos  
ANITA SANTOS  
JUDGE OF THE SUPERIOR COURT

Contact: Anne Granlund  
Foreperson  
(925) 608-2621

Contra Costa County Grand Jury Report 2006

**Juveniles in Detention**

**Changing Conditions, Changing Lives**

**TO: Contra Costa County Board of Supervisors**

**SUMMARY**

How is Contra Costa County facing the challenges of rehabilitating youth in the justice system?

Disability Rights Advocates and Public Counsel filed a class-action lawsuit in 2013 against the Contra Costa County Office of Education and the Contra Costa County Probation Department. The lawsuit outlined concerns regarding the education and mental health care of disabled youth at Juvenile Hall and was settled in 2015. As a result of the lawsuit, the County Probation Department recently completed a mandated monitoring period to determine if improvements were made.

The Grand Jury (the Jury) examined behavioral management systems, mental health services, staffing in detention facilities, educational services, post-release care, and cooperation between the Probation Department and Contra Costa County Behavioral Health Services in Contra Costa County (the County). Behavioral Health Services is a branch of the County Health Department that provides mental health care to County residents.

The Jury found that changes were made after 2013 to services, programming, staffing, and mental health care in the County juvenile detention centers. The juvenile detention facilities increased staffing, added a new behavior management system, and created separate programs for boys and girls. The Grand Jury found that it is difficult to obtain data on program effectiveness and recidivism rates, and recommends that the Probation Department consider installing a case management system and hiring a case management analyst to administer it. The Jury also recommends that Behavioral Health Services consider hiring additional staff to reduce wait times for post-release services. The Jury further recommends that the Probation Department consider expanding the

use of the Orin Allen Youth Rehabilitation Facility to include both male and female low-level youth offenders.

## **METHODOLOGY**

In the course of our investigation, the Grand Jury:

- Interviewed staff from the Contra Costa County Probation Department and Behavioral Health Department
- Toured Contra Costa County Juvenile Hall and the Orin Allen Youth Rehabilitation Facility
- Reviewed the 2013 class-action lawsuit filed against the Contra Costa County Office of Education and the Contra Costa County Probation Department
- Reviewed the 2013-2014 Contra Costa County Civil Grand Jury Report 1408 on detention centers
- Reviewed the 2015 settlement of the 2013 lawsuit
- Reviewed the University of Cincinnati's Ohio Youth Assessment System
- Reviewed the Contra Costa County Juvenile Justice Coordinating Council: Consolidated Annual Plan for 2019-2020
- Reviewed the Board of State and Community Corrections (BSCC) Title 15, Minimum Standards for Juvenile Facilities

## **CONFLICT OF INTEREST DISCLAIMER**

One or more jurors recused themselves from this investigation due to possible conflict of interest and did not participate in the investigation, preparation, or approval of this report.

## **BACKGROUND**

Contra Costa County has two facilities for juvenile detention: the John A. Davis Juvenile Hall (the Hall) located in Martinez and the Orin Allen Youth Rehabilitation Facility (OAYRF) located in Byron. Both facilities are under the jurisdiction of the Contra Costa County Probation Department, Field Services Division. The Hall opened in June of 2005. It is a maximum-security detention facility for youth up to age 18, with 290 beds distributed among ten housing units. Residents are classified based on age, maturity, gender identity, offense, and special needs. Residents are then assigned to the appropriate housing unit based on their classification. The Hall has a kitchen, laundry room, incentive room, woodshop, and exercise areas. A branch of the Contra Costa County Library system is in the Hall, and residents may request and check out reading materials.

Mt. McKinley School is in the Hall, with classrooms located in each housing unit. The school offers comprehensive, accredited education programs for elementary, middle, and high school students and is operated by the Contra Costa County Office of Education. Residents enroll in classes that meet five days a week, year-round. Teaching staff develop an Individual Learning Plan for each student. High school classes earn credit toward graduation. Residents can earn a high school diploma or an equivalency certificate while in Juvenile Hall.

OAYRF opened in March 1960, with a capacity of 21 youth. An additional unit opened in 1999, bringing the capacity to 100 youth. Residents are limited to males who have been directed to OAYRF by the Juvenile Court. All residents first enter Juvenile Hall in Martinez before being considered for residence at OAYRF, also known as "The Ranch." It is a medium security facility.

Programming at OAYRF has four parts: school, work experience, recreation, and counseling. A branch of Mt. McKinley School operates at OAYRF, and students attend classes five days a week, year-round. School staff assesses all residents and they are put on a track to earn credits toward a high school diploma, a General Education Diploma (GED), or credits that can be transferred to their home schools.

Another branch of the Contra Costa County Library System is at OAYRF. Students request and check out reading materials and attend special events sponsored by the library, such as a yearly poetry contest. Work experience for residents includes landscaping, carpentry, janitorial services, food service, small engine repair, and laundry. All landscaping at OAYRF is done by residents. Staff instruct them in maintaining the grounds and facilities, and in carpentry. A variety of organized sports, a gymnasium with weightlifting equipment, swimming in the onsite pool, and sports team competitions with other ranch schools and local high schools provide recreation for the residents. Volunteers staff an onsite workshop where residents learn small engine repair skills. Residents obtain counseling in individual and group settings, with specialized programming in positive social skills, anger management, substance abuse, and mental health.

## **The Lawsuit**

Disability Rights Advocates and Public Counsel filed a class-action lawsuit in 2013 against the County Probation Department and the County Office of Education. The lawsuit alleged that both agencies discriminated against juveniles with disabilities housed at the Hall. The lawsuit further alleged that residents were locked in their rooms in solitary confinement for up to 23 hours a day because of staff shortages. The lawsuit also alleged that the confinement worsened pre-existing mental health issues, such as depression, bipolar disorders, Attention Deficit/Hyperactivity Disorder (ADHD), and psychosis.

All students with diagnosed disabilities and/or special education needs are required by state and federal law to receive an appropriate education in schools, along with any and all special services necessary for them to succeed in their educational progress. The Individuals with Disabilities Education Act, enacted by the federal government in 1990, defines an “appropriate education” as one that emphasizes special education and related services designed to meet the student’s unique needs and prepare them for further education, employment, and independent living. The 2013 lawsuit alleged these services were withheld due to behavior-related issues and staff shortages. It cited examples of youth affected by solitary confinement. The lawsuit alleged that this practice caused youth to develop severe mental health issues, delayed timely treatment, and caused some youth to be removed from the Hall and hospitalized in a psychiatric facility as a result of these practices.

The Probation Department and the Office of Education settled the lawsuit in 2015. The settlement required the Probation Department to retain experts to conduct a review and write a report of the Department’s policies, procedures, and practices at the Hall with respect to:

- Use of room confinement
- Use of behavior incentives
- Coordination between the Probation Department and the County Office of Education regarding the implementation of Individualized Education Plans (IEPs), 504 Plans (used for learning disabilities such as dyslexia), and behavior intervention plans
- Identification, assessment, and tracking of youth with disabilities at Juvenile Hall for use by the County Office of Education and the County Mental Health Department
- Implementation of the Juvenile Detention Alternatives Initiative which specifies that a disability must be considered in determining an appropriate response when assigning consequences for behavioral infractions

## **Other Areas of Review**

The current Grand Jury reviewed the impact of the 2013-2014 Contra Costa County Grand Jury Report 1408 (the Report) and the settlement of the class-action lawsuit on services provided to juveniles by the Probation Department at both the Hall and OAYRF. The Jury also examined:

- Adequacy of services provided by Behavioral Health Services
- The provision of mental health and behavioral services to the residents of the Hall and OAYRF
- Cooperation between the Probation Department and Behavioral Health Services

The Report examined all juvenile and adult detention facilities in the County and found that the ratio of staff to residents was 1:10. The Report also found that the juvenile facilities lacked a modern, computer-based data and case management system. It was difficult to access information on residents and judge the effectiveness of programming for the residents without the case management system.

### **Decrease in Juvenile Arrests**

A factor affecting conditions for youth in detention is the decrease over the last ten years in the number of youth arrested at both state and county levels. In 2010, 2,573 Contra Costa County youth were arrested for alleged criminal acts. By 2018, that number fell to 662 youth. This 74% decrease in arrests was due to diversion programs and a drop in juvenile crime.

## **DISCUSSION**

In California, some counties are considering closing or reducing their juvenile detention facilities for reasons such as:

- Cost of housing and services for juveniles
- Cost of adequate staffing
- Effectiveness of programming and rehabilitative services
- Negative impact of detention on youth

The Grand Jury reviewed the Juvenile Justice Coordinating Council's *2019/2020 Consolidated Action Plan*. The Juvenile Justice Coordinating Council is a multi-agency group in each county that is required to develop and implement a continuum of county-based responses to juvenile crime. Its yearly action plan confirms positive changes in juvenile detention and notes areas to be addressed. The Jury reviewed the findings and recommendations of the Report, and its implementation. The 2015 settlement of the class-action lawsuit brought changes in mental health treatment and behavioral therapy to residents in both facilities, with increased staffing, increased programming for behavior management, and gender-focused programming.

## **Impact of the Class-Action Lawsuit**

### **Behavioral Management Practices**

Prior to the lawsuit, the Probation Department had already begun to change its approach to behavior management in juvenile detention facilities. Previously used methods were punitive in nature, emphasizing punishment and allowing prolonged solitary confinement in cells. In 2008, the Youthful Offender Treatment Program (YOTP) started for boys at Juvenile Hall. In 2010, the Girls in Motion (GIM) program started for girls at the facility. These two programs are funded by the Youthful Offender Block Grant (YOBG) which was created in 2007 with California SB 81. The YOBG is designed to keep non-violent youth close to their communities and family support systems. The YOTP for boys takes an average of ten months to complete, and the GIM program for girls takes about six months. Both programs require youth to participate in counseling, gender-specific treatment sessions, anger management classes, substance abuse classes, and classes on trauma recovery.

The lawsuit accelerated the development of additional programs for youth in detention in the County. In 2016, the Probation Department chose evidence-based programming originated by the University of Cincinnati, based on Cognitive Behavior Therapy. Cognitive Behavioral Therapy is a process of analyzing and thinking about behavior patterns, their causes, and how to change them with different and positive actions in the future. The program promotes changing thinking patterns in youth to help manage anger, choosing positive behaviors, finding common ground with other youth, and building positive relationships. The University of Cincinnati research found that focusing on positive behaviors and rewarding youth for those behaviors had a longer lasting and greater impact than management systems that were punitive and focused on negative behaviors. The benefits of positive actions caused subjects to choose the recognition and rewards of positive behavior.

Trained Probation staff teach the programs in group settings. They focus on replacing negative behavior skills with positive pro-social actions and utilize role-playing exercises and critical thinking skills. Programs include:

- Aggression Replacement Training (ART): a 30-session program that replaces anger-based actions with positive social skills, anger management, and moral reasoning
- Thinking for a Change (T4C): a 25-session program that develops pro-social skills, problem solving, and cognitive self-change. Youth are provided with ways to combat antisocial thoughts and feelings, and real-life situations are used as examples for role play

- **Cognitive Behavioral Intervention – Substance Abuse (CBI-SA):** a 33-session program that addresses substance abuse, motivation, regulating emotions, problem solving, social skills, and relapse prevention

Along with these programs, the Probation Department initiated incentive-based behavior management practices in 2016. These practices reward good behavior choices with incentives such as extra free time, participation in field trips, longer family visits, and social get-togethers. Short time-outs, counseling, and loss of incentives are used to motivate more positive choices. Youth earn privileges by following rules, attending school, and being respectful to staff, teachers, and other residents. Verbal praise is given often, and a point system for good behavior is used weekly to award extra free time, commissary items, and special work assignments.

### **Additional Requirements of the 2015 Settlement**

The Probation Department and the County Office of Education agreed to three additional requirements in the settlement of the lawsuit: Multi-Disciplinary Teams, attendance at Individualized Education Plan (IEP) meetings, and room confinement practices.

- **Multi-Disciplinary Teams:** Representatives from the Probation Department, the County Office of Education, and the County Mental Health Department meet once per month, with additional meetings held as needed. Topics discussed at the meetings include:
  - Coordination of responses and interventions for individuals who are having consistent and/or chronic issues with behavior
  - Provision of special education and counseling services to all eligible youth in all units and facilities
  - Provision of a continuum of placements for special education needs of juveniles in detention
- **Attendance at IEP meetings:** A Probation staff member attends IEP meetings when requested, for issues of youth removed from the classroom for disciplinary reasons, changes in placement for residential treatment or a special day class, or behavior support/intervention plans for youth in the YOTP or GIM programs.
- **Room confinement:** Probation staff cannot use room confinement for discipline, punishment, administrative convenience, retaliation, staffing shortages, or reasons other than a temporary response to behavior that threatens immediate harm to the youth or others. Room confinement cannot last longer than four hours. Probation staff develop special individualized programming for juveniles

with persistent behavior problems that threaten the safety of other youth, staff, or the security of the building.

## **Mental Health Care**

Behavioral Health Services (BHS) is a branch of the Contra Costa County Health Services Department that provides mental health care to County residents. Since the settlement of the lawsuit, BHS has worked with the Probation Department to coordinate and provide mental health services for youth in detention. BHS implemented training in cognitively based management systems for probation staff. In the past, both agencies offered mental health care to juveniles, but there was a lack of comprehensive assessment for all youth coming into detention. Issues such as suicide risk were not fully evaluated. A higher ratio of juveniles in detention to staff led to an increased number of behavioral incidents, resulting in punitive consequences such as solitary confinement in cells.

The lawsuit highlighted the impact of the punitive actions on youth with diagnosed mental health conditions. The juveniles' mental state would frequently deteriorate and there were not enough staff and mental health professionals to address the needs of these youth. The Grand Jury found that the percentage of juveniles in detention with mental health conditions has risen over the past ten years to rates between 35% and 50%.

The Grand Jury found that many juveniles in detention have faced challenges such as generational poverty, racism, inadequate school attendance, lack of parental supervision or involvement, and language barriers. These factors can contribute to depression, anxiety, poor anger management, confrontational behaviors, and addictive tendencies.

The Probation Department coordinates mental health care with BHS, which is part of the County Health Services program. A clinical team from BHS screens youth within 24 hours of arrival at the Hall. The team consists of one clinical psychologist, three mental health therapists, and up to four doctoral training students. Team members must have at least a Master's degree in a relevant field and be gaining the experience required to be licensed as a clinical social worker, mental health therapist, or psychologist.

An initial intake interview is performed by a member of the team using the Massachusetts Youth Screening Instrument, Version 2 (MAYSI-2). This is a form the youth fills out that identifies risk factors and mental health needs. The youth also fills out a suicide screening tool, the Ask Suicide Screening Questionnaire, which may trigger a call to BHS for services. Youth that are found to be a suicide risk are screened frequently during their stay in detention after the initial assessment. They are kept under close observation which may include daily mental health care, increased room checks,

and daily assessment. They are not segregated from the general population. Restraints such as smock gowns or wraps can be used in more active suicidal situations, but staff rarely use them. There were two suicide attempts at Juvenile Hall and none at OAYRF from 2018-2019 but no suicides at either facility during that time.

BHS provides therapy for youth with mental health needs to all juveniles in detention. The number of sessions varies based on the willingness of the youth to receive therapy, their individual needs, and the length of time they have been in the Hall or OAYRF. Sessions are private to encourage participation in the process. Programs such as YOTP and GIM provide group therapy.

If BHS staff determine that a youth needs prescribed medication for mental health needs, a nurse at the facility dispenses the medications. Youth at the Hall may be prescribed a wide range of medications. A nurse is always on duty at the Hall for these needs. In general, youth at OAYRF only take medications for low-level conditions such as ADHD. A nurse is present at OAYRF five days a week during the day for medication dispensing, and Probation staff are trained in dispensing when the nurse is not on duty. If BHS staff determine a youth needs continuing medication after release from detention, the youth receives a 30-day supply. If juveniles entering detention are on Medi-Cal, their benefits stop for the duration of their detention. Part of pre-release planning for youth is assistance received from Probation staff to reinstate Medi-Cal benefits so they can continue to have medication coverage.

The Juvenile Justice Coordinating Council is a multi-disciplinary group of professionals from the Probation Department, Behavioral Health Services, the District Attorney's Office, Children and Family Services, and representatives from the Juvenile Justice Commission. The Juvenile Justice Commission is a 15-member group of County youth and adults that serve as an oversight committee for juvenile detention facilities, programs, and law enforcement agencies. They act in an advisory capacity for the Juvenile Court and the Probation Department. The Council identified needs for increased behavioral health services for youth in detention in its proposed Consolidated Annual Plan for Fiscal Year 2019-2020. The plan identified a need for trauma-informed counseling programs, increased substance abuse programs, and cultural- and gender-specific programming for the diverse group of juveniles being served by the County.

## **Staffing**

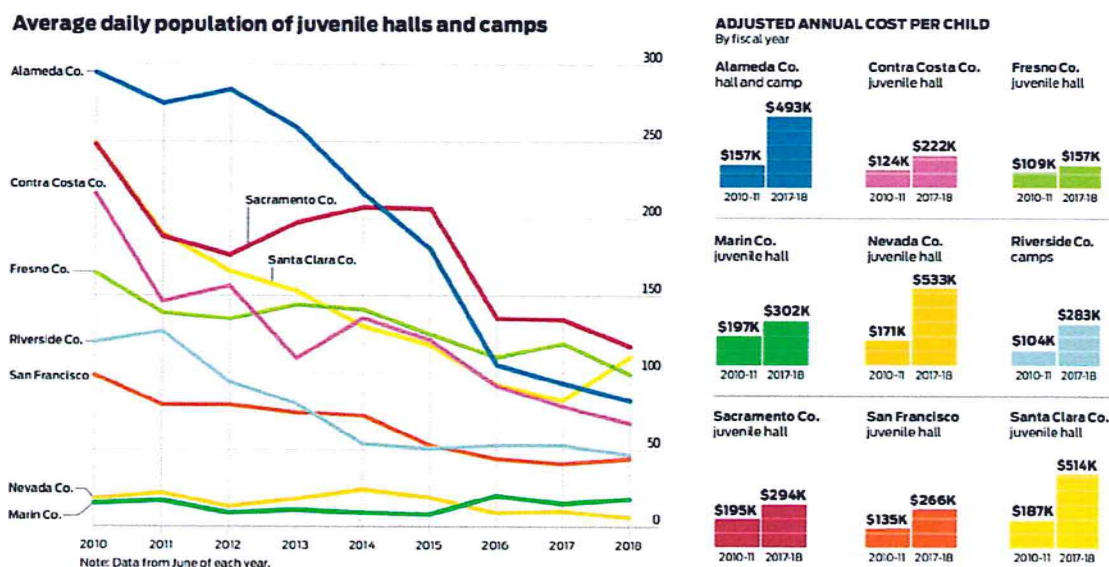
Staffing levels are now 1:8, in compliance with the Prison Rape Elimination Act. Currently, there are 131 personnel at Juvenile Hall and 38 personnel at OAYRF. Staff who work with youth are required to have at least 60 units of college credit, equivalent to an Associate of Arts degree. Juvenile Probation Officers must have a Bachelor of Arts degree. Six or seven individuals are offered positions each year, out of a group of approximately 100 applicants. Probation staff are trained to provide the Cognitive Behavior programming at both Juvenile Hall and OAYRF. The University of Cincinnati Corrections Institute provides the training through its Ohio Youth Assessment System.

Once Probation Staff complete this training, they are certified to administer it in juvenile detention facilities.

## The Financial Cost of Juvenile Detention

Annual costs for incarcerating youth in Contra Costa County have almost doubled in the past ten years, while the number of youth in detention has gone down. In 2010, the average annual cost per youth was \$124,000; by 2018, the average cost was \$222,000 (Figure 1). Annual ongoing costs have almost doubled due to new staffing requirements, fixed costs, and additional programming and training. In 2010, there was a daily average of 220 youth in detention in the County. By 2018, the daily average had fallen to 70. Of this number, 57 were males and 13 were females.

**Figure 1. Average Daily Population & Cost Per Child**



**Source: San Francisco Chronicle - 2019**

This increase in costs factors into the discussion around closing or reducing juvenile detention facilities in California and other states. At the beginning of the last decade in California and Contra Costa County, there were more youth in detention, fewer staff to manage them, and fewer programs that were designed to help the youth change their behaviors and actions. By 2018 there were fewer youth in detention in Contra Costa County, adequate staffing to manage them, and a large range of programming designed to help reduce recidivism and improve social functioning. The Grand Jury learned that

the additional programming, added to the County's costs for the juvenile facilities, is a cost that was not present earlier in the decade. This change in conditions at the County's juvenile facilities represents an effort to break the juvenile hall-to-prison pipeline by teaching youth to change their actions and thoughts to reintegrate into society after release.

## **Post-release Services**

When juveniles in detention approach their release date, a team of Probation and Behavioral Health staff assists in making the transition back to society a positive one. If the youth had been receiving Medi-Cal benefits, these benefits usually stop during the detention period. Probation staff assist the families with the process of regaining benefits for their child. These benefits are essential for the continued mental health care of the youth on prescribed medications as part of their treatment plan.

The Multi-Disciplinary Team and representatives from the Contra Costa County Office of Education meet to help the family enroll their child in a local school. They interview family members and assess the ongoing mental health and counseling needs of the youth and family. A liaison from the County Mental Health Department or a Clinical Social Worker assigns the family and youth to outpatient counseling and therapy services. The YOBG funds services such as Functional Family Therapy, Multi-Systemic Therapy, and Multi-Dimensional Family Therapy. Each service has a different focus, such as intensive home-based family therapy or substance abuse help. The Behavioral Health Department works together with the Probation Department and a community-based organization, called Community Options for Family and Youth, to provide these services in the County.

The Grand Jury learned that there can be a wait time after release before mental health services begin, ranging from one week to one month. According to the Grand Jury's investigation, youth and families must be able to access therapy as soon as possible after release to continue the treatment they received while in detention. From reviewing the Juvenile Justice Commission's Consolidated Annual Plan, the Grand Jury found that services are not evenly distributed throughout the County. East Contra Costa County has fewer providers and longer wait times. Youth and their families in East County may have to travel long distances to access care. Increasing the number of mental health service providers in under-served areas would shorten the wait time for youth and their families. Accessing care close to their homes would help them continue to make progress in positive behavior management after release from detention.

## **Case Management**

The effectiveness of the changes in services and programming for youth in detention has been difficult to measure. The Probation Department collects data about the programs, but it has no centralized case management system. Such a system could provide information on recidivism, effectiveness of programming, and post-release care.

A case manager for the data system would help agencies target areas of the County that are in need of increased services. Sharing data between agencies such as Behavioral Health Services and the Probation Department would improve the coordination of care for youth post-release. Juvenile records are sealed for the protection of the minors involved; however, a case management system could compile anonymous information that would demonstrate the effectiveness of the changed programming. In its proposed Annual Coordinated Plan for 2019-2020, the Juvenile Justice Coordinating Council recommended installing a case management system and hiring a case manager to bridge the gaps in service. The Probation Department has not installed a case management system nor hired a case manager as of the writing of this report.

## **Challenges and Rewards**

Treatment and management of juveniles in the justice system can be challenging for Probation and Behavioral Health staff. Some factors impacting these juveniles are difficult to change, such as home environment, family history, generational poverty, and the breakdown of family structures. The use and abuse of drugs in their home neighborhoods is also a factor for many of these youth. County facilities do provide substance abuse and Alcoholics Anonymous services to youth, but additional post-release treatment providers are needed to maintain progress made in detention centers.

All female youth in detention are housed at Juvenile Hall. This facility lacks the additional rehabilitative services available at OAYRF, such as work experience in landscaping, carpentry, small engine repair, and foodservice. OAYRF is a large facility which currently houses a small group of male youth. If girls with low-level (non-felony) offenses were assigned to OAYRF, they could make use of the expanded work experience programs.

Proposed legislation in the California Senate (SB 889) would re-classify 18 to 19 year-old Californians as juveniles, or “emerging adults,” in the state’s criminal system. They would avoid being sent to an adult prison and be given the opportunity to benefit from programming focused on juvenile offenders. If the legislation passes, it will increase the number of juveniles needing placement in either the Hall or OAYRF and would require the facilities to remain open and staffed.

The professionals involved in caring for youth in detention work on a daily basis to improve the lives and futures of these young people. They are trained in the positive behavior management systems that help youth reconsider their actions and change their thinking. Many staffers have been working with youth for most of their careers. They provide experiences such as formal graduation ceremonies for high school, sailing lessons on San Francisco Bay, and trips to baseball games. These experiences can have a life-changing effect on youth who have not had the opportunity to participate in what are everyday events for many youth.

## **FINDINGS**

- F1. The Contra Costa County Probation Department has changed services and added services for youth in detention since the settlement of the class-action lawsuit in 2015.
- F2. In Contra Costa County's juvenile detention facilities, information on recidivism and effectiveness of programs is not available due to a lack of a case management system.
- F3. The Probation Department and other Contra Costa County agencies such as Behavioral Health Services are not able to share data when coordinating post-release care for youth, due to the lack of a case management system in the Probation Department.
- F4. The percentage of mental health diagnoses in Contra Costa County juvenile detention facilities is between 35% and 50% of the youth population in detention.
- F5. Post-release, youth and families may have to wait up to a month to access mental health services provided by Behavioral Health Services and a community-based organization called Community Options for Family and Youth.
- F6. In 2016, cognitively based programs for anger management, drug and substance abuse, and positive social skill development were initiated at both Juvenile Hall and Orin Allen Youth Rehabilitation Facility.
- F7. All residents at both Juvenile Hall and Orin Allen Youth Rehabilitation Facility have access to these cognitively based programs.
- F8. All girls in juvenile detention in Contra Costa County are housed at Juvenile Hall.
- F9. Work experience programs at Orin Allen Youth Rehabilitation Facility such as carpentry, landscaping, food service, and small engine repair are unavailable to girls in detention at Juvenile Hall.

## **RECOMMENDATIONS**

Note: The Grand Jury conducted the majority of its investigation before Contra Costa County and the State of California issued shelter-in-place orders. The Jury recognizes that County departments, agencies, and cities are currently addressing COVID-19 related matters and the Jury has adjusted implementation dates in the recommendations accordingly.

- R1. The Grand Jury recommends that the Board of Supervisors consider directing the Contra Costa County Probation Department to acquire and install a case management system to compile data on recidivism and program effectiveness, by June 30, 2021. The system would also facilitate coordination of post-release services for youth with other agencies.
- R2. The Grand Jury recommends that the Board of Supervisors consider directing the Contra Costa County Probation Department to hire a case manager to coordinate the use of the case management system, by June 30, 2021.
- R3. The Grand Jury recommends that the Board of Supervisors consider directing the Contra Costa County Health Services Department to hire additional mental health care staff to reduce the wait time for post-release services for youth and families, by June 30, 2021.
- R4. The Grand Jury recommends that the Board of Supervisors consider directing the Contra Costa County Probation Department to evaluate the propriety of relocating girls in detention with low-level offenses to Orin Allen Youth Rehabilitation Facility, by June 30, 2021.

## REQUIRED RESPONSES

|                                                 | Findings                           | Recommendations |
|-------------------------------------------------|------------------------------------|-----------------|
| <b>Contra Costa County Board of Supervisors</b> | F1, F2, F3, F4, F5, F6, F7, F8, F9 | R1, R2, R3, R4  |

These responses must be provided in the format and by the date set forth in the cover letter that accompanies this report. An electronic copy of these responses in the form of a Word document should be sent by e-mail to [ctadmin@contracosta.courts.ca.gov](mailto:ctadmin@contracosta.courts.ca.gov) and a hard (paper) copy should be sent to:

Civil Grand Jury – Foreperson  
 725 Court Street  
 P.O. Box 431  
 Martinez, CA 94553

## **Acronyms**

ADHD: Attention Deficit/Hyperactivity Disorder

ART: Aggression Replacement Training

BHS: Behavioral Health Services

BSCC: Board of State and Community Corrections

CBI-SA: Cognitive Behavior Intervention – Substance Abuse

GED: General Education Diploma

GIM: Girls in Motion

IEP: Individualized Education Program

MAYSI-2: Massachusetts Youth Screening Instrument, Version 2

OAYRF: Orin Allen Youth Rehabilitation Facility

T4C: Thinking for a Change

YOBG: Youthful Offender Block Grant

YOTP: Youthful Offender Treatment Program