

# **SAN DIEGO COUNTY JUVENILE DETENTION FACILITIES**

## ***SUMMARY***

California State Penal Code § 919(b) mandates that the San Diego County Grand Jury inquire into the condition and management of the detention facilities in the County every year. The 2016/2017 San Diego County Grand Jury (Grand Jury) toured all the juvenile detention facilities operated by the San Diego County Probation Department.

The San Diego County Probation Department is responsible for the operation of the three juvenile detention facilities in the County. The Chief Probation Officer is appointed by the Board of Supervisors and confirmed by a majority of the Judges of the San Diego Superior Court. Organizationally, the Probation Department reports to the San Diego County Administrative Officer.

Through its site inspections and investigation, the Grand Jury found two of the three facilities in need of major repairs. Furthermore, the facilities and services when combined were so greatly underutilized that it led the Grand Jury to conclude that serious consideration should be given to consolidating them. Additionally, the Grand Jury concluded that juveniles housed at these facilities would benefit from additional recreation time, a culinary class, and an auto repair training class at Kearny Mesa and East Mesa Juvenile Detention Facilities.

## ***PROCEDURE***

During each facility visit, the Grand Jury interviewed Probation Department and County staff, spoke with detainees, noted the physical condition and management of the facility, inquired about programs available to detainees, and evaluated the overall conditions.

The Grand Jury toured the following juvenile detention facilities:

- Kearny Mesa Juvenile Detention Facility (KMJDF) on October 19, 2016
- Kearny Mesa Girls Rehabilitation Facility (GRF) on October 19, 2016
- Camp Barrett Juvenile Detention Facility (CBJDF) on November 9, 2016
- East Mesa Juvenile Detention Facility (EMJDF) on November 30, 2016

## ***DISCUSSION***

### ***Kearny Mesa Juvenile Detention Facility and Girls Rehabilitation Facility***

The population of the KMJDF and GRF consists of high-risk detainees. Detention status is established through an investigative process as outlined in the California Welfare and Institutions Code. As a result, some juveniles who commit either minor or major offenses may be released back to their parents or guardians. The juvenile population ranges in age from 12 to 21 for boys and 12 to 19 for girls. The San Diego County Office of Education oversees the school at the

facility. The course of instruction includes a two-hour block of instruction in humanities and a two-hour block in math and science; juveniles also receive one hour of physical education.

The facility was built in 1954. In the areas that the Grand Jury observed, it was noted that the facility is desperately in need of remodeling and maintenance repairs. The Grand Jury noted unpleasant odors in many areas, and most of the buildings have an institutional appearance. Living areas observed by the Grand Jury for offenders in KMJDF were cell-like, containing a small desk with no drawers, a chair, and a bed consisting of a thin mattress atop a concrete block. Bathrooms were located down the hall, and permission from correctional officers must be obtained to use them. Outside recreational features consist of basketball hoops and volleyball nets. These conditions gave the appearance of punishment rather than rehabilitation.

This facility is located adjacent to the Juvenile Court. It is the only juvenile detention facility in the County that handles juvenile intake, hold for arraignment, and hearing of cases by a judge. After the court process is completed, the juvenile is assessed for appropriate placement in a suitable facility to serve a sentence or is released.

Salaries and benefits take up approximately 70 percent of the annual budget. The remaining 30 percent covers expenditures for meals and educational, recreational, and counseling services, as well as maintenance, repairs, and upkeep. The Grand Jury was unable to determine if budget funds provided were sufficient for repairs and maintenance or if all the funds provided were indeed being used. Staff stated that they expect a new facility to be constructed on the existing site within five to seven years. However, staff had nothing in writing or detail of a plan to offer in this regard. The Grand Jury concluded that either the budget did not have a line item for interim facility upgrades, or the funds were not being used for that purpose.

The girls' rehabilitation section of the facility (GRF) was expanded in 2002 to add dorm-style housing. Currently it houses 25 girls participating in an incentive-based housing program; outside is a garden, where the girls can learn horticulture.

Grand Jury members joined the detainees for lunch and were able to hear their individual stories first hand. The lunch, which likely satisfied the mandate for nutritional adequacy, was far from appetizing. As a result of the poor-tasting meal, many jurors discarded most of it. Unlike adult detainees in county jails who have the ability to order food and hygiene items from the commissary, detainees under the auspices of a juvenile detention facility are not afforded this opportunity. Snack food privileges could be a powerful behavior modifier. Detainees complained of long waits for showers, and classes, very old movies they had watched repeatedly and, of course, the poor-tasting food.

### **Positives**

- Probation Department staff members displayed a passion for what they do.
- Safety and security were clearly their primary concerns.
- A Trauma Response Unit is available for the approximately 30 percent of the detainee population who are on psychiatric medications.

### **Negatives**

- The buildings are woefully outdated. This facility is in need of major renovations.
- Food is largely unappetizing.
- Detainees cannot purchase items from the commissary.

### ***FACTS AND FINDINGS (KMJDF & GRF)***

***Fact:*** The facility is in need of major repairs.

***Fact:*** The Grand Jury was unable to determine if sufficient funds were provided in the annual budget for repairs and maintenance or if all the funds provided were being used.

***Fact:*** The Grand Jury was unable to determine if there was a budget line item for interim facility upgrades.

**Finding 01:** An adequate budget line item for facility repairs would allow for timely and necessary repairs to be performed.

**Finding 02:** A budget line item for interim facility upgrades would keep the facility current until a new facility is built.

***Fact:*** There is limited time allocated for detainee physical education and recreation.

***Fact:*** No programs exist for organized events, games and books.

**Finding 03:** Additional time allowing juvenile detainees to participate in joint recreational events would benefit the juveniles' eventual assimilation back into the community, as well as provide a learning experience of how to get along with others.

### ***Camp Barrett Juvenile Detention Facility***

Camp Barrett is an aging juvenile detention facility located east of San Diego. It houses high risk boys between the ages of 13 to 18. Its capacity is 125, and the population was 85 at the time of the Grand Jury's visit.

The camp has an incentive-based reward system to help the young men learn to modify their behavior. There are several programs offered to detainees at the facility. The Breaking Cycles (BC) 56-day behavior modification program, the 28-day Drug Court (DC) rehabilitation program, the BC/DC combined Phoenix House 84-day program and the Barrett 365-day program. These are multi-agency, geographically diverse programs administered by the County of San Diego Probation Department. They are designed to prevent escalating juvenile delinquency.

Boys with severe mental illnesses are not housed at CBJDF; nevertheless, 25 percent are on psychotropic medications for ADHD, depression, anxiety, etc. A running club has been started at the camp with encouraging results. Several of the boys were committed to it and the challenge it represents. There also is a small garden where the boys grow their own vegetables.

Education curriculum is based on the University of California's A-G courses. Juveniles attend two meetings before release. The first is a transition meeting, which helps the juvenile reconnect into his community. The second is the pre-release meeting, which takes place just before being released back into his parents' or guardians' care. Camp personnel reported a recidivism rate of approximately 29 percent.

Several programs exist that offer training beyond educational curriculum, including culinary arts, horticultural skills, auto repair and maintenance, and barista training classes. Because of the remote location of the camp, video conferencing visits are allowed in addition to physical visits by family.

The physical condition of the offices, classrooms, and dormitories is clearly substandard and in need of major repairs. The dormitory buildings are concrete. They are outfitted with bunk beds and a common restroom area with no doors for privacy. With permission from the correctional officers, the boys are allowed to sit on the floor with other detainees for interaction, or, in rare cases, a table and chairs are brought in.

The 2015/2016 Grand Jury in its annual report recommended that a long-range master plan be created to determine the feasibility and advisability of consolidating juvenile detention facilities. In July, 2016, the County requested additional time to create the plan by December 1, 2016. During its investigation, the Grand Jury learned that the plan was not available even as late as April, 2017. The Grand Jury is disappointed that the Probation Department does not acknowledge the urgent need to create the master plan to replace an unsuitable, deteriorating and aging facility.

In August, 2015 Juvenile Ranch Facility (JRF) was closed and detainees were relocated to the remaining three facilities. Despite this action the overall operating costs for all facilities increased by approximately \$1.6 million. The 36 correctional officers from JRF were not assigned alternative duties within the department, but were merely transferred to the remaining juvenile facilities, thereby increasing the staff to detainee ratio, see Chart 1. Furthermore, the Grand Jury learned that certain other services, such as insurance coverage, and contracted staff were based on a larger number of detainees (accurate at the time), and that contracts for these services had yet to be revised to reflect the current much lower number of detainee population.

	Fiscal Year 2016						Fiscal Year 2017					
	Actuals Jul-Jun						Actuals Jul-Dec & Projected Jan-Jun					
	All-In Ops Cost (\$ M)	All-In Staff PO	All-In Staff- Oth.	Avg. Juveniles Housed	Avg. Cost Per Juvenile*	Avg. Staff Per Juvenile	All-In Ops Cost (\$ M)	All-In Staff PO	All-In Staff- Oth.	Avg. Juveniles Housed	Avg. Cost Per Juvenile*	Avg. Staff Per Juvenile
KMJDF & GRF	\$ 26.12	197	63	170	\$153,632	1.53	\$ 28.30	199	65	167	\$ 169,827	1.58
EMJDF	\$ 21.70	125	56	154	\$140,740	1.18	\$ 21.90	124	62	134	\$ 163,070	1.39
CBJDF	\$ 14.50	57	37	84	\$172,077	1.12	\$ 14.30	93	38	77	\$ 186,579	1.70
JRF-Campo (Closed 8/7/2015)	\$ 0.60	36	19	34	\$ 19,077	1.62						
	\$ 62.92	415	175	442	\$142,295	1.33	\$ 64.50	416	165	378	\$ 170,844	1.54

\*Average Cost Per Housed Juvenile Per Year assumes every juvenile spent at least 12 month.

Chart 1

The Grand Jury requested the Probation Department for additional pertinent information in order to compare the overall detainee-to-staff ratio, but as of this writing the information had not been provided.

### Positives

- Staff members that the Grand Jury observed are dedicated and upbeat.
- Staff members can live on the premises outside of the facility itself and may design their own living quarters.
- Detainees we spoke with were optimistic about success once released.

### Negatives

- Remote location makes it difficult for family members to visit.
- Remote location makes it difficult for probation officers to drive to and from it.
- Facility is in need of major repairs.

### ***FACTS AND FINDINGS (CBJDF)***

***Fact:*** Comparing Fiscal Year (FY) 2017 to FY 2016, the number of juvenile facilities and the juvenile population decreased while the Probation Department staff remained the same.

***Fact:*** The staff to detainee ratio increased 15 percent from FY 2016 to FY 2017 due mainly to the transfer of the 36 officers from JRF to remaining facilities.

***Fact:*** California's Title 15 regulations require a detainee-to-staff ratio of 10:1 during the day and 30:1 at night (The Grand Jury learned that the PREA recommended ratio is likely to be changed to 8:1 during the day and 16:1 at night in October 2017). The Grand Jury believes that the current detainee-to-staff ratio in the County exceeds PREA. However, additional information requested from the Probation Department has not been received so a meaningful comparison could not be made.

**Finding 04:** Reallocating staff elsewhere would create a more feasible ratio of detainees to staff.

**Fact:** The Probation Department does not have a long-range plan for consolidating juvenile detention facilities.

**Fact:** The Board of State and Community Corrections (BSCC) bed-rated physical capacity for San Diego's juvenile detention facilities is 853, in contrast the FY 2017 occupancy number is 378; a 55 percent underutilization of resources.

**Fact:** Insurance coverage and contracted staff are based on a larger number of detainees than currently in custody.

**Finding 05:** A long-range master plan would provide clarity on whether or not to further consolidate facilities and services.

**Fact:** CBJDF is located approximately 35 miles from San Diego, in a remote Alpine area near Descanso. This creates a hardship for detainees' relatives to visit regularly. Furthermore it adds hours of travel time to staff members' already full and demanding day.

**Finding 06:** The remoteness of this facility makes it unsuitable for parents to participate in a juvenile's life during incarceration.

**Fact:** CBJDF has transferrable learning assets, such as the auto repair and maintenance shop and culinary arts class which presently serve a small population of 77 juveniles.

**Finding 07:** The auto repair and maintenance shop training is grossly underutilized in its present location.

### ***East Mesa Juvenile Detention Facility***

The EMJDF is fairly new, built in 2004 with a rated detainee capacity of 391 for high-risk boys only, ranging in age from 13–21 years. At the time of the Grand Jury's visit, the detainee population was 109. The facility includes an intake/booking/release area for boys and girls, but the Grand Jury was told that this portion of the facility remains unused as the vast majority of youth arrested are taken to KMJDF.

Detainees each have a caseworker-probation officer who develops a case plan for them. The facility has several programs, including the Youth Offender Unit (YOU), which handles all of the highest security risk detainees and occupies two of the five pods currently in use. The Breaking Cycles program is also available and geared toward younger detainees who are unable to be placed at CBJDF. These detainees are housed in a separate unit. EMJDF is also a stepping stone for some detainees who are waiting to be transferred to CBJDF.

Other programs offered are Anger Management, Chemical Dependency, Teen Relationship Violence, Education/Literacy, Personal Responsibility, and Art Therapy. There is also a robust horticultural program that includes xeriscaping, water conservation, general landscaping principles, irrigation, and climate as it relates to gardening, and harvesting different plants, vegetables and fruits.

Youth are sentenced for up to one year, but time can be subtracted for achieving prescribed milestones in the correctional program. Time can also be added for infractions of jail rules, regulations and ordinances. Detainees attending school receive AB 216 diplomas, and many attend college for vocational as well as academic studies. Career Technology Education (CTE) is also provided and includes culinary, agricultural, horticultural, environmental, and drought-resistant landscaping courses.

The physical condition of the facility is excellent, except for a few minor repairs, and includes a modern medical unit and a state-of-the-art kitchen. The kitchen, is underutilized since all meals are pre-prepared (cooked and then frozen) at the East Mesa Reentry Facility, and only heated up at the EMJDF. Minimal hands-on training is held in the kitchen since meals are primarily reheated, unlike at CBJDF where meals are actually prepared.

### **Positives**

- Good re-entry programs
- Boys' progress is tracked for a time post-release
- Facility is in excellent condition, except for a few minor repairs

### **Negatives**

- Only one-third of the facility's capacity is in use. The Grand Jury believes this to be intentional as staff and management anticipate closure of either CBJDF and/or the major renovation of KMJDF, either or both of whose detainees could be transferred to EMJDF.
- Some minor repairs are needed, including a condenser in one of the refrigeration units and a few visitation cubicles that were out of order.
- The kitchen could be utilized for full culinary arts training as well as on-site meal preparation.

### ***FACTS AND FINDINGS (EMJDF)***

***Fact:*** A modern, on-site kitchen already exists.

***Fact:*** Culinary arts training classes have already been proven successful in helping detainees in adult detention facilities, and CBJDF, to gain useful and useable skills upon their release.

***Fact:*** As at CBJDF, the boys could "reengineer" the frozen foods to be more appealing for consumption.

**Finding 08:** Providing the means for the boys to acquire culinary art skills would primarily provide a better meal, but more importantly provide them with useable skills upon leaving the detention facility.

### ***RECOMMENDATIONS***

**The 2016/2017 San Diego County Grand Jury recommends that the San Diego County Chief Administrative Officer and the Probation Department:**

- 17-35:** Establish a process to immediately address on-going facility repairs, as well as interim upgrades pending the construction of a new facility.
- 17-36:** Establish a process to evaluate daily schedules to allow additional recreational time for Kearny Mesa Juvenile Detention Facility detainee organized games, events and library use.
- 17-37:** Consider making full utilization of existing state of the art kitchen at East Mesa Juvenile Detention Facility in order to enhance the culinary training class and opportunities for future employment.
- 17-38:** Create a plan to close Camp Barrett Juvenile Detention Facility, and move its detainees to remaining facilities. Transfer learning assets to a San Diego facility to provide training opportunities for a greater number of juveniles.
- 17-39:** Develop a long term plan to utilize excess Probation Department correctional staff and maintain a detainee-to-staff ratio in line with PREA standards.
- 17-40:** Expedite the creation of a long-range executable master plan to eliminate any wasteful underutilization of space and contractual agreements (contracted staff, insurance coverage etc.,) that was based on a much larger number of detainees, yet retaining sufficient capacity and services required to serve the County for at least the next decade.

***REQUIREMENTS AND INSTRUCTIONS***

The California Penal Code §933(c) requires any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency. Such comment shall be made *no later than 90 days* after the Grand Jury publishes its report (filed with the Clerk of the Court); except that in the case of a report containing findings and recommendations pertaining to a department or agency headed by an elected County official (e.g. District Attorney, Sheriff, etc.), such comment shall be made *within 60 days* to the Presiding Judge with an information copy sent to the Board of Supervisors.

Furthermore, California Penal Code §933.05(a), (b), (c), details, as follows, the manner in which such comment(s) are to be made:

- (a) 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 therefor.
- (b) 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 time frame for implementation.
  - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame 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 time frame 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 therefor.
- (c) If a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the Board of Supervisors shall respond if requested by the grand jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

Comments to the Presiding Judge of the Superior Court in compliance with the Penal Code §933.05 are required from the:

<b>Responding Agency</b>	<b>Recommendations</b>	<b>Date</b>
<b>Chief Administrative Officer County of San Diego</b>	<b>17-35 through 17-40</b>	<b>8/28/17</b>
<b>San Diego County Probation Department</b>	<b>17-35 through 17-40</b>	<b>8/28/17</b>