



County of Orange

California

September 11, 2012

Honorable Thomas J. Borris
Presiding Judge of the Superior Court of California
700 Civic Center Drive West
Santa Ana, CA 92701

Subject: Orange County Juvenile Detention and Treatment Facilities

Dear Judge Borris:

Per your request, and in accordance with Penal Code 933, please find attached the County of Orange response to the subject report as approved by the Board of Supervisors. The respondents are the Probation Department, the Office of Independent Review and the Orange County Board of Supervisors. If you have any questions, please contact Michelle Zink at (714) 834-7487 in the County Executive Office who will assist you or direct you to the appropriate individual.

Sincerely,



Robert J. Franz
Interim County Executive Officer

Attachment

cc: 2012-13 Orange County Grand Jury

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ORANGE COUNTY BOARD OF SUPERVISORS
MINUTE ORDER
September 11, 2012

Submitting Agency/Department: County Executive Office

Approve proposed response to FY 2011-12 Grand Jury Report "Orange County Juvenile Detention and Treatment Facilities" - All Districts

The following is action taken by the Board of Supervisors:

APPROVED AS RECOMMENDED OTHER

Unanimous (1) NGUYEN: Y (2) MOORLACH: Y (3) CAMPBELL: Y (4) NELSON: Y (5) BATES: Y
Vote Key: Y=Yes; N=No; A=Abstain; X=Excused; B.O.=Board Order

Documents accompanying this matter:

- Resolution(s)
- Ordinances(s)
- Contract(s)

Item No. 48

Special Notes:

Copies sent to:

CEO/Budget
Superior Court
Grand Jury



I certify that the foregoing is a true and correct copy of the Minute Order adopted by the Board of Supervisors, Orange County, State of California.
Susan Novak, Clerk of the Board

By: 
Deputy



AGENDA STAFF REPORT

ASR Control 12-000939

MEETING DATE: 09/11/12
 LEGAL ENTITY TAKING ACTION: Board of Supervisors
 BOARD OF SUPERVISORS DISTRICT(S): All Districts
 SUBMITTING AGENCY/DEPARTMENT: County Executive Office (Approved)
 DEPARTMENT CONTACT PERSON(S): Michelle Zink (714) 834-7487
 Margaret Cady (714) 834-4104

2012/09/13 1:13 PM

SUBJECT: Orange County Juvenile Detention and Treatment Facilities

CEO CONCUR
Concur

COUNTY COUNSEL REVIEW
N/A

CLERK OF THE BOARD
Discussion
3 Votes Board Majority

Budgeted: N/A

Current Year Cost: N/A

Annual Cost: N/A

Staffing Impact: No

of Positions:

Sole Source: N/A

Current Fiscal Year Revenue: N/A

Funding Source: N/A

Prior Board Action: N/A

RECOMMENDED ACTION(S):

1. Approve proposed response to FY 2011-12 Grand Jury Report entitled "Orange County Juvenile Detention and Treatment Facilities".
2. Direct the Clerk of the Board to forward this ASR with exhibits to the Presiding Judge of the Superior Court and the FY 2012-13 Orange County Grand Jury no later than September 18, 2012.

SUMMARY:

Approve proposed response to the FY 2011-12 Grand Jury Report entitled "Orange County Juvenile Detention and Treatment Facilities".

BACKGROUND INFORMATION:

In June 2012, the Grand Jury released a report titled "Orange County Juvenile Detention and Treatment Facilities". This report directed Findings and Recommendations to the County of Orange. Enclosed as Exhibit 2 is the response to these Findings and Recommendations.

FINANCIAL IMPACT:

N/A

STAFFING IMPACT:

N/A

EXHIBIT(S):

1. Grand Jury Report
2. Response to Grand Jury Report
3. Transmittal Letter

2011-2012 Grand Jury Report
Orange County Juvenile Detention and Treatment Facilities
Probation Department/Office of Independent Review/OC Board of Supervisors
Responses to Findings and Recommendations

Responses to Findings F.1, F.2, F.3, F.4, F.5 and F.6

- F.1** The placement of male and female detainees in a coed unit at Central Juvenile Hall at Central Juvenile Hall resulted in a boy and girl being together, in the female's room for an extended period of time possibly engaging in sexual conduct without staff's knowledge or consent.

Response: *Agrees with the finding.*

- F.2** Maintenance in Unit I at Central Juvenile Hall needs attention with respect to the condition of the painted surfaces and general cleanliness of the unit.

Response: *Agrees with the finding.*

- F.3** Improvements are needed in the CJH visiting area including modification to the trailer to improve the general appearance (new carpeting), comfort (upgrade air conditioning), improve signage, and provide outdoor seating at the visitor's entrance for early arrivals.

Response: *Disagrees partially with the finding.*

While Probation agrees to look at modifications to the trailer to improve comfort (upgrade air conditioning), signage, and provide outdoor seating at the visitor's entrance for early arrivals, the carpet in the visitation trailer is approximately 10 years old, but has a 25-year life span; thus, cleaning of the carpeting rather than replacement is warranted.

- F.4** The runaway rate at the Joplin Youth Center exceeded the norm during the past year. This is most likely because of the failure to screen minors with high runaway potential at the intake process.

Response: *Disagrees partially with the finding.*

The runaway rate at the Joplin Youth Center did exceed the norm during the past year; however, the process for screening minors has not changed and does screen for runaway potential based on established criteria.

- F.5** The brief length of stay at the Joplin Youth Center results in a high rate of turnover of students creating a difficult situation for the school teaching staff and minimizes the lasting effects of a positive rehabilitative experience.

Response: *Agrees with the finding.*

F.6 The risk management aspects of operating juvenile detention and correctional facilities could benefit from the availability of the Office of Independent Review to follow-up on serious behavioral incidents and assist in investigating allegations of staff misconduct.

Response: *Agrees with finding.*

Responses to Recommendation R.1, R.2, R.3, R.4, R.5, R.6, R.7 and R.8

R.1 The Probation Department should review and possibly reconsider the placement of male and female juveniles in the same living unit. (See F1).

Response: *The recommendation has been implemented.*

As of July 2012, Juvenile Hall no longer houses male and female juveniles in the same living unit. A rare exception would possibly be made in the unit for severely emotionally disturbed minors if circumstances warranted it.

R.2 Probation Department management should review and revise policies and procedures, training and performance of staff responsible for supervision and security in the unit where the alleged sexual misconduct occurred. (See F1).

Response: *The recommendation has been implemented.*

The Probation Department has conducted a thorough review of the incident and a renewed emphasis on “Back to the Basics” supervision is in place

R.3 Probation Department management should conduct a thorough inspection of Unit I and other units to determine the condition of painted surfaces, cleanliness of vents and other maintenance problems and issue work orders to take corrective action where indicated. (See F2).

Response: *The recommendation has not yet been implemented, but will be implemented in the future.*

The FY 12-13 Budget includes funding to conduct a needs assessment at Juvenile Hall. The assessment will be completed during FY 12-13, and work orders for corrective action will be issued based on the findings of the assessment.

R.4 Probation Department management should budget for replacement of the carpeting and improvement of the air conditioning in the visitation trailer. (See F3).

Response: *The recommendation has been implemented.*

The FY 12-13 Budget includes funding for replacement of the carpet, if needed, and funding to improve the air conditioning unit in the visitation trailer. The carpet in the visitation trailer will be cleaned prior to consideration for replacement as the carpet has a 25-year life span and is only 10 years old.

- R.5 During the intake process, minors should be thoroughly screened for high runaway potential and those who have such potential should not be placed at Joplin Youth Center, an open camp with little security. (See F4)

Response: *The recommendation will not be implemented because it is not warranted or is not reasonable.*

The current institutional intake process already thoroughly screens for factors related to “high runaway potential” whereby those with such potential are not placed at Joplin Youth Center.

- R.6 A bench should be installed near the entrance to the visitation trailer for early arrivals. (See F3).

Response: *The recommendation has not yet been implemented, but will be implemented in the future.*

During FY 12-13, Probation will evaluate the need for and provide seating, where determined necessary, near the entrance to the visitation trailer for early arrivals.

- R.7 Probation Department Management should review the need for limiting the Joplin Youth Center Program average length of stay. Any time less than 90 days does not appear to be an effective use of facility resources.

Response: *The recommendation will not be implemented because it is not warranted or is not reasonable.*

Although any length of stay less than 90 days may not be an effective use of the Joplin facility resources; the alternative to placing minors with less than 90 days at Joplin would be to have them remain in secure detention, which is more costly and restrictive.

- R.8 The Board of Supervisors should expand the scope of work for the Office of Independent Review to include reviews of the Probation Department Juvenile facilities operations. (See F6).

Response: *The recommendation has been implemented.*

In 2010, the Board of Supervisors added a provision to the contract of OIR’s Executive Director that establishes an attorney-client relationship with the Probation Department and allows OIR to perform the recommended monitoring function for selected cases. That option has been utilized on selected occasions, and the Board of Supervisors can also expand the role on an as-needed basis in the future.