
They Are All Children:

Addressing the Inequity in the Resources Available for Orange County's Most Vulnerable Children

Summary

While focusing on the care of a minority of children, the citizens of the County of Orange are overlooking the crying needs of a larger youthful population.

The Department of Social Services spends millions of dollars annually on abused, neglected and abandoned children, while the Probation Department struggles to address and rehabilitate a much larger group, the delinquent juvenile population, many of whom have also been neglected and abused. It is time to focus on the latter group and expand the facilities and services that do make a difference for that group.

The figures do not lie. The relative luxury of Orangewood Children's Home and the soon-to-be-opened Tustin Family Campus, when compared to other facilities used to care for the children of Orange County citizens, are examples of the priorities of some of the citizens and leaders of the County of Orange. The 2008–2009 Orange County Grand Jury recommends a reduction in site usage of Orangewood Children's Home and a change in lot development to provide new facilities that will allow the Probation Department to better help some of Orange County's most vulnerable citizens, its children..

The underutilized acres of Orangewood Children's Home should be allocated to Probation Department programs like the Youth Guidance Center to address the inequalities in resources.

After all, it is *all about the children*.

The Differences between Welfare and Institution Code (WIC) #300 and WIC #600 Children

Case History of Samuel—a 12-year-old WIC #600 (Delinquent) child and his younger sister, Irene, a WIC #300 (Dependent) child

Sam's mother has been addicted to alcohol for most of his life. His father abandoned the family when Sam was four years old. Sam has provided most of the care for his younger sister since his mother's condition became too bad for her to care for her own children. Although Sam tries his best, his sister's care has been substandard. When there is no money for food or clothes, Sam steals what is needed. He has ditched school frequently and has fallen far behind his grade level. He has been abused frequently and severely by his mother's boyfriend, as has his sister, and he has begun hiding out in the evenings when the boyfriend is at Sam's house. His friends are other children who also run the streets at night. When a local gang offered to help protect Sam from his mother's boyfriend, he agreed to join. Sam hasn't seen a doctor in many years and he has constant stomach pains and is losing weight

When Sam's gang had a fight with a neighboring gang, Sam was sent to Juvenile Hall where, during his stay, Sam finally told a counselor about the danger his younger sister was in from neglect and abuse. The family was investigated by the Social Services Agency and Sam's sister was removed from the home and sent to Orangewood Children's Home. Sam's sister, Irene, was treated as a WIC #300 (dependent) child and entered the foster care system after spending 30 days at Orangewood while Sam, because of his crime, was kept at Juvenile Hall and treated as a WIC #600 (delinquent) child.

Doctors provided by Juvenile Hall discovered Sam had an ulcer and he finally received the medical care he needed. When his mother failed to show up to be with him for the medical treatment, a probation officer stayed with him at the hospital and calmed the frightened boy. He returned to school while he was at Juvenile Hall and received extra help to catch up to his grade level. When the constant fear of his mother's boyfriend was relieved, he recovered quickly from the ulcers. With good behavior, he was sent to Los Pinos, a juvenile corrections camp run by the Probation Department, where he has experienced some of the most stable and best times of his life.

Irene is thriving in foster care. When Sam has paid his debt to society, they may be reunited in a foster home that will accept both children.

Summary of Case History

Names and minor details have been changed to protect the privacy of the two children described here. Both were rescued from an intolerable home situation. One was rescued sooner before she had time to become delinquent; the other later when he had already gone astray. Because of that, their treatment was very different although it was still, for both children, the best and most stable period of their short lives. Both children are valuable human beings and both are worthy of any help that can be given them by the residents of the County of Orange.

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Reason for Investigation

The 2006–2007 Orange County Grand Jury wrote a very detailed report concerning Orangewood Children’s Home. The study was titled *Orangewood Children’s Home: Overstaffed and Underutilized?*

In its report, that Grand Jury noted the following:

“Interviews with the Social Services Agency management on the subject of Orangewood have a circle-the-wagons feel, with large numbers of individuals deflecting questions with esoteric verbiage, philosophies, and theories. The Grand Jury’s attempts to pin down facts and resolve contradictions are

met with obfuscation and theoretical spin . . .” (page 154 of the Orange County Grand Jury 2006–2007 Report.)

Critical findings by the 2006–2007 Grand Jury noted that despite a dramatic population reduction at Orangewood, the staffing force remained unchanged.

The 2008–2009 Orange County Grand Jury had, as its first field trip, a visit to Orangewood and a meeting with leadership of the Orange County Social Services Agency. The Grand Jury members were very impressed with the overall operation of Orangewood and the enthusiasm of its staff members. The facility is certainly an outstanding example of the proper

way to care for the children who are taken into custodial care because of conditions and situations of abuse, abandonment, and neglect.

Troubled by the “circle-the-wagons” characterization attributed to the Social Services Agency two years ago, the current Grand Jury took a fresh look at the numbers to see if further studies were warranted. The Responses to the 2006–2007 report were requested from the Orange County Social Services Agency and Orange County CEO and required from the Orange County Board of Supervisors and the Auditor and Controller as per Penal Code §933 and 933.05.

The Responses from the Social Services Agency were examined



Photograph reprinted with permission of Orange County Probation Department

The graphic above shows Juvenile Hall and the Youth Leadership Academy in the white and gray buildings on the left and Orangewood in the red-tile roof buildings on the right.

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carefully to see what justification was offered to the critical charges regarding funding and staffing. In short, the Responses were couched in terms that conceded the significant drop in the numbers of children but offered as a justification the claim that the County must be ready in case needs ever increased because of population demands.

The 2008–2009 Grand Jury thinks that the time has come to address the matter anew and elicit some more meaningful responses from the responsible parties including elected leadership.

The Orangewood Children's Home was originally designed and licensed to accommodate 236 youngsters/beds. The 2006–2007 Grand Jury noted that the average daily population figures dropped to below 100 children. Current figures show an average drop to below 75 children per day. This is true even before the opening of the Tustin Family Campus, a new facility that will include many services for the abused, abandoned or neglected children. The staffing numbers noted on the 2006–2007 report were at a constant level of over 300 employees and 250 volunteers and they remain at those levels today.

In the performance of its duties, the 2008–2009 Grand Jury visited and examined in great depth the operation of the Orange County Probation Department and, in particular, the juvenile programs and facilities.

The Grand Jury has concluded that the Orange County Probation Department is doing an exemplary job in tending to the various needs of the youths charged to its care (WIC §600 et seq.) with an almost uniform handicap of overcrowded facilities including the obsolete Juvenile Hall.

A comparison of facility site utilization between the Probation Department's operations at Juvenile Hall and the Youth Leadership Academy with the Orangewood Children's Home site graphically illustrates the vast differences in property use. The aerial photograph that follows shows the facilities and the current boundaries of each.

The Orangewood Children's Home operates on a site housing an average of 70-80 children with full utilization of less than one half of the land. The Orange County Probation Department has two facilities on a site right next door housing an average of 559 children. These Probation Department facilities are bursting at the seams. (See graphic depiction on following page.)

The inescapable conclusion reached by the studies and comparison is that the Board of Supervisors should conduct a detailed examination into the feasibility of reducing the physical site of Orangewood by transferring up to half of the facility to the Probation Department for the needed expansion of Juvenile Hall and the Youth Leadership Academy or a new Guidance Center.

Method of Investigation

The Orange County Grand Jury visited all of the relevant facilities. These included Orangewood Children's Home, Juvenile Hall, the Juvenile Detention Facilities of Theo Lacy, the two juvenile correction camps at Los Pinos and Joplin, the Youth Guidance Center and the Youth Leadership Academy. Additionally, the Orange County Grand Jury reviewed the planning and design of the soon-to-be-opened Tustin Family Campus.

The Grand Jury met with the leadership of the Orange County

Social Services Agency, and the Probation Office of the Orange County Probation Department, as well as senior staff at each of the aforementioned juvenile locations.

Daily operations were reviewed including schooling, medical care, recreation and off-site activities.

Visits were made to the Youth and Family Resource Center which provides special educational programs to offenders still in home placement but in supervised status.

Interviews were conducted with both staff and youngsters. School operations were observed and teachers and principals were interviewed. Financial and population figures were obtained and analyzed. The jurors met with the Juvenile Justice Commission. The historical data for Orangewood was reviewed including property deeds and transfers. A very thoughtful study by commission member William G. Steiner entitled Orangewood Children's Home Re-Use Plan was read and considered.

The various charitable entities connected with Orangewood were researched from the time of the initial development to commencement of County operations and control in 1985.

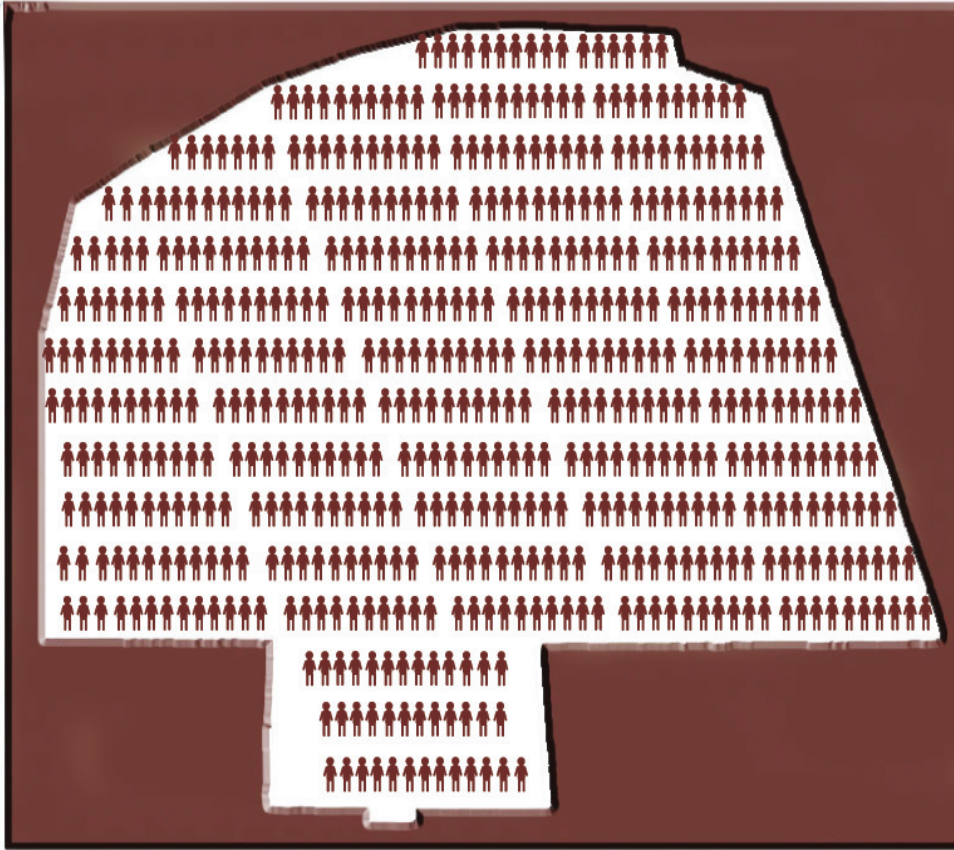
The Orangewood Foundation and auxiliaries for Orangewood Children's Home were identified and their generous giving history was reviewed. The names of the involved participants were determined and the filings of the non-profits were reviewed.

Background and Facts

Orangewood Children's Home

In 1959, Orange County developed a two-acre parcel of land for use as a care facility for abused, neglected and abandoned children.

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This graphic shows the buildings that make up Juvenile Hall and the Youth Leadership Academy. There are, on average, 559 children staying at the two facilities at any given time. Each figure in the graphic represents one child. The two Probation Department Facilities are running at capacity.



This graphic shows the buildings that comprise the Orangewood Children's Home facility. It is shown in proportion to the graphic above of the Juvenile Hall and Youth Leadership Academy. The average population for Orangewood in 2007 was 80 children. This graphic shows 90 figures representing the children since the average has been slightly higher in other years. This facility is underutilized. If a portion of Orangewood were to be used by the Probation Department, the children at Orangewood would still have spacious quarters for their needs.

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The Albert Sitton Home was on property adjacent to Juvenile Hall. Initially limited to 36 beds, the home was later expanded to 68 beds.

With society becoming increasingly aware of the abuse of children, the demands on the Sitton Home stretched it to a point where the 1979 Grand Jury issued a report on the overcrowding and general deterioration of the home.

In 1981, the Orangewood Children's Foundation was formed. It raised money for the construction of the new Orangewood Children's Home. The property was donated to the County in 1985. Title to the property and improvements is now vested in the County.

The initial structure provided 154 beds. These were located in cottages which also housed medical facilities and a school as well as such incidental operations as a kitchen and dining area, laundry, gym, and administration office.

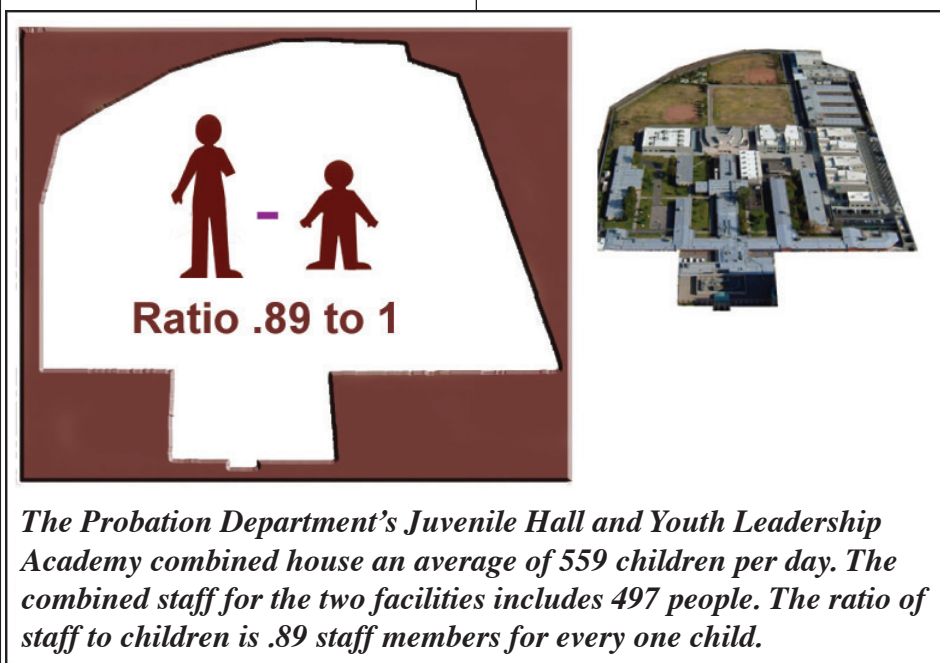
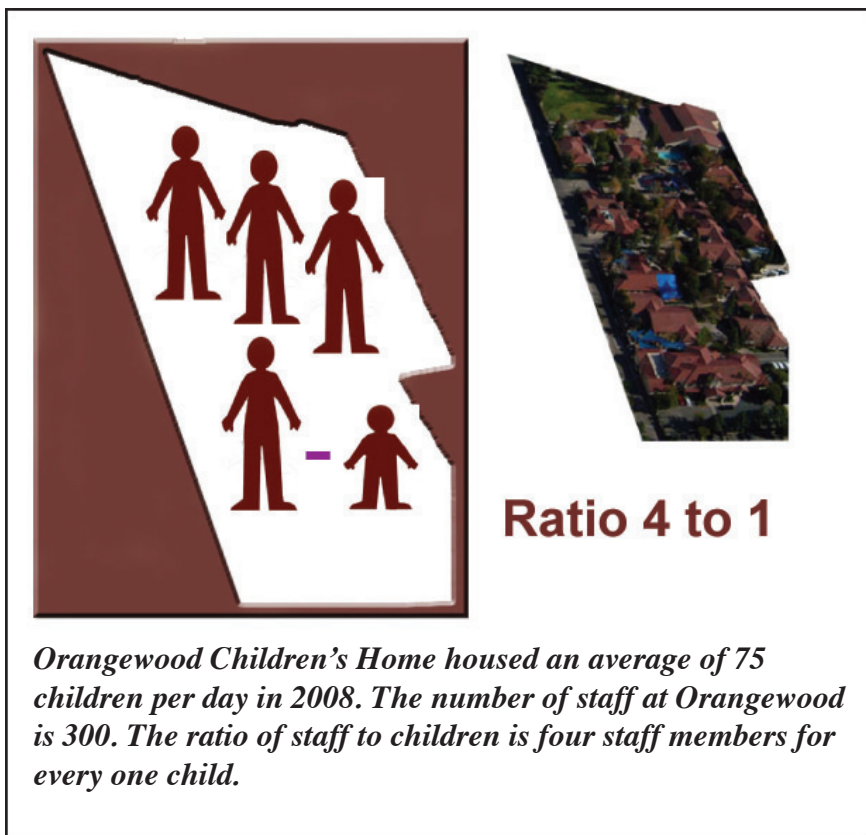
In 1991, expansion saw the development of additional cottages and an increased capacity to 236

beds. It was noted that demand soon saw daily peak usage reach a level of 300 children. In 2001, legal requirements caused a capacity

reduction to 216 beds.

Over the years, there has been a gradual decline in population. As of mid 2005, the population average was down to 94. As of September 1, 2008, the population was 75. Total admissions were 2,789 in 2001 and as of 2004, the figure was reduced to 1,488. While the population figures have dwindled, the average number of staff caring for the children has remained the same at approximately 300 employed staff and 250 volunteers. A comparison of the level of staffing at Orangewood and at Juvenile Hall/Youth Leadership Academy compared to the population of children is shown in the graphic that follows.

In his 2005 study, Commissioner Steiner suggested ways of adjusting capacity limits and cottage uses that would allow for staffing reduc-



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tions. This study apparently fell on deaf ears.

The old adage “figures don’t lie” is appropriate in making a realistic assessment of Orange-wood Children’s Home from a fiscal standpoint. In the 2001/2002 budget, \$21.1 million was itemized. The actual cost that year was \$16.9 million. As of the 2007/2008 budget, the figure had risen to \$26.4 million and the actual figure was \$22.8 million.

Salaries in the 2001/2002 time period were \$9.5 million exclusive of extra help and overtime. At the close of the last fiscal year, 2007/2008, the salary line item was up to \$11.5 million. This is truly significant considering that the population dropped each year.

Another factor worthy of comment is the per-day cost per child. For the year ending June 30, 2002, the per-child daily cost was \$454. This item also climbed each year. As of the first six months of the 2007/2008 fiscal year, the figure was up to \$739 per day, an increase of 63 percent.

Tustin Family Campus

In 1994, the Board of Supervisors authorized the Chief Administrative Officer (now CEO) to submit an application seeking a public benefit conveyance of the soon-to-be-surplus federal land at the Marine Corps Air Station Tustin.

Proposed usage of the land included the Children, Youth and Family Resource Center as well as a second Juvenile Hall. Over the years, the second proposed usage, the Juvenile Hall option, was dropped due to opposition from neighbors.

In its application of October 6, 1999, the Children and Family Services of the Orange County

Social Services Agency wrote that the characteristics of children to be treated were “abused, neglected, or abandoned.”

The Application for Acquiring of Property at Marine Corps Air Station, Tustin, California of October 6, 1999 states the following:

“AB 1197 (1993 California Statute, Ch. 478) Attachment “C” imposes, in California, new regulations on the care of children under the age of six. It is having a profound impact on Orange County’s shelter care system as it is currently constituted. This new law (AB 1197) requires emergency shelters and group homes to treat children under the age of six differently than other youths in the child welfare system. The impetus of the law is to require shelters and group homes to provide family style environments.”

On June 27, 1999, the Board of Supervisors approved an Architect-Engineer Agreement for a project for a 30-bed family campus expandable to 60 beds for children primarily under the age of six. The site was described as consisting of 4.01 acres. All staffing was to be contract provided.

On December 19, 2006, the Board of Supervisors approved an amendment to the aforementioned agreement. On November 19, 2007, an RFP for the Tustin Family Campus was issued. It was specified that the Tustin Family Campus would serve as many as 90 children/youth and their parents. In an amended RFP dated August 12, 2008, the profiled population was expanded to include 15 adult mothers. As presently designed, the project will have two specialized group homes, two sibling homes, a home for mothers attending dependency drug court and their

children, and an emancipation unit. There will also be administration and maintenance buildings, landscaped grounds, and children’s play areas. The campus will have 61,613 square feet and offer 107 parking spaces. A \$21-million contract has been awarded and the project is underway.

Probation Facilities:

a) The largest facility operated by the Probation Department is Juvenile Hall. It has a maximum capacity of 434 beds.

In addition, there are 56 beds available at the Juvenile Hall/Lacy Annex. As of September 1, 2008, there were only eight beds available in the Hall and six in the Annex.

b) The Youth Leadership Academy is on the same grounds as Juvenile Hall. It has a 120-bed capacity. It was designed for male and female use but now serves only males. As of September 1, 2008, there was a waiting list of over 60 names. The Youth Leadership Academy and Juvenile Hall are located on a 17-acre parcel of land.

c) The Youth Guidance Center is across the riverbed from Juvenile Hall. It has a maximum capacity of 125 beds. As of September 1, 2008 there were five vacancies. This location provides educational and counseling services to both boys and girls. The total acreage is 9.7.

d) Los Pinos Camp has a maximum capacity of 156 beds for both boys and girls. As of September 1, 2008, there were only 13 vacant beds. Schooling is provided for all youngsters.

e) Joplin Camp has a maxi-

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mum capacity of 64 beds for only males. As of September 1, 2008, there were no vacancies. Again, educational services are provided. There are athletic teams at both Los Pinos and Joplin camps.

Since 2005, commitments of over 91 days for juvenile offenders have increased 23%. So too have the number of minors charged as adults by the District Attorney. From approximately 50 in 2003, there were over 90 charged in 2007. Housing implications are very significant for these demands since the sentences for the juveniles charged as adults are much longer.

Alternative locations for additional facilities were considered. As mentioned earlier in this report, a partial use for the North Tustin Marine Corps Air Station originally included a new juvenile Hall. This has not materialized because of opposition from local neighborhoods.

Some have suggested the former Rancho Potrero facility that is adjacent to the Joplin Youth Center as a suitable location for Probation Department facility expansion. It should be remembered that in 1999, the State Board of Corrections awarded a grant of \$8,000,000 for a leadership academy at this location. Neighbors objected and went to court. A San Diego County Judge sitting by assignment ruled that the County was barred from developing the project.

The grant dollars were later used to construct the present Youth Leadership Academy

adjacent to Juvenile Hall. Any proposed expansion of Joplin or the adjacent property can realistically expect neighbor opposition and further court action.

Since 2005, Juvenile Hall has exceeded its rated capacity 62 percent of the time. Non-secure facilities went over capacity almost four percent of the time in the same period. The only relief is by early release which denies children time to complete beneficial programs. The Probation Department is seeking Youthful Offender Block Grants to finance expansion. They had to withdraw their application because it would have required a cash match which they could not afford. The eastern half of the Orangewood Children's Home parcel would be a perfect location for new structures necessary to meet growing needs..

A Comparison of Costs

Probation Department

The annual cost for all five Probation Department juvenile operations, as of the last fiscal year, is \$74 million. The average cost per child/per day for the five facilities is \$228. The average daily population for the juvenile facilities is 888 youngsters.

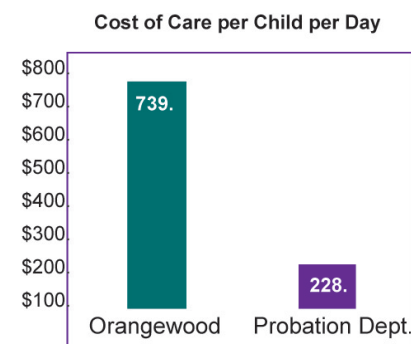
Orangewood Children's Home

To justify the suggested belt tightening and reduced site usage at Orangewood Children's Home, the Grand Jury took a hard look at what other counties (Imperial, Placer, San Joaquin, San Mateo, San Diego, Santa Clara, Sonoma, and Ventura) are doing. Recall these are the only counties operat-

ing WIC \$300 temporary housing facilities.

The annual cost for Orangewood is \$22.9 million per the most recent available information. The average cost per day is \$739. The average population at Orangewood is dropping and as of September 1, 2008, there were 75 children in residence. The average stay for each child is less than 30 days.

The following chart shows the difference in daily costs for the care of the children at Orangewood and the children at the Probation Department Children's Facilities.



The Probation Department has an annual budget of \$171.7 million. In contrast, the Social Services Agency has an adopted budget of \$472.4 million.

Probation earmarks approximately \$80 million for juvenile operations. The Social Services Agency budgets \$151.7 million for children and family services, exclusive of foster care payments. These, it should be noted, are ranging on average from \$450/month to \$900/month per child. As of September 1, 2008, there were approximately 2,681 children in foster care.

Contact with Other Counties

The Orange County Grand Jury canvassed the various counties of the state as noted earlier. Investigation disclosed that there are currently eight other counties provid-

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County Cost Comparison (WIC #300 Placements)

County	Capacity	Length of Stay	Cost per Child per Day	Annual Budget	Total Staff
Imperial	25	8 days	\$218	\$1,987,219	28
Placer	30	16 days	\$785	\$2,526,232	127
San Joaquin	60	21 days	\$879	\$7,435,519	66
San Mateo	19	49 days	\$374	\$2,400,000	30
San Diego	204	12 days	\$1,210	\$25,607,812	255
Sonoma	60	19 days	\$273	\$6,000,000	36
Ventura	45	72 days	\$490	\$2,819,023	43
Kern	56	10 days	\$306	\$3,459,408	46
Orangewood	236 (average usage: 75 children per day)	30 days	\$739	\$22,885,241	300

Note: Data in this table was provided by the named Counties.

ing temporary housing for the WIC §300 children. These included Imperial, Placer, San Joaquin, San Mateo, San Diego, Sonoma, Ventura and Kern Counties. These counties were contacted and asked for pertinent financial data to be used by way of comparison to the Orangewood Children's Home numbers.

Recall an earlier Grand Jury (2006–2007) report challenged the overstaffing and underutilization of the Orangewood operation and received a negative response. The

attitude of the authorities responding can be best characterized by the following: that's the way it is and that's the way it's going to be. . . . We have to prepare for the worst even though recent historical information is to the contrary. In fact, the average number of children at Orangewood in the last five years has never come close to the capacity of the facility. There was never a word in the responses two years ago concerning the Tustin Family Campus although it was already on the drawing board and it can

help handle any overflow if it does occur.

This Grand Jury, while still questioning the feasibility of and the need for the current level of Orangewood operation, is realistic enough to see that certain entrenched and powerful forces might wish to block any major change. This Grand Jury can support an Orangewood in perpetuity but wishes the operation to be more streamlined and efficient—not underutilized.

It has been suggested that the

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generous supporters of the charitable causes contributing to Orangewood Children's Home would rise in protest to block such a plan. The contributions of the Orangewood Foundation and its supporters cannot be undervalued. Without the support of these individuals, the County of Orange would not now have one of the finest programs for WIC §300 dependent children in the country. The Orange County Grand Jury is not naïve; money does talk. But the Grand Jury believes these benefactors will also recognize that a high percentage of the WIC §600 delinquent children of Orange County also have backgrounds that include abuse and neglect and that these children are also, in spite of the mistakes they have made, worthy of help. We hope that the generous contributors, past and current, might refocus their charitable giving and include the crying needs of Probation Department programs as well as the soon-to-open Tustin Family Campus.

Findings

In accordance with California Penal Code sections 933 and 933.05, each finding will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. The 2008-2009 Orange County Grand Jury has arrived at the following findings:

F.1: The Orangewood Children's Home can continue to deliver the services necessary for the WIC §300 children while utilizing no more than one half of its property.

F.2: The Orangewood Children's Home operation could

reduce staff services that are no longer necessary by virtue of the decrease in population and the soon-to-open Tustin Family Campus.

F.3: The easterly portion of Orangewood Children's Home property could house the new facilities for the Probation Department's Welfare and Institutions Code section 600 population.

F.4: The Probation Department has an immediate need for expanded facilities for Juvenile Hall, the Youth Leadership Academy, and the Youth Guidance Center.

F.5: The Probation Department programs such as regular schooling, counseling and job training have been shown to be effective.

F.6: Additional facilities will allow the Probation Department more capability to deliver services.

F.7: A reduction in the facilities and excess staffing of the Orangewood Children's Home will save substantial dollars without compromising its care for abused, abandoned, and neglected children.

F.8: The new Tustin Family Center can accommodate service reductions at Orangewood Children's Home caused by the lot splitting.

Responses to Findings F.1 through F.8 are required from the Board of Supervisors and requested from the Chief Executive Officer. Responses to F.1 through F.3

and F.7 through F.8 are requested from the Social Services Agency. Responses to F.3 through F.6 are requested from the Probation Department.

Recommendations

In accordance with California Penal Code Sections 933 and 933.05, each recommendation will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. Based on the findings, the 2008-2009 Orange County Grand Jury makes the following recommendations:

R.1: Study the feasibility of allowing the Probation Department to use up to one-half of the Orangewood Children's Home property currently being used by the Department of Social Services. Study to be completed within six months.

R.2: The Probation Department to consider developing the transferred property for use by Juvenile Hall and/or the Youth Leadership Academy and/or the Youth Guidance Center.

R.3: The Board of Supervisors direct that a detailed examination of staffing and finances at Orangewood Children's Home be conducted by both the Social Services Agency and the county financial oversight staff.

Responses to Recommendation R.1 are required from the Board of Supervisors and requested from the Social Services Agency, the Probation Department, and the Chief Executive Officer. Responses to Recommendation R.2 are required

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from the Board of Supervisors, and requested from the Probation Department and the Chief Executive Officer. Responses to Recommendation R.3 are required from the Board of Supervisors, and requested from the Social Services Agency, and the Chief Executive Officer.

Required Responses

The California Penal Code specifies the required permissible responses to the findings and recommendations contained in the report. The specific sections are quoted below:

§933.05

1. For purposes of Subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.

2. For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in

the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.