

FINAL REPORT

CASE #0801 JUVENILE HALL - FOLLOW UP

REASON FOR INVESTIGATION

The 2001-2002 San Joaquin County Civil Grand Jury (SJCCGJ) did a follow-up review of Juvenile Hall, a.k.a. Peterson Hall, after several serious violations were noted by previous Grand Juries. Although the scope of the review was to assure compliance with previous year's Grand Jury reports, the Grand Jury members were encouraged to add to the report if other issues arose after the site visit and the meeting with the Department Heads. No additional items were added.

METHOD OF INVESTIGATION

Members of the Grand Jury reviewed, in detail, previous Grand Jury files and in particular last year's Grand Jury subsequent final report (Case #0400 Juvenile Hall). In addition, we reviewed the response from Mr. Nicholas J. Cademartori, Chief Probation Officer. Members of the Grand Jury conducted an extensive site visit which included interviewing the Chief Probation Officer, Ms. Carolyn Contreras, Superintendent and various Department Heads and general staff. Further, the Grand Jury did an extensive review of the DMG-Maximus report dated July 23, 2001, commissioned by the San Joaquin County Board of Supervisors, and the 29-Point Action Plan Response developed by the County Administrator's Office. Finally, the entire Grand Jury conducted a site visit on November 15, 2001. At the request of the Grand Jury, Committee Chairperson made several follow-up telephone calls to clarify unresolved issues. After completing all the field work, the Grand Jury met and prepared this final report.

FINDINGS AND CONCLUSIONS

In reference to last year's report, Case #400 Juvenile Hall, the Grand Jury asked and received documentation pertaining to Recommendations (see below) where the Respondent's answers indicated that the recommendation had been previously implemented.

Recommendation #1: Comprehensive training for counselors should be given on an ongoing, regular scheduled basis.

Response to Recommendation #1: This information is maintained in the Probation Department's training records. These are located in the office of Department Training Officer, Theresa Amador.

Recommendation #2: Hiring policies for management should receive review.

Response to Recommendation #2: The Department hires according to County Civil Service Rules #1, 5, 6, 7, 8, and 10. The Department's Administrative Manual (Bulletin 701, dtd 6/1/98) identifies the relevant policies of the County Administrative Manual.

Recommendation #3: Administrators should have significant practical experience in the supervision of wards.

Although on the surface the recommendation had merit, after discussing this item with Mr. Cademartori the Grand Jury believes the response by the Chief Probation Officer was sufficient, and in fact, overall, was the most practical way to run the department. His response, "This is not to say that practical experience in the supervision of wards is not a desirable thing for juvenile detention manager to have. It is desirable it does not necessarily follow that the skills needed to supervise minors in custody translate to managing the detention facility itself."

Recommendation #4: The counselors career ladder should be extended to enable promotion to managerial level.

Response to Recommendation #4: This has always been the case, provided the applicant meets the minimum qualifications developed by the County Human Resources Department and the Civil Service Commission.

Recommendation #5: Prior to completing a probationary period, all supervisors should complete a significant training curriculum in evaluation preparation and discipline.

Response to Recommendation #5: All supervisors are required to take the 80 hour Supervisor Core Course, sponsored and mandated by the California State Board of Corrections, S.T.C. Division. A portion of this curriculum is dedicated to evaluation, preparation for evaluations and employee discipline.

Recommendation #6: Annual Evaluations should be completed and reviewed for adherence to sound evaluation principal (sic). The permanent advancement to any supervisory position should be predicated on an evaluation of actual performance in the completion of good employee evaluations.

Response to Recommendation #6: The Departmental Administrative Manual (Section 760 (dtd 9/15/98) and 761 (dtd 7/26/00) outline the policies and procedures for employee performance evaluations.

Recommendation #7: Supervisors and unit managers need to target discipline, evaluation techniques and problem solving strategies. As part of each supervisor's development program, they and their Manager should identify key areas of training and expectations for improvement. We reinforce this specific recommendation of the Management Review.

Response to Recommendation #7: All division supervisors (Group Counselor II and above) attend STC Supervisory Core. Additionally, counseling supervisory staff take annual managerial training (GCII-8 hours; GCIII-16 hours).

Recommendation #8: Since The Action Plan shows that all but two recommendations have been implemented, yet many of the same problems still exist at Juvenile Hall, the

SJCCGJ asks that the recommendations from the Management Review be re-evaluated for correct implementation. A new study underway at this time will have no greater impact than the last if it is not monitored for implementation and expectations put on those in charge for immediate performance improvement.

Response to
Recommendation
#8:

The recommendations of the D.M.G. report were translated into a 29-point Action Plan by the County Administrator's Office. These Action Plan issues are now being addressed. Review of Action Plan progress is being monitored by the Ad-Hoc Committee, comprised of members of the Board of Supervisors, Juvenile Justice Commission, Judges of the Superior Court, and the County Administrator's Office.

Recommendation
#9:

Medical personnel should be on duty twenty-four hours a day.

Recommendation
#10:

Medical Emergency Response time should be reviewed.

The Grand Jury agrees with CPO Cademartori. Although desirable, this recommendation is beyond the scope and/or sphere of influence of CPO Cademartori.

Recommendation
#11:

There should be at least one female counselor on duty on the co-ed unit twenty-four hours a day.

The Chief Probation Officer assures the Grand Jury that as soon as the positions are either funded by the County Board of Supervisors and/or when staffing levels allow, Recommendations #9 and #11 will be implemented.

Recommendation
#12:

No one should be allowed to enter a secure section of the building without following proper procedure and having proper identification at any time.

Responses to
Recommendation
#12:

◆4570.5 Penal Code States, "Every person who falsely identified himself either verbally or by presenting fraudulent written document to employees of a juvenile facility to gain admission to the facility is guilty of a misdemeanor." Intake and Control staff are trained to deny juvenile detention access to any persons who cannot prove they have a legitimate reason to enter the facility.

Recommendation
#13:

The 2000 - 2001 SJCCGJ strongly suggests that the operation of Peterson Hall facility would be better served under the jurisdiction of the San Joaquin County Sheriff's Department in conjunction with the counseling staff of the Probation Department. We recommend the San Joaquin County Board of Supervisors do everything in their power to bring this about. This would provide a safer, more secure environment at economic savings for the wards at the facility and the citizens of San Joaquin County.

This Grand Jury, without knowing the intent of a previous Grand Jury, can only conclude that their intent would not be to recommend that CPO Cademartori do anything illegal or in violation of State Statute 852, Welfare and Institutions Code. As such, after reviewing the appropriate code, this committee agrees with CPO Cademartori's response.

SUMMARY

Without knowing the intent of previous Grand Juries, this Grand Jury is left to interpret the findings based on our own review. However, we do understand the public perception at the time of last year's review, following an egregious breakdown of internal controls. Our preliminary work consisted of evaluating all material available to us, including but not limited to an extensive review of the DMG-Maximus Report and several on-site visits. Without diminishing the incident that took place last year at Juvenile Hall, the Grand Jury nevertheless concludes that incident was a very tragic event, yet does not reflect the daily activities of Juvenile Hall. In fact, after our firsthand review during our onsite visit, we found the daily workings of Juvenile Hall to be at par, and in many cases substantively above peer levels in overall management, security, appropriate control of wards, and the basic human dignity to which everyone is entitled. Further, CPO Cademartori and his Administrative Staff were extremely forthcoming, professional, and clearly had a thorough working knowledge of Juvenile Hall, a.k.a. Peterson Hall.

This report does not conclude that Juvenile Hall is functioning without any problems; what it does conclude is that problems identified in the past have either been corrected to a level satisfactory to the Grand Jury, or are being addressed in a manner appropriate to the nature of the enterprise. The Grand Jury acknowledges that continued oversight is warranted. As such, the Grand Jury requests the Board of Supervisors to review quarterly the progress of the 29-Point Action Plan developed by the County Administrator's Office. This Action Plan is currently being monitored by an Ad-Hoc Committee, comprised of members of the Board of Supervisors, Juvenile Justice Commission, Judges of the Superior Court, and the County Administrator's Officer.

Finally, The Grand Jury acknowledges the Senior Administrative Staff for accepting the challenges, and making significant improvements to the overall operations of Juvenile Hall, notwithstanding the unique obstacles facing such an operation. If additional County funding becomes available, Juvenile Hall would be an appropriate place to invest County dollars, as they provide critical supervision and rehabilitation to the wards deemed to be in their care.

RECOMMENDATIONS

The 2001 ♦ 2002 San Joaquin County Civil Grand Jury recommends the San Joaquin County Board of Supervisors review quarterly, and be updated by the Ad-Hoc Committee, the status of the 29 point Action Plan developed by the County Administrator's Office and currently being implemented at Juvenile Hall.

The 2001 ♦ 2002 SJCCGJ asks the Board of Supervisors to detail in writing how they plan on monitoring the progress of the implementation of the 29 point Action Plan developed by the County Administrator's Office and currently being implemented at Juvenile Hall.

RESPONSE REQUIRED

Pursuant to Sections ♦933.05 of the Penal Code, the San Joaquin County Board of Supervisors and San Joaquin County Probation Department shall comment, in writing, to the Presiding Judge of the Superior Court ♦ within ninety (90) days of the publication of this report.

As to each finding in the report, a response indicating one of the following:

- a. The respondent agrees with the finding.
- b. The respondent disagrees with the finding, with an explanation of the reasons therefore.

As to each recommendation, a response indicating one of the following:

- a. The recommendation has been implemented, with a summary of the action taken.
- b. The recommendation has not yet been implemented, but will be with a time frame for implementation.
- c. The recommendation requires further analysis, with an explanation of the scope of the analysis and a time frame not to exceed six months.
- d. The recommendation will not be implemented, with an explanation therefore.