

# JUVENILE HALL

## REASON FOR THE INVESTIGATION

California Penal Code Section 919(b) requires the Civil Grand Jury to inspect all detention facilities within the County of Nevada.

## PROCEDURE FOLLOWED

Members of the Grand Jury inspected the facility in early October 1998. The Grand Jury interviewed:

Chief Probation Officer John Wardell

Superintendent of the Facility Doug Carver

A group supervisor

A certified teacher from Nevada Joint Union High School District

## FINDINGS

1. The Juvenile Hall was built in 1955 and has been modified several times since then, responding to Grand Jury reports and Board of Corrections (BOC) recommendations. The facility has a capacity for 19 wards. The most recent modifications were adding unbreakable glass in the classroom, adding a third shower and bolting down of the dining room tables.
2. The Juvenile Hall is constantly at or near capacity. On any given day there are as many as six to ten sentenced wards awaiting space in the Juvenile Hall. When capacity of the Juvenile Hall is reached, those options for out placement available to the courts and probation department are foster homes, group homes, California Youth Authority, Crystal Creek Boys Ranch, release to a guardian or electronic monitoring. Electronic monitoring is handled by a private monitoring company. If a juvenile ward violates the prescribed use of the monitors, the company alerts the Juvenile Hall personnel.
3. Each Thursday the Juvenile Hall staff holds a meeting to determine which of the current wards could be released early if the facility exceeds the 19-bed capacity with new arrivals that are brought into the facility during the weekend.
4. There are now plans for a new Juvenile Hall. A new location has been placed under contract and the county has applied for and received a state grant for construction of a new facility.
5. The ratio of female to male wards is increasing. Recently, for a short period of time, the ratio was 50 percent female to male. The average age of juvenile wards is 15 to 16 with some as young as 11. There is also an increase in the violent nature of the wards. According to Juvenile Hall, 30 percent of the first-time offenders are returned for a second offense. Again according to Juvenile Hall staff, 60 percent of second-time offenders are returned for another offense.

6. The Juvenile Hall provides visitation for adult family members twice a week. This can be a stressful time for wards who do not receive family visitors. All juvenile wards are assigned a case coordinator to help them through these critical periods.
7. Wards receive three hours of classroom instruction and one hour of physical education per day. The school employs a full-time certified teacher on a 183 day standard Nevada Joint Union High School District seven hour a day teacher's contract.
8. The facility staff maintain a library for wards' recreational reading. These books are obtained from contributions of individuals and local bookstores.
9. A licensed social worker meets with the wards for group counseling once a week. There are no vocational education programs available to the wards.

## **CONCLUSIONS**

1. With students on site for 24 hours a day, the present educational program is inadequate.
2. One hour of group counseling a week is not sufficient to address the serious problems of the wards at the Juvenile Hall.

## **RECOMMENDATIONS**

1. The Probation Department and Nevada Joint Union High School District should increase the school hours for more meaningful education. This should be accomplished before the beginning of the fall school term of 1999.
2. With a goal to reduce the high rate of repeat offenders, a program to provide individual counseling to the wards should be implemented.

## **REQUIRED RESPONSES**

Chief Probation Officer  
Due August 30, 1999

Nevada Joint Union High School District Superintendent  
Due August 30, 1999



# NEVADA COUNTY

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## PROBATION DEPARTMENT

JOHN M. WARDELL  
Chief Probation Officer

Second Floor Courthouse, 201 Church St., Suite 10  
Nevada City, California 95959-2504  
(916) 265-1200  
Fax: (916) 265-1556

November 17, 1999

Honorable Carl F. Bryan II  
Presiding Judge  
Nevada County Superior Court  
201 Church Street  
Nevada City, CA 95959

Dear Judge Bryan:

The following is additional information specific to the Grand Jury report not included in the previous response dated September 24, 1999.

During my meeting, with Grand Jury members, I was provided with a copy of Section 933(c), which requests specific responses to the following.

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

Section 933.05(b) For the purpose 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 analyses, with an explanation and the scope and parameters of an analysis or 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. The 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 therefor

Attached is a copy of the Grand Jury report and a letter previously submitted to the Grand Jury. The following is my responses to each of the Grand Jury Findings.

## FINDINGS

1. This Respondent agrees with this finding.
2. This Respondent disagrees with a portion of this finding. When the capacity of the Juvenile Hall is reached minors will be released back into the community based on the least serious offender first. In recent months there have been times that the level of crimes committed by minors or those awaiting Jurisdictional or Dispositional hearings have precluded any minor being released back to the community. Should there come a time when the juvenile Hall is full and circumstance does not allow for any detained minors to be released, minors would then need to be housed in another Juvenile Facility out-of-county. Once a minors is detained they are not are not released to foster homes, group homes, the California Youth Authority (long term) until after the minors Dispositional hearing. Electronic monitoring is primarily used to ease over-crowding but can also be used as a sentencing alternative at the minors Dispositional hearing.
3. This Respondent agrees with this finding.
4. This Respondent agrees with this finding.
5. This Respondent agrees with this finding.
6. This Respondent agrees with this finding.
7. This Respondent agrees with this finding.
8. This Respondent agrees with this finding.
9. This Respondent agrees with this finding.

## RECOMMENDATIONS

As indicated in the attached letter previously submitted to the Grand Jury, the Probation Department is in favor of increasing the academic school day for minors housed in the Juvenile Hall. It is believed that to do so would have little or no impact on staffing levels. Increasing the academic day would also provide additional time for minors to address life skills. It is unknown as to the impact an increase in academic days would have on the Superintendent of Schools Office.

The Probation Department is ready to implement a longer academic school day immediately However, a Teacher employed by the Nevada County Superintendent of Schools Office provides the academic instruction

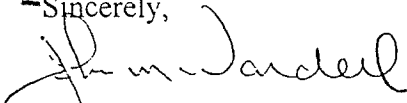
On September 22, 1999 I spoke with Dr. Terry McAteer, Superintendent of Schools concerning the above. Dr. McAteer indicated that before committing to the extended day he would need to meet with additional school parties that may be effected and arrange a meeting A timeline for implementation was not given

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The following is in response to the Grand Jury's second recommendation concerning a program to provide individual counseling for the wards.

Pursuant to Section 933(c) of the California Penal Code, this respondent agrees with the findings of the Grand Jury with some specific clarification given under Section 933.05(b).

As indicated in the initial response dated August 24, 1999, minors can currently be seen on an individual basis under a contract with CFMG (California Forensic Medical Group) for 20hrs per week. An additional 20 hours per week is provided under a Systems of Care Grant. In addition, a private therapist or religious counselor as needed may see a minor. The respondent believes that this recommendation has been implemented with an on-going analysis to determine if the level of mental health services is sufficient to meet the needs of the minors.

-Sincerely,



-John M. Wardell  
Chief Probation Officer



# NEVADA COUNTY

## PROBATION DEPARTMENT

JOHN M. WARDELL  
Chief Probation Officer

Second Floor Courthouse, 201 Church St., Suite 10  
Nevada City, California 95959-2504  
(916) 265-1200  
Fax: (916) 265-1556

September 24, 1999

Honorable Carl F. Bryan II  
Presiding Judge  
Nevada County Superior Court  
201 Church Street  
Nevada City, CA 95959

Dear Judge Bryan:

The following is additional information requested by members of the Grand Jury after our meeting on Wednesday, September 22, 1999.

During our meeting, Grand Jury members provided me with a copy of Section 933(c), which requests specific responses to the following.

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

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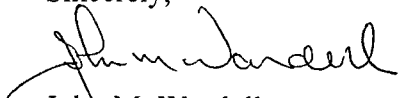
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Sincerely,



John M. Wardell  
Chief Probation Officer