

TO: Chairman and Members

DATE: May 9, 2013

**SUBJECT: Alameda County Juvenile Hall
Suitability – Corrective Action Plan Update**

AGENDA ITEM: B

**ACTION:
INFORMATION: X**

RESOURCE PERSON: Toni Gardner

Summary:

This information item is an update on Alameda County Probation Department's progress in correcting outstanding areas of noncompliance cited during the 2010-12 biennial inspection of the juvenile hall by the Board of State and Community Corrections (BSCC). On January 17, 2013, this Board considered the suitability of the Alameda County Juvenile Hall for the confinement of minors, pursuant to Welfare and Institutions (W&I) Code Section 209(d). In determining the facility to be suitable for the confinement of minors, the Board required that the department return to provide progress reports on correcting remaining areas of noncompliance at subsequent BSCC board meetings. At the March 14, 2013 Board meeting, it was reported that all but one area of noncompliance had been corrected. Board members asked that another update be given at today's meeting. BSCC staff has determined that the final area of noncompliance has been corrected.

Background:

Welfare and Institutions Code Section 209 requires biennial inspections of juvenile halls by the BSCC. The section also outlines steps that the BSCC must take when a county fails to correct all areas of noncompliance within the time frames listed in that section. Twelve areas of noncompliance were identified following BSCC's inspection of the Alameda County Juvenile Hall. Eight issues were still being addressed when the time frames for completing corrective action expired and the matter was placed on the January 17, 2013 BSCC Agenda for a determination of suitability. At that meeting, BSCC staff reported that there were six items remaining and Chief Probation Officer LaDonna Harris updated the Board on progress made in completing those corrections. After Board discussion, the facility was found suitable for the confinement of minors, with the requirement that updates be presented until all areas of noncompliance were corrected.

BSCC staff visited the facility on February 19, 2013 to gauge progress in correcting noncompliance and reported at the March 14, 2013 meeting that all but one area had been corrected. Board members thanked and congratulated Chief Harris and her staff for their work and the positive outcome.

The single regulation remaining at issue was Title 15 Section 1372 Religious Services. At the February 19, 2013 site visit, youth on one unit continued to report that if they declined to participate in Saturday religious programs they were required to remain in their rooms. No documentation was available to demonstrate otherwise. In response, Juvenile Hall management strengthened and widened their internal audit process and worked intently with new and veteran supervisors to establish a practice that would be in compliance with the regulation.

Since that time, Alameda County has provided BSCC with weekly summaries of the religious program audits. BSCC staff visited the facility on April 12, 2013 to confirm the success of the corrective action. Superintendent Christian Munoz and Deputy Chief Probation Officer Esa Ehmen-Krause shared the source data for the audits with BSCC staff, noting that each unit's report is verified by the supervisor on duty. BSCC staff re-interviewed one of the youth who had previously reported the lack of an alternative activity to religious participation. The young man confirmed that the current practice is to offer day room activities to youth who opt not to attend a religious program.

With all areas of noncompliance corrected, this successfully concludes the 2010-2012 BSCC inspection of the Alameda County Juvenile Hall.

Recommendation/Action Needed: Information only