

Memorandum



Date: June 29, 2007

To: Honorable Rodney Melville
Santa Barbara Superior Court

Albert Mercado, Foreperson
2006-2007 Santa Barbara County Grand Jury

A handwritten signature in cursive script, reading "Patricia J. Stewart".

From: Patricia J. Stewart, Chief Probation Officer

Subject: Response to 2006-2007 Santa Barbara County Grand Jury Final Report on Santa Barbara County Detention Facilities Inspections, Illegal Immigration and the Detention System: A Growing Concern, and Los Prietos Boys Camp/Academy: An Oasis of Hope

CC: Honorable J. William McLafferty, Presiding Judge
Honorable Arthur A. Garcia, Assistant Presiding Judge
Honorable Thomas R. Adams, Presiding Judge, Juvenile Court
Michael F. Brown, Santa Barbara County Executive Officer
Juvenile Justice/Delinquency Prevention Commission
Probation Department Administrative Staff

Please find enclosed the Probation Department's responses to the 2006-2007 Grand Jury's findings and recommendations on Santa Barbara County Detention Facilities Inspections, Illegal Immigration and the Detention System: A Growing Concern, and Los Prietos Boys Camp/Academy: An Oasis of Hope.

Enclosures: Response
Computer Disk (Foreperson Mercado only)

DETENTION FACILITIES INSPECTIONS

Finding 1: *In all inspections of detention facilities throughout Santa Barbara County, none were found to be sub-standard with respect to regulations.*

Response: The Probation Department agrees with this finding as it relates to all Probation Institution facilities.

Finding 2: *Inspections revealed no major flaws or shortfalls in staff performance.*

Response: The Probation Department agrees with this finding as it relates to Probation Institutions staff.

Finding 3: *Staff have used initiative and ingenuity to achieve positive results during periods of reduced resources.*

Response: The Probation Department agrees with this finding as it relates to Probation Institutions staff.

Recommendation 1: *Supervisory staff should continue to encourage personnel to use initiative to have a positive impact on the work environment.*

Response: The recommendation has been implemented and will be further implemented with the following formal process within 180 days. The Probation Department concurs that encouraging staff to use initiative to have a positive impact on the work environment is very important. Probation has informally implemented the recommendation over the years by fostering an environment in which staff feedback is valued and encouraged. To further implement this recommendation, the Probation Department is developing a staff survey instrument to be used in the Institutions Division in order to solicit regular feedback and suggestions regarding operational issues and programming. This survey will be conducted on a semi-annual basis and is tentatively scheduled for distribution in July and January. In addition to the semi-annual survey, staff will have ready access to the Facility Operation/Procedure/Program Form that is pending development and can ultimately be submitted at any time for administrative review, consideration, and implementation. Submitted forms will require a written administrative response within 30 days.

ILLEGAL IMMIGRATION AND THE DETENTION SYSTEM A Growing Concern

Finding 1: *Immigration holds at the County Main Jail are not always regularly or completely reviewed by Immigration and Customs Enforcement (ICE), and such inaction likely results in the release of some immigrants illegally in the county.*

Response: The respondent defers to the Sheriff Department's response to this finding.

Recommendation 1: *County officials should request the permanent assignment of an Immigration and Customs Enforcement (ICE) officer to the County Main Jail and seek intervention by Congressional representatives if ICE is not responsive to the request.*

Response: The respondent defers to the Sheriff Department's response to this recommendation.

Finding 2: *The population of immigrants illegally in Santa Barbara County contributes to inmate overcrowding and incarceration costs in county detention facilities.*

Response: The respondent agrees with the findings that the population of immigrants illegally in Santa Barbara County contributes to adult inmate overcrowding and contributes to incarceration in countywide detention facilities; however, the respondent notes that the impact to juvenile facilities within the county is on a much lower level, amounting to less than one percent of the total population in juvenile facilities.

Recommendation 2: *County officials should take a proactive role in making our state and national representatives more accountable for costs to the detention system associated with inaction on the problem of illegal immigration.*

Response: This recommendation has been implemented. The County's Board of Supervisors adopted its federal legislative platform on November 21, 2006, which included the State Criminal Alien Assistance Program (SCAAP). Specifically, the Board endorsed a legislative strategy to seek assistance from the County's representatives to reauthorize the funding of SCAAP and increase its reimbursement rates for local governments. As such, the County has communicated the importance of funding SCAAP to its representatives through letters and in-person briefings with staff.

Advocacy for SCAAP will continue including working toward inclusion of reimbursement for minor detainees. The Chief Probation Officers of California (CPOC) proactively supported inclusion of minors in this federal reimbursement program as the reimbursement guidelines were being established; however, the final resolution excluded reimbursement for minors, basically due to the structure of the juvenile justice system, and the fact that minors do not sustain "convictions." Whether it is by design or merely

by semantic exclusion, the end result is an inability to seek reimbursement for county costs associated with the housing of illegal immigrants ordered detained by the Juvenile Court. The Probation Department supports efforts to change the language to include those illegal immigrants detained in juvenile detention facilities who have been adjudicated in Juvenile Court.

For clarification, based on the Immigration and Customs Enforcement's (ICE) response time for conducting initial interviews and the federal guidelines dictating a 48 hour release, it is apparent that Homeland Security is responding in a timely manner regarding those illegal immigrants housed at Santa Maria or Santa Barbara Juvenile Hall on criminal offenses. As stated in the current Grand Jury report, the number of illegal immigrants detained in our Juvenile Halls was less than one percent of the total population, with a fiscal impact of \$77,660. This fiscal impact could only be reduced if the criteria of SCAAP was revised. The ICE unit provides on-site interviews with the detainees at the Juvenile Halls to make a residence determination, responding within 24 hours, but no later than 48 hours after our requests. Once the court case has been completed, the process is handled expeditiously. Federal regulations mandate that ICE must take custody of the detainee within 48 hours (excluding Saturdays, Sundays, and Federal holidays) of their scheduled release date or the detainee will be released to the community.

LOS PRIETOS BOYS CAMP/ACADEMY
An Oasis of Hope

Finding 1: *Opportunities exist to expand the use of remote monitoring.*

Response: The respondent agrees with the finding.

Recommendation 1: *Add cameras to monitor additional areas of the facility. Consideration might be given to converting the current camera system to a secure web/internet based monitoring approach.*

Response: The recommendation has not yet been implemented, but will be implemented in the future. Adding remote monitoring of the wood cutting area would enhance security coverage and other locations potentially needing enhanced security coverage have been identified. The Communications Division of General Services will evaluate the current security monitoring equipment at LPBC/BA within 90 days to make appropriate recommendations for improved technology and equipment. Facility administration will analyze and prioritize recommended upgrades and identify funding options and those sustainable in FY 07-08 will be implemented by priority.

Finding 2: *Not all staff are familiar with the operation of the bus.*

Response: The respondent agrees with the finding.

Recommendation 2: *Provide orientation to staff on operation of the bus.*

Response: The recommendation has been implemented. As a follow up to the Grand Jury's inspection, we have completed training with staff on the general operation of the emergency evacuation bus. Additional bus keys have also been secured in each of the dorms to ensure a quick response from all areas of the facility. A weekly check for fuel and start up of the bus has also been implemented. These procedures have been added to the emergency evacuation manual.

Finding 3: *While some designated financial donations are made with specific guidelines, overall no formal process or criteria exist for awarding scholarship funds.*

Response: The respondent disagrees with the finding because there is a formal process in place for awarding scholarship funds.

Recommendation 3: *Institute a formal review process based on minimum eligibility standards of all scholarships. Additional criteria can be added for special scholarships and grants.*

Response: The recommendation has already been implemented. A formal process is in place for awarding scholarship funds. The process was implemented when the

scholarship program started in 2006. The formal process for awarding scholarship funds is as follows:

- Each applicant is required to submit a two-to-five-page essay describing goals, plans on achieving these goals, and specifically how the scholarship will aid in reaching the specified goals. The applicant must be in good standing in the Los Prietos program and if already a graduate of Camp, in good standing on probation.
- The applicant must be a high school graduate, a student within 30 units of high school graduation, or have an endorsement from a sponsoring teacher indicating that he would benefit from college or vocational training.
- Non graduates must have a detailed plan which includes how a High School diploma or G.E.D. will be achieved.
- The scholarship funds must be accessed within one year of acceptance for the awardees' college, trade school, or vocational education.
- Probation personnel, including Camp officers and designated volunteers, maintain direct oversight and accountings of stipend spending.

Applications and essays are collected quarterly and reviewed by the scholarship committee, which is comprised of Probation, Mental Health and School personnel. Stipends are awarded based on how thorough and realistic the stated educational goals are, the applicant's need, and the likelihood of the applicant accessing the funds in the allotted time frame.

In addition to the above process specific to scholarship applications from donated funds designated for educational and vocational programming, a parallel application process is being developed. Campers and graduates in good standing will soon be able to apply for Discretionary Funding Awards for meaningful recreational programming, sports participation, vocational or educational opportunities/needs not covered by the formal scholarship process and other requests deemed to support the Camper/Graduate in their aftercare plan or probation treatment plan. These applications will be similarly reviewed by the above multi-disciplinary committee and recommendations submitted to the facility Manager for the final approval of discretionary fund stipends awarded for case support. Scholarship application opportunities and discretionary fund stipend awards will be addressed with each Camper upon orientation into the Camp program and reviewed during the aftercare planning process. This process should be fully implemented within 60 days.

Finding 4: *Vocational training opportunities are limited.*

Response: The respondent agrees with this finding.

Recommendation 4: *Develop a wider range of vocational training programs. Consideration might be given to forming partnerships with outside organizations.*

Response: The recommendation has been implemented. A \$51,000 grant to fund a vocational instructor has been awarded to the Camp by a private foundation and is pending approval and acceptance by the Board of Supervisors. The grant application included a program outline for a collaborative Vocational Technology Program at Camp. The target date for program implementation is not expected to exceed 90 days from the date of approval and acceptance of the grant. This program will teach marketable employment skills to campers at both LPBC and LPBA. The skills learned will include proper and safe use of carpentry tools, plan design, and constructing and finishing projects to plan specifications. The first project will be to design and build a storage shed. The program will be facilitated by a certified Vocational Technology Instructor through the Regional Opportunity Program (ROP) at Santa Barbara City College. Campers will earn high school credits for their participation and will be certified for basic work in the construction field upon graduation from Camp. Construction Technology Certificates will be awarded to campers who complete this ten-week program.

Finding 5: *No formal mentoring program presently exists.*

Response: The respondent agrees with this finding.

Recommendation 5: *Create a formal, ongoing mentoring program which actively engages past graduates in support of Los Prietos' mission.*

Response: The recommendation has not yet been implemented, but will be implemented in the near future. Contract funds have recently been evaluated and approximately \$12,000 has been reallocated to hire a part time coordinator/provider of mentor services. A mentoring program that will connect Camp graduates with approved Probation Department volunteers is currently being developed and is expected to be implemented by September 1, 2007. The goal is to seek and approve mature, responsible, and law abiding adults in the community to serve as volunteer mentors for boys who graduate and return to their respective communities. The opportunity to hire a coordinator of volunteer/mentor services will greatly enhance the viability of these services to our Camp population.

In addition, the first phase of the newly implemented Bridges to Recovery (BTR) alcohol and drug treatment program was recently completed. A key component of BTR is for Camp graduates who successfully complete BTR to become mentors for those campers who come after them in BTR. This mentoring component has further value in that graduates are staying in touch with one another other in the community in an effort to remain clean, sober and law abiding. Peer mentoring will be further supported in Camp group sessions and ultimately in aftercare group meetings in the community.

The Vocational Technology Program will provide another mentoring opportunity as Camp graduates find successful employment and return to Camp in a mentor capacity to motivate and encourage campers to complete their program. The Vocational Technology Instructor and the volunteer/mentor services coordinator will work collaboratively to target success stories for speaking engagements and presentations at the Camp.

Finding 6: *The facility is not operating at its functional capacity.*

Response: The respondent partially disagrees with this finding. Although Camp has a Corrections Standards Authority rated capacity of 96 beds, the operation of the 75 beds for which the Probation Department is funded to staff, is adequate to effectively manage the current court-ordered juvenile population. On occasion, a waiting list is established; however, these numbers have not justified the need to expand the Camp to 96 beds.

Recommendation 6: *Efforts should be made to secure the funding and staffing required to maintain the Camp at peak occupancy.*

Response: The recommendation will not be implemented at this time because it is not warranted. When Ventura County Probation Department opened their new juvenile hall and commitment facility in 2004, commitments to the Camp from that county discontinued by an annual average of approximately 20 beds. As cited above, the current staffed capacity of LPBC/BA is adequate for the numbers of wards being court ordered into the programs by Santa Barbara County Juvenile Courts. Should commitment numbers significantly increase in the future, expanding the staffed capacity of the Camp will be considered for recommendation in the annual budgetary process.

Finding 7: *Funds presently dedicated to the swimming pool project are inadequate. Furthermore, no plan has been established to bring the project to fruition.*

Response: The respondent agrees with the finding.

Recommendation 7: *Establish a plan to complete the swimming pool project.*

Response: The recommendation will not be implemented because it is no longer reasonable to promote the installation of a swimming pool at the Camp facility. Having a swimming pool installed at Camp would be recreational, therapeutic and offer relief from the summer heat. However, there are overriding concerns relative to project cost and ongoing fiscal and program liability that are outlined below:

- Additional training for camp personnel would be required, i.e. certified licensed water safety training.
- Safety and security concerns are inherent with swimming pools and according to the Corrections Standard Authority, swimming pools are not included in new construction projects due to issues of cost and liability.

- The cost in time and supplies to maintain the pool outweighs the amount of time that the pool would be used during the year.
- Adding another recreational program to our existing daily/weekly schedule would be challenging. Recently, the Department spent considerable time reviewing and evaluating the current daily program schedule. The existing program schedule has quality, value, and balance. Adding a swimming program would require the elimination of one of the existing programs.
- The only location approved for the installation of the pool is set between the school and the LPBC dorm and is subject to a considerable grade that will add significant design and construction expenses to the project. In addition, installation in this location and the requisite fencing would obstruct security views and noise from the pool area would diminish the ability to use school classrooms for programming while the pool was in use.

At this time, the swimming pool project will be tabled indefinitely and Camp administration will take the appropriate actions to contact any donor(s) who made project specific donations for permission to redirect their donations. Consistent with other recommendations of the Grand Jury, requests for redirection of the funds will include adding funds that can be accessed for the vocational and mentoring service needs of the Camp program.

Finding 8: *There are no formal annual needs assessment and criteria for allocating discretionary funds.*

Response: The respondent agrees with this finding.

Recommendation 8: *Conduct a formal annual needs assessment to identify appropriate projects for discretionary funding. Consideration might be given to establishing a citizen oversight panel.*

Response: The recommendation has not yet been implemented but will be implemented within 180 days. An informal process has been in place over the years whereby Camp personnel, including on-site partner agencies, have provided input and offered suggestions to improve current programming and opportunities for the wards. To further implement this recommendation, the Probation Department is developing a staff survey instrument to be used in the Institutions Division in order to solicit regular feedback and suggestions regarding operational issues and programming alternatives, including the appropriate allocation of discretionary and scholarship funds. This survey will be conducted on a semi-annual basis and is tentatively scheduled for distribution in July and January. In addition to the semi-annual survey, staff will have ready access to the Facility Operation/Procedure/Program Form that is pending development and can ultimately be submitted at any time for administrative review, consideration, and implementation.

Submitted forms will require a written administrative response within 30 days. In addition, the Camp administration conducts surveys of the wards, graduates and parents on a semi-annual basis (February and August). The survey will be modified to include input and ward suggestions for appropriate discretionary spending. Citizen oversight will be considered in conjunction with the pending expansion of volunteer services as cited above.