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MAY 27 2010

CLERK OF THE SUPERIOR COURT
COUNTY OF TRINITY
BY: STACI WARNER, DEPUTY CLERK

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MAY 24 2010

**TRINITY COUNTY
SUPERIOR COURT**

**TRINITY COUNTY GRAND JURY
2009-2010**

**Judicial Committee
JUR 2009/2010-001
Final Report**

Juvenile Detention Facility

Approved May 4, 2010



Ronald D. Ward

This Report Was Approved
on May 27, 2010

2009-2010 Trinity County Grand Jury

Judicial Committee

Trinity County Juvenile Detention Center

Summary

The Judicial Committee investigated the Trinity County Juvenile Detention Center in Weaverville and found the facility to be well-run and efficient despite budget cuts and loss of staff.

Background

The 2009-2010 Grand Jury conducted an investigation into the conditions and operation of the Trinity County Juvenile Detention Center as required by California Penal Code Section 919(b). No complaint regarding the facility has been received by this Grand Jury.

The Juvenile Detention Facility was completed in 2001 and is operated by the Chief Probation Officer and Probation Department staff. The purpose of the facility is to provide a secure location for juveniles to be held pending court appearances and a place of incarceration for juveniles when ordered by the Court. The facility is licensed to house up to 28 juvenile detainees from 7 to 18 years of age from Trinity County and other counties, if sufficient beds are available. Housing detainees from other counties provides fees to Trinity County for the Probation Department.

Method of Investigation

Following an extensive interview with the Chief Probation Officer, a full tour of the Juvenile Detention Center was conducted by the Judicial Committee and other members of the Grand Jury on September 4, 2009. Information obtained during the interview included a history of the Center, current staff numbers, as well as procedures for housing, security, medical, education, discipline, exercise, and maintenance.

On September 18, 2009, two juveniles incarcerated at the Center were interviewed by two Grand Jury members. Following the interviews, Detention Center staff was questioned regarding certain procedures.

Printed information was obtained at the visits, including a list of employees working at the facility, a copy of the inmate grievance policy, a grievance form, a brochure explaining the juvenile delinquency process, and an activity book for children who are going to court in California.

Discussion

During the interview with the Chief Probation Officer, the Grand Jury learned that Probation staff has been reduced to six Probation officers, half of the number employed six years ago. Other staff consists of one Probation Aide, three Clerical staff, and nine Juvenile Counselors. Probation staff is responsible for adults and juveniles on probation in Trinity County, which amounted to 400 adults and 100 juveniles at the time of the interview/tour. Probation is a mandated service which is required by the California Penal Code Section 919(b).

Juveniles who are cited and detained in the Detention Facility are required to have a Detention Hearing within 72 hours for felony charges and 48 hours for misdemeanors. This does not include holidays or weekends. Minors are read their Miranda rights and if less than 13 years of age, interviewed to determine if they know the difference between right and wrong. At a Court Hearing, an attorney will be appointed by the Court to represent the minor if the parents cannot afford one.

If the charges against a minor are found to be true by the Court, and the Court rules that the minor should remain in a secure facility, the Detention Center provides a location where the sentence can be served. The Detention Center houses minors from Trinity County (parents are charged \$15 per day) as well as minors from other counties (counties are charged a daily bed rate of \$75). Fees from the daily bed rate charges go into the Probation Department budget.

At intake, all juveniles in the Facility are drug-tested, with 60% positive results. Every juvenile receives a medical assessment within 48 hours of arrival, and a mental health evaluation. Other programs and services provided include Life Skills, Anger Management, Tobacco Education program, Good Choices/Bad Choices, drug programs, individual counseling and assessment, and family counseling. An educational placement test is done on all juveniles and schooling is done on site. A library is available within the classroom. No vocational programs are in place but may be available in the future due to the possible closure of California Youth Authority (CYA) facilities, such as Crystal Creek, which is already closed.

A Grievance Procedure outline explains what may be grieved as well as the entire procedure and appeal process. A copy of an Inmate Grievance Form was also provided to Grand Jury members.

Regular recreation/exercise time is scheduled outdoors or indoors (depending on the weather) with a secure outdoor area available. Two hours of visitation per week is allowed and the visits are no-contact, except for inmates with minor children. Access to religious services/counseling is available and phone calls (other than at intake) are considered a privilege.

Juvenile inmates do community work with the Lion's Club (splitting and delivering wood), the Animal Shelter on weekends, and other service work (such as helping to clean the cemeteries in Hayfork and Lewiston). Inmates are not paid but are rewarded with "points" which can be used toward privileges, such as snacks.

Juvenile inmates interviewed separately by Grand Jury members were aware of the rules and schedules, how to arrange a medical or dental appointment, and the "point system" used to earn snacks. They stated that it was easier to focus on school than in a traditional school setting because of the Independent Study method which is used. They enjoyed being able to get out of their "rooms" for much of the day, and said that in some other counties juveniles were required to remain locked in their rooms for 23 hours a day. The inmates both said that the programs offered (Life Skills, Tobacco Ed., etc) were very positive, and one inmate had decided on a future career as a chef as a result of participating. They also stated that having access to the facility library was helpful. The inmates stated that they got along well with staff, they were not treated badly, and visitation was "okay". The inmates voiced two suggestions when asked what changes they would like to see. One inmate said that the rule to walk everywhere with hands behind you and shirts tucked in should be eliminated. The other suggestion was to change the mattresses because they were very hard and caused back pain and to change the pillows which deflate every night.

Discipline procedures include loss of privileges for most (minor) instances and Court for physical violence. There is a special counselor available to address violence issues.

The Facility is inspected every two years by the State Board of Corrections, annually by the Health Department, the Grand Jury, and the State Fire Marshall.

During the Grand Jury tour, all areas of the Juvenile Detention Center appeared clean, organized, and efficiently run. Staff was helpful, informative, and provided all information requested. The interior and exterior of the building, as well as the grounds and exercise areas appeared to be in good condition, with no deterioration noted. The kitchen, shower areas, and locked living units were clean and well maintained. Clothing and bedding are provided by the Facility and there is a regular schedule for changing clothing and bedding. Juvenile inmates are required to keep their shirt tucked in and to walk with their hands behind their back at all times for security reasons. .

A sampling of grievances filed by juvenile inmates and inspection reports were reviewed by members of the Grand Jury, with no concerns noted.

Findings/Recommendations

Finding 1:

The Juvenile Detention Facility was found to provide a secure facility for juveniles in Trinity County who are awaiting a court hearing or are serving a sentence ordered by the Superior Court.

Recommendation 1:

None.

Finding 2:

The Facility was found to be efficient, organized and well-maintained despite extensive staff and budget cuts.

Recommendation 2:

None.

Finding 3:

The mattresses and pillows used for bedding for inmates/detainees are uncomfortable and cause pain to some inmates.

Recommendation 3:

Probation Department investigate using alternative bedding for inmates, particularly when inmates report back (or other) pain resulting from using current bedding.

Finding 4:

Staffing levels are low due to budget constraints.

Recommendation 4:

Staffing levels be increased as soon as possible considering budget constraints.

Request for Responses

In accordance with California Penal Code 933.05, a response is required as indicated below.

| <u>Respondent</u> | <u>Recommendation</u> | <u>Due Date</u> |
|-------------------------------|-----------------------|-----------------|
| Board of Supervisors | #3 and #4 | 90 days |
| Trinity County Probation Dept | #3 and #4 | 60 days |

The governing bodies indicated above should be aware that comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

Bibliography

- A. Juvenile Delinquency Process brochure
- B. Grievance Procedures
- C. Inmate Grievance Form
- D. Juvenile Detention Center with Juveniles Report
- E. What's Happening in Court Activity Book for Children



TRINITY COUNTY

RECEIVED
JUL 16 2010
TRINITY COUNTY
SUPERIOR COURT

TRINITY COUNTY PROBATION DEPARTMENT

Post Office Box 158
Weaverville, CA 96093
Telephone (530) 623-1204 Fax (530) 623-1237

TERRY LEE, Chief Probation Officer

Memorandum

To: Anthony Edwards, Presiding Judge of the Superior Court

From: Terry D. Lee, Chief Probation Officer

Date: July 14, 2010

RE: 2009-2010 Grand Jury Final Report "Juvenile Detention Facility"

I have reviewed the findings and recommendations of the Trinity County Grand Jury for the fiscal year 2009-2010 concerning the Juvenile Detention Facility and make the following response to their findings and recommendations #1,2,3,4.

Finding #1.

I agree with the finding and thank the Jury for their comments concerning our facility.

Recommendation #1.

No recommendations were made concerning this finding.

Finding #2.

I agree with the finding and appreciate their acknowledgement that the facility continues to operate efficiently even during hard economic times.

Recommendation #2.

No recommendations were made concerning this finding.

Finding #3

I partially agree with this finding but due to the statutory constraints bedding available for custodial institutions is very limited.

Recommendation #3.

Only bedding approved for correctional purposes can be used in detention facilities. Bedding must be both fire retardant, fire resistant and contain materials that are non toxic. Additionally bedding must be sealed to avoid hazardous waste, bacteria and other contaminants from spreading disease, and infections from one inmate to another. Mattresses must be washable and have the ability to be disinfected between inmate use when one inmate leaves and another takes that room. The type of bedding available for purchase that meets this requirement is very limited and usually only available through correctional supply stores. Procedures are in place to allow inmates to receive additional bedding after their back or pain problems have been reviewed by the facility doctor.

I will review our policies and also look at different bedding options for correctional facilities. If changes can be made I am receptive to looking at more comfortable bedding.

Finding #4

I agree with the Grand Jury's finding on staffing levels. Current budget does not allow for full time employee staffing to meet California Standards Authority requirements. We are attempting to fill those positions with extra help staff and reassignment of probation officers. My last two budget request to increase the extra help budget have been denied.

Recommendation #4.

I agree with the recommendation and am concerned that understaffing the facility will increase the counties civil liability should an incident occur due to lack of staff. The county needs to make it a priority to find the funds for appropriate staffing in all of our detention facilities and not just the Juvenile detention facility.

Cc: Wendy Tyler, Deputy County Administrative Officer/Clerk of the Board.



TRINITY COUNTY

Board of Supervisors

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SEP 13 2010
TRINITY COUNTY
SUPERIOR COURT

TO: The Honorable James Woodward,
Presiding Judge of the Superior Court

FROM: Trinity County Board of Supervisors

SUBJECT: Response to 2009-10 Trinity County Grand Jury
Judicial Committee
Juvenile Detention Facility Final Report

DATE: September 7, 2010

*Reviewed
9/14/10*

The Grand Jury Judicial Committee has requested a written response to their final report on the Juvenile Detention Facility. The Board of Supervisors' response is as follows:

Finding #3: The mattresses and pillows used for bedding for inmates/detainees are uncomfortable and cause pain to some inmates.

Response: Agree in part. Due to the statutory requirements, only qualified bedding can be used in a secured facility which may not be as comfortable as one may desire. If the bedding is aggravating a medical condition, detainees need to advise staff.

Recommendation #3: Probation Department investigate using alternative bedding for inmates, particularly when inmates report back (or other) pain resulting from using current bedding

Response: Requires further analysis. The probation / juvenile department will review their policy and availability of other qualified correctional facility bedding. Due to very limited funds caused by state and county shortfalls, if optional bedding was available, it is highly unlikely that funds would be available as the juvenile department is still facing a staffing shortage. In the future when funding stabilizes, this can be addressed.

Finding #4: Staffing levels are low due to budget constraints.

Response: Agree.

Recommendation #4: Staffing levels be increased as soon as possible considering budget constraints.

JUDY PFLUEGER
DISTRICT 1

JUDY MORRIS
DISTRICT 2

ROGER JAEGLER
DISTRICT 3

HOWARD FREEMAN
DISTRICT 4

WENDY OTTO
DISTRICT 5

Response: Will be implemented. As soon as adequate funding becomes available, staffing will be increased.