



PROBATION DEPARTMENT

COUNTY OF LAKE, STATE OF CALIFORNIA



STEVEN R. BUCHHOLZ
Chief Probation Officer

To: The Honorable Board of Supervisors

From: Steven R. Buchholz *SRB*
Interim Chief Probation Officer

Date: August 31, 2011

Re: Response to the 2010-2011
Lake County Grand Jury Report

The following is my response to the Grand Jury report for 2010-2011. The Grand Jury report related to the probation department, (specifically juvenile detention) begins on page 113. It is entitled "Juvenile Hall Oversight Cold and Hungry Children". Although I was appointed Interim Chief just over two weeks ago, I believe I can adequately address the comments, findings and recommendations of the Grand Jury, as well as the manner in which they conducted their "investigation".

In talking with staff, including the Chief Deputy Probation Officer currently assigned as the Superintendent of our juvenile detention center, it has become apparent that the Grand Jury interviewed juveniles detained within the facility, and believed most, probably all, of what they said. I believe it is unfortunate that members of the Grand Jury did not follow up these complaints, with a thorough investigation. Had they done so, staff and records of inspections would have at least tempered some of the rather outrageous allegations about the conditions of our detention facility.

The Discussion and Facts section of the report and most of the points made by the Grand Jury are either inaccurate, misleading and/or not supported by fact. I also believe that some of the comments were simply the result of a misunderstanding between Grand Jury members and juvenile home staff.

RESPONSE TO GRAND JURY FINDINGS:

F-1: "The kitchen is unusable and the ceiling is covered with mold and in need of repair due to the leaking roof."

Inspections by the Building and Safety Division on July 14, 2011 and the Environmental Health Department on August 18, 2011 revealed absolutely no mold. There are water stains from

the leaking roof. It is true that the kitchen is "unusable" in terms of preparing full meals. Our kitchen is considered a "satellite kitchen" and as such is not certified for the preparation of food. It has been approved to wash dishes and for distributing food that has been prepared outside of our facility. Our kitchen is in one hundred per cent compliance with all state and county regulations.

F-2: "The temperature within the facility cannot be controlled, leaving detainees and staff uncomfortable."

We did have problems controlling the temperature throughout the facility before the heating and air conditioning units were replaced. Since the new units were installed at our facility, this problem has been eliminated. However, I would note that both juvenile offenders and staff have different opinions on what the appropriate temperature should be at any given time of the year.

F-3: "The hot meal has been changed to the evening, thus providing a more substantial meal before bedtime. The sack meals remain inadequate."

Kitchen staff at the county jail provide all meals for our detention facility. Copies of inspections by the state nutritional expert revealed that the food provided by our jail has met all nutritional requirements, including calories. Grand Juries for the last several years (off and on) have basically wanted us to violate state standards by increasing the number of calories that are served. This, of course, would create the potential for a number of liability issues.

F-4: "Not one detainee had anything good to say about the quality or quantity of meals. The boys typically lose weight during their stay."

We acknowledge that detainees do complain about the quality and quantity of the food. However, had members of the Grand Jury contacted our medical staff. (C.F.M.G.) they would have learned that the claim that boys typically lose weight is false. Most actually gain weight.

F-5: 'Detention Risk Assessment - Only juveniles determined to be actually dangerous are placed in juvenile hall'

Our risk assessment tool is not designed to determine whether or not a minor is dangerous, but rather assigns a risk level to each minor based on a variety of social and criminogenic identifiers. It is possible that a minor can be found high risk, but not be considered dangerous to himself or others. Abusive

parents, abandonment and other such factors could result in this designation.

F-6: "Detainees spend entirely too much time alone in their cells with little or nothing to do."

Our juvenile detention facility is inspected regularly by both county agencies and the Corrections Standards Authority. We have been found to be in compliance with, and continue to be in compliance with minimum standards for juvenile facilities - Title 15; Article 6. With the exception of sleeping hours, only those minors on program are kept in their rooms. These detainees are usually placed on program for violent behavior.

We have always maintained full compliance with the Code of Regulations with respect to placing detainees in their room.

RECOMMENDATIONS:

R-1: "Lake County Buildings and Grounds Division follow through on the replacement of the roof and update the heating and cooling system of this facility." (F-1 and F-2)

This year's budget allocation includes a substantial amount of funding for a new roof on our juvenile detention facility. The heating and cooling system has already been replaced and has rectified the problem.

R-2: "Board of Supervisors makes the re-opening of the juvenile hall kitchen a priority for the next fiscal year." (F-1, F-3, F-4)

With unlimited resources, we might very well agree that re-opening the kitchen and providing our own food service for detainees would be an appropriate step. The cost difference between the food service we receive from the jail and running our own kitchen would be enormous. I would again note that the food provided by our jail facility meets all legal standards.

ADDITIONAL COMMENTS:

Members of the Grand Jury apparently concluded that the food at the juvenile hall is often served lukewarm and that juveniles are often left hungry after eating. I note the temperatures are monitored regularly by officials outside of the jail and juvenile home, as well as internally, and that we meet all legal mandates. I understand that some members of the Grand Jury would like to see food that is more like "home cooked", but we continue to be in compliance with all legal mandates.

The Grand Jury note in their report that there was often an inadequate amount of hot water for the youth to shower. They

further state that this was confirmed by staff. Had they contacted the superintendent on this issue, they would have learned that this issue was addressed. Specifically, the superintendent learned through hallway video tapes that some staff were allowing detainees to shower for as long as forty minutes. By the time the first group was done showering, there was not an adequate amount of hot water for those waiting to shower. Staff were directed to allow youth ten minutes for showering, which is in compliance with regulations. This solved the "inadequate hot water" issue. I should note that the Grand Jury did discuss certain issues with the superintendent but failed to raise many of the more serious allegations with him.

It is apparent that members of the Grand Jury are generally concerned about the care juvenile offenders are receiving at the juvenile home. However, in my opinion, it is not only unfair, but detrimental to the entire operation for Grand Jurors to make conclusions, based on incomplete investigations, or no real investigation at all. I would encourage future Grand Juries to thoroughly examine inspection reports and mandates for various county and state agencies when it comes to operational issues of our facility. It is certainly appropriate to disagree with some of these mandates, but to entitle their report "Cold and Hungry Children" does an injustice to members of the department, the courts, and the Board of Supervisors. The Grand Jury report has identified some legitimate issues, which have been addressed or are being addressed. However, it also makes what I would term wild accusations that are not supported by fact, (inspection reports, etc.). Nevertheless, I appreciate the Grand Jury's effort in what I believe to be a sincere attempt at improving conditions at our juvenile detention facility.