

The Transformation of Juvenile Hall

2019-2020 Nevada County Grand Jury

Report Date: April 1, 2020

Public Release Date: May 15, 2020

The Transformation of Juvenile Hall

Summary

The 2015-2016 and 2017-2018 Nevada County Grand Juries wrote critical reports on the Carl F. Bryan II Juvenile Hall (Juvenile Hall) and, citing its low population of detainees and the resulting high costs, recommended that Juvenile Hall be closed and future detainees be transported to neighboring counties for the term of their incarceration. Since the time of those reports the Nevada County Probation Department (Probation) has worked toward repurposing Juvenile Hall to reduce the costs of juvenile detention and to ameliorate other unsolved problems in the community. That work has resulted in plans to move the Nevada County Dispatch Center (Dispatch) into much more suitable accommodations in the former administrative offices of Juvenile Hall and the potential relocation of the Nevada County Superintendent of Schools' Earle Jamieson Educational Options (Earle Jamieson), an alternative education program, to the facility. Several other local organizations serving Nevada County (County) youth also are looking forward to providing programming at the facility, transforming it into a "Youth Center" serving a broader portion of the County. In addition, agreements are in place with other counties for Juvenile Hall to serve as a place to detain their juvenile offenders.

The effort to avoid the serious problems associated with closing Juvenile Hall has preserved most of the programs available there and provided solutions to other intractable County issues. While the costs remain high, they have been reduced substantially. Other counties throughout the State of California, facing similar problems, have chosen to close their juvenile halls. In seeking and finding alternative solutions, Probation has moved to reduce costs while transforming a valuable asset to serve a broader segment of the community.

The costs of maintaining Juvenile Hall remain high, \$2,468,960 in the 2019-2020 budget. However, that figure does not reflect the future effects of spreading costs to Dispatch and other County programs. The fiscal effects of that repurposing will not be seen until next year at the earliest.

Glossary

2015-2016 Jury	2015-2016 Nevada County Grand Jury
2015-2016 Report	The 2015-2016 Nevada County Jury Report titled <i>Carl F. Bryan II Regional Juvenile Hall Is It Worth the Cost?</i>
2017-2018 Report	The 2017-2018 Nevada County Grand Jury Report titled <i>Detention Facility Inspection Report</i>
BOS	Nevada County Board of Supervisors
County	Nevada County
Dispatch	Nevada County Dispatch Center
Earle Jamieson	Nevada County Superintendent of School's Earle Jamieson Educational Options
Jury	2019-2020 Grand Jury
Juvenile Hall	Carl F. Bryan II Regional Juvenile Hall
Probation	Nevada County Probation Department
TAY	Transitional Age Youth program
Wayne Brown	Wayne Brown Correctional Facility

Background

Nevada County is in the process of implementing changes in the use of the Juvenile Hall facility that will serve to alleviate other community needs and problems, some of which have been identified in prior Grand Jury reports. The purpose of this report is to look back at issues identified in those prior Grand Jury reports and to describe the changes that are being made to alleviate the problems that were identified. These actions by the County, with the leadership of Probation, could serve as models of creative problem solving for local government.

Approach

In preparing this report, the 2019-2020 Grand Jury (Jury) reviewed the reports of prior Grand Juries on the subjects of Juvenile Hall and Dispatch and interviewed Juvenile Hall, Dispatch and other County personnel. The Jury also interviewed persons associated with other entities involved in the plans for transforming Juvenile Hall. Finally, the Jury reviewed Board of Supervisors' (BOS) resolutions related to Juvenile Hall and researched trends in juvenile crime and detention in California and throughout the United States.

Discussion

The purpose of this report is to address substantial changes that are underway at the County's Juvenile Hall. In response to sharp decreases in juvenile crime and juvenile detention, Juvenile Hall is being repurposed to serve a wider range of needs within the County while maintaining its original purpose for the few incarcerated youth for whom no alternative to detention has been found.

Four years ago, the 2015-2016 Nevada County Grand Jury (2015-2016 Jury) issued a report on Juvenile Hall (*Carl F. Bryan II Regional Juvenile Hall Is It Worth the Cost?*) (2015-2016 Report) in which it stated that it “. . . was impressed with the facility, the attitude of the staff and the multitude of programs offered to the young people detained there. There is no question that Carl F. Bryan II Regional Juvenile Hall is a jail: a challenging, secure, controlled facility. However, the educational and work opportunities offered to the detainees and the positive supportive attitudes of the staff help to transform a demanding experience into an opportunity to improve.” Having visited Juvenile Hall in late 2019 and reviewed its programs, the Jury agrees that those conclusions still pertain.

The 2015-2016 Report went on to assert that “. . . there is a concern that this excellent package comes at too high a price.” It noted that the total budget for maintaining Juvenile Hall was in excess of \$3 million, \$377 per day or \$137,481 per year per detainee, and proposed that substantial savings could be realized by closing Juvenile Hall and housing juvenile detainees in a neighboring county.¹

The 2015-2016 Jury identified several factors that contributed to the prohibitive cost. A decline in juvenile crime nationwide coupled with a trend toward non-detention responses to juvenile crime had reduced the need for space in juvenile detention facilities. Those trends, starting more than 15 years ago, have continued both in California and nationwide. A study by the Pew Trust found:

From 2006-15, the rate at which adjudicated youths were sent to out-of-home placement by juvenile courts fell 50 percent, according to data recently released by the federal Office of Juvenile Justice and Delinquency Prevention. Rates declined in states across the country, including decreases of at least 50 percent in 24 states. The nationwide reduction is matched by a 49 percent drop in juvenile violent crime arrests over the same period and comes as a growing number of states adopt policies that prioritize costly space in residential facilities for youths adjudicated for serious crimes. (Juvenile Confinement Drops by Half (2017). <https://www.pewtrusts.org/en/research-and-analysis/data-visualizations/2017/juvenile-confinement-drops-by-half>, January 17, 2020.)

The downward trend in juvenile crime and juvenile detention has been particularly evident in California. “In California, homicides of [*sic*] juveniles dropped 83 percent [over the past three decades] — from 382 in 1995 to 63 in 2017, the latest state data show. Youth arrests for violent felonies in the state dropped 68 percent — from 22,601 in 1994 to 7,291 in 2017.” (Tucker, Jill

¹ In calculating the cost per day and cost per year for each detainee, the 2015-2016 Report used the total population of detainees, both those from the County and those from other counties.

and Palomino, Joaquin (2019) *San Francisco Chronicle*. Vanishing Violence. <https://projects.sfchronicle.com/2019/vanishing-violence>, January 15, 2020). The same trend was noted in a 2019 study by Impact Justice, funded with a grant from The California Endowment, which specifically considered juvenile detention facilities in Nevada County and in Lancaster, California. The Impact Justice study concluded that:

The same trend [away from incarcerating youth] has held in California, in part due to decreased youth arrests (down from a rate of 15 per 1,000 in 2008 to 5.3 per 1,000 in 2015) but also due to changes in sentencing policy, increased budget constraints, a change in the culture surrounding youth justice, and a concerted effort by advocates, organizers, and directly-impacted people pressuring decision-makers to force change in California.” (Nothing good happens in there: Closing and repurposing youth detention facilities in California (July 2019), *Impact/Justice*. <https://impactjustice.org/resources/nothing-good-happens-in-there-closing-and-repurposing-youth-detention-facilities-in-california>, February 18, 2020.)

The San Francisco Chronicle report referenced above also made specific mention of the County’s Juvenile Hall.

Often with more employees to pay than wards to watch, Nevada County spent, on average, \$1,461 a day last year to hold each child. That’s more than \$530,000 annually, or the equivalent of seven years of tuition, room and board at a top private university.

In Nevada County, officials are housing boys and girls in the same cell unit, albeit on different levels, to cut costs. The juvenile hall is near the minimum staffing level required by state law, said Probation Chief Michael Ertola, but the county still spends \$530,000 a year to detain a child. (*Id.*)²

A lower number of detainees is not the sole reason for the high cost of juvenile detention. California State regulations include strict mandates for minimum staffing and programming to assure safety, security, education, rehabilitation and healthcare in juvenile facilities regardless of the number of detainees. Hence, while the number of detainees has been decreasing, the services required to be provided, and the cost of those services, has stayed the same or has increased. Moreover, the cost of Juvenile Hall includes the carrying cost of a physical plant that was built to hold and serve 60 detainees. It comprises three detention pods, a commercial quality kitchen, a large administration area, and surrounding grounds, most of which currently are not being used. When the 2015-2016 Report was issued there appeared to be few possible solutions other than closing Juvenile Hall and contracting with a neighboring county for the detention of County juveniles when needed.

In its response to the 2015-2016 Report, the BOS took note of the high quality of programs offered at Juvenile Hall, saying “The County believes the benefit to house Nevada County youth locally in our therapeutic rich and proven environment compared to neighboring facilities that do

² In calculating the cost per day and cost per year for each detainee, the San Francisco Chronicle used only the population of Nevada County detainees, excluding those from other counties.

not value such a rehabilitative vision supersedes the cost benefit philosophy.” No further action was taken by the BOS at that time.

Two years later, the 2017-2018 Nevada County Grand Jury (2017-2018 Jury) revisited the issue of the high cost of Juvenile Hall in its [Detention Facility Inspection Report](#) (2017-2018 Report). It noted that the numbers of juvenile detainees at Juvenile Hall had remained about the same, all detainees being housed in a single pod, but that a Transitional Age Youth (TAY) program had been added, serving detainees from ages 18 through 21 (the TAY Program has since been expanded to serve detainees up to age 25). Noting that while the average number of juvenile detainees at Juvenile Hall had not increased and that the cost per detainee had not changed, the 2017-2018 Report noted, “The administration and staff continue to work on encouraging uses that could reduce the financial problems.”

The response to the 2017-2018 Report from the BOS was encouraging. “A county interdisciplinary workgroup has been established and is reviewing the use and cost of the juvenile hall facility. The workgroup includes Probation, Sheriff’s Office, County Executive Office, County Counsel, Public Defender, Behavioral Health and Health and Human Services representatives. As this report notes, the facility was built utilizing [Federal] Department of Justice (DOJ) funds and any change in use is subject to DOJ approval.”

Those efforts have borne fruit. The workgroup mentioned by the BOS responded a year later, in June 2019, with a proposal to transform Juvenile Hall into an expanded Youth Facility, maintaining the current program for juvenile detention in one detention pod, the TAY program in a separate pod, and opening up other parts for other youth programming. With the support of the BOS, the efforts to create such an expanded youth facility are underway. In the words of Michael Ertola, Chief Probation Officer, “[Probation] will be reaching out to youth programs throughout the county to gauge their interest in utilizing space at the Youth Center. [The] challenge will be to change the stigma of a detention facility to a youth center with the goal to provide supportive programming for youth in our community. The idea is the more prevention services we put in place today will produce future successes tomorrow.” (Chief Ertola’s Message, *Effecting Changes*, July 2019, page 2)

In addition to expanded services for County youth, the repurposing of part of the facility will ameliorate another law enforcement issue that has long needed a solution, the physical deficiencies of the Dispatch facility. The former administrative offices of Juvenile Hall are being transformed into a new location for Dispatch. Dispatch currently is located at the Wayne Brown Correctional Facility (Wayne Brown) in space that originally was intended to be used for expansion of the Wayne Brown medical facilities. The relocation of Dispatch will make that expansion possible. Last year, the 2018-2019 Grand Jury, in its report titled [Nevada County Dispatch Center - A Vital Need](#), found that the Dispatch Center “. . . does not provide an adequate working environment for the demands made on the dispatch personnel.” The space was small, cramped, crowded and uninviting, lacking a kitchen or break room, adequate restrooms or even windows. The new space at Juvenile Hall corrects all of those problems. It should result in stress reduction for the Dispatch employees. The new Dispatch offices may be complete by the end of 2020.

If current plans are realized, Juvenile Hall will be transformed to serve as a hub for youth activities serving a much wider community. As mentioned above, two of the facility's residential pods will continue to be used for juvenile detention and the TAY program. Discussions are currently under way for the third pod to house Earle Jamieson, an alternative education program of the Nevada County Superintendent of Schools. The Superintendent of Schools' website describes Earle Jamieson as "a small, restrictive school . . . [for] students who are referred through expulsion, probation or the School Attendance Review Board (SARB) . . . There are approximately 10-20 students who attend daily." The pod designated to house Earle Jamieson is accessible from outside the building and will require some redesign and renovation to house the Earle Jamieson program. Earle Jamieson personnel are familiar with Juvenile Hall because they also run the Sugarloaf Mountain School that serves the juvenile detainees. Hence, if Earle Jamieson moves to Juvenile Hall, the Superintendent of Schools' two Alternate Education Programs, Earle Jamieson and the Sugarloaf Mountain School, would be co-located. Juvenile Hall also will provide enhanced recreation space and, potentially, access to other programs coming to Juvenile Hall. For example, the 4-H Club of Nevada County has contracted to use space at Juvenile Hall for one of its clubs and also "may work with in-custody youth or in-custody TAY." (*Personal Services Contract* between The Regents of the University of California on behalf of its UC Cooperative Extension for Placer and Nevada Counties, and its 4-H Club of Nevada County and the County of Nevada dated July 1, 2019.)

The Probation Department also is seeking an entity that can make use of the commercial kitchen at Juvenile Hall. Unfortunately, budget-cutting measures designed to reduce the cost of Juvenile Hall have resulted in closing the kitchen and contracting with Wayne Brown to provide meals for detainees. Also lost when the kitchen closed was the training opportunity in food preparation and safety that had been available for detainees. It had provided the opportunity to earn a Food Handler Card, enabling detainees to leave detention with the necessary state training to work in food preparation. Ideally, a new user would reestablish both cooking on site for the detained youth and the training program.

Finally, the County has entered into contracts with Plumas, Sierra, Calaveras, El Dorado, Inyo, Modoc, and Lassen Counties to provide space for those counties' juvenile detainees. Those counties pay a daily fee for use of the facility for their juvenile detainees.

Notwithstanding all the efforts of the County and Probation to reduce and spread the cost of Juvenile Hall, the 2019-2020 County Budget still shows a total expense of \$2,468,960 for maintaining Juvenile Hall. This figure does not reflect the effects of spreading such costs to Dispatch or other entities such as Earle Jamieson that may decide to move to Juvenile Hall. The fiscal effects of those transactions will not be seen until next year at the earliest.

As explained above, the effects of the decrease in juvenile incarceration is being felt all over the State. For example, San Francisco County has decided to close its Juvenile Hall by the end of 2021 and other counties are considering similar actions. However, the fact remains that

circumstances are likely to continue in which it is necessary to detain juvenile offenders.³ Sending such offenders to other counties is one solution but it involves substantial downsides, for example, the further separation of detainees from family and friends. In the four years since the issuance of the 2015-2016 Report, the County, with the leadership of Probation, has avoided the harsh consequences of closing Juvenile Hall by preserving programs and repurposing the building to both spread and reduce its costs, all to the benefit of the County.

³ San Francisco seems to understand that it must maintain a facility to detain youth in exceptional circumstances. “Supervisor Shamann Walton said . . . that he and other supervisors have already started to identify alternative approaches for treating youth offenders, including settings that don’t have cells and metal toilets. They’ve also scouted locations for new facilities.” (Tucker, Jill and Palomino, Joaquin (2019), It’s Official: SF juvenile hall to close by the end of 2021, *San Francisco Chronicle*. <https://www.sfchronicle.com/bayarea/article/It-s-official-SF-juvenile-hall-to-close-by-the-14070360.php>).