

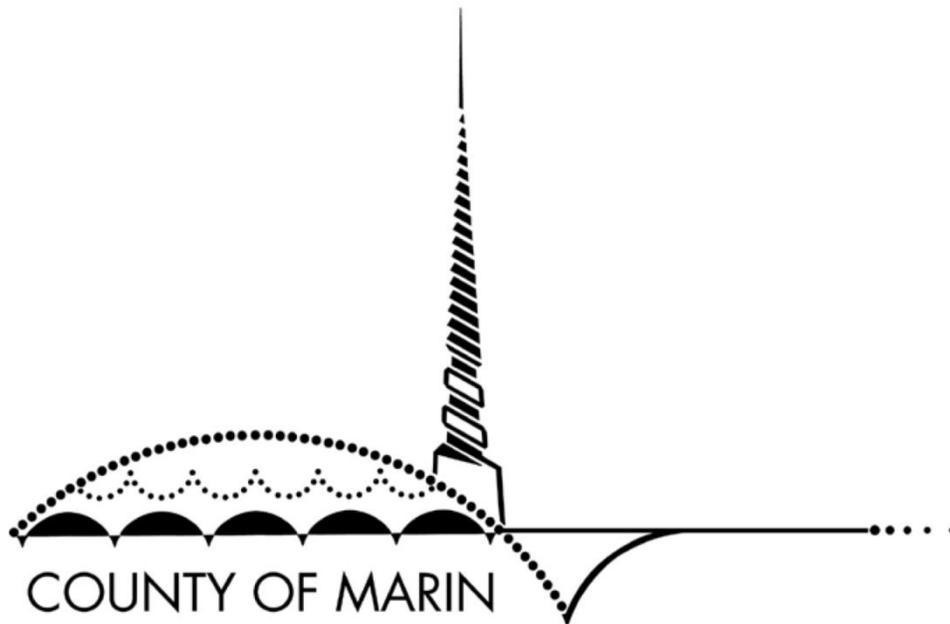
2017-2018 MARIN COUNTY CIVIL GRAND JURY

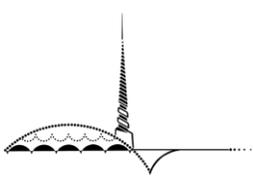
The Future of Juvenile Detention in Marin

A Follow-up Report

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The Future of Juvenile Detention in Marin: A Follow-up Report

SUMMARY

Marin County's use of alternatives to detention for youth offenders continues to be a huge success. The Marin County Sheriff's Department, specifically the probation department, and the scores of counselors, healthcare providers, teachers, support staff and volunteers who work every day to keep Marin's youth out of the criminal justice system, are to be commended.

Of the people under 18 years old who encounter law enforcement in Marin County, almost none spends more than one or two days in Juvenile Hall. Only Marin youth who have been convicted of (or are awaiting trial for) very serious crimes are housed at the facility for longer periods of time.

The alternatives to detention include a variety of diversion programs, such as drug and alcohol treatment, juvenile court, mental health treatment, employment services, mentorship and more. Fifteen of these programs are listed in Appendix A of the 2014-15 Marin Civil Grand Jury report, "[Marin County Juvenile Hall: A Time for a Change](#)."¹

This success has created new challenges; Juvenile Hall's population is very low and the costs are fixed. Full services and staffing must be maintained to meet guidelines enforced by the State of California. As a result, on some days Juvenile Hall has more people operating it than detainees, and the per day, per detainee average cost seems indefensibly high.

California state law does however provide a solution. As discussed in the 2015 report, two or more counties can cooperate to provide a joint facility. Other northern California counties have also succeeded with alternatives to detention and are faced with the same new challenge of soaring costs. The logical next step is to engage with other counties to tackle this problem on a regional scale.

The 2014-15 Grand Jury reported on this situation in great detail and recommended that Juvenile Hall be closed and the property put to its best and highest use. While the Board of Supervisors agreed with the report's findings, they rejected these two recommendations and enumerated several concerns, chief among them being that the prospect of moving youths from Marin to another county could create serious problems.

In 2017, the probation department hosted county supervisors and other county officials on a tour of youth detention facilities in neighboring counties. Napa and Sonoma counties have newer, modern facilities, while Marin's Juvenile Hall is over 50 years old, with deferred maintenance and an outdated design. The implication is that Marin could, even should, catch up with its neighbors and build a new facility. Replacing Juvenile Hall with a modern version would cost tens of millions of dollars.

In 2018, County departments are being asked to identify budget reductions. In this climate, a proposal to spend millions to replace the existing Juvenile Hall appears inappropriate. The Grand Jury felt a re-examination of this issue was timely.

¹ [Marin County Civil Grand Jury, 2014-15 Report: Marin County Juvenile Hall: A Time for Change](#)

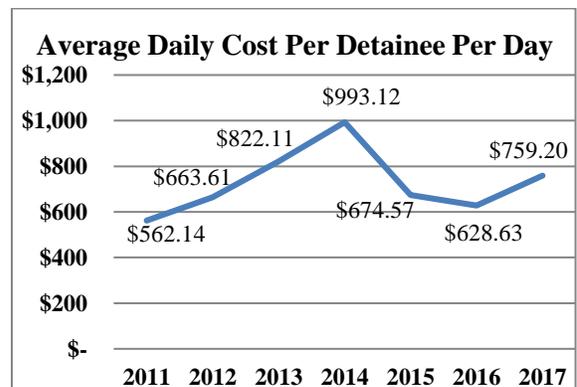
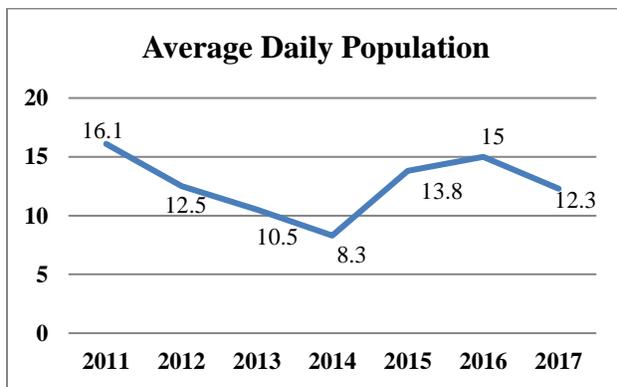
APPROACH

- The Grand Jury reviewed the information and data in its 2014-15 report, “Marin County Juvenile Hall: A Time for Change.”
- The Grand Jury interviewed personnel from the probation department and a member of the Board of Supervisors.
- The Grand Jury toured Juvenile Hall.

DISCUSSION

This report addresses the future costs of juvenile detention in Marin County. The State of California requires that juvenile detention services be provided by each county. Facilities are required to meet state Title 15 standards in staffing and services, with no regard to population size.

This problem is actually a success story. Many diversion and law enforcement programs have produced the desired outcome. The number of youth held in Marin Juvenile Hall has been reduced from an Average Daily Population of 30 in 2005, to 16 in 2011, and to 9 in 2014.



Juvenile Hall was designed and built with a capacity of 40 in the 1960s. Today, it is considered out-of-date and unnecessarily expensive to operate. Line-of-sight issues, for example, result in higher staffing levels than would be required in a modern facility. The physical design of newer facilities allows for better staff-to-youth ratios. The combination of low population and high costs results in an extremely high cost per detainee, per day.

The average daily cost per detainee has remained between \$600 and \$800 since 2011. The 2014-15 Grand Jury found that contracting with a neighboring county would cost less than \$200 per detainee, per day.

The Board of Supervisors Declined to Act

In 2015, the Board of Supervisors declined to act on the Grand Jury's recommendations, raising the following concerns, each of which will be discussed:

- Mental health services should be equal to those provided in Marin.
- Other counties have not shown interest in collaborating through informal inquiries.
- Transportation could become a burden on police and probation departments.
- Access to family and legal counsel could be impacted.

Marin Juvenile Hall maintains a very high standard of care of incarcerated youth. All Title 15 mandates are met, while some standards are exceeded. The same level of service could be guaranteed through the terms of a contract with another county. Marin would dictate terms in the contract and the other county would either demonstrate adherence to the standards or lose the contract. These terms should include quantifiable targets in the areas important to Marin, such as mental health services and recidivism.

Marin is not the only county that can provide adequate healthcare, mental healthcare, or any other services. Additionally, there are certain services that may be better in other counties. For example, Marin has too few Spanish-speaking correctional officers to have one per shift. Some shifts have no staff members with Spanish-language skills supervising detainees who speak only Spanish. Other counties require language skills on every shift. Spanish speakers would be better served in one of those counties.

In 2015, the Board of Supervisors asserted that Napa and Sonoma counties were not interested in housing Marin's juveniles. This conclusion was entirely based on informal inquiries between colleagues. While perhaps somewhat informative, it was not an adequate procedure for determining interest. Rather than an informal inquiry of Napa and Sonoma, Marin County should develop a request for proposals (RFP) and solicit responses from all neighboring counties through formal channels. Other counties are experiencing similar issues of low population and high cost and some may consider multi-county contracts as a solution to these pressures, even if they have not considered this type of solution in the past. Some counties, including both Napa and Sonoma, have built new centers for juvenile detainees, increasing cost pressures and creating a potential incentive to partner with neighboring counties.

As an alternative, Marin County could consider accepting contracts to house detainees from other counties. A regional facility that included two or more counties could be located in Marin. One of the 2014-15 Grand Jury recommendations was to redevelop the property to meet current county needs. Contracting to accept out-of-county detained youth at Juvenile Hall could help provide funds needed for redevelopment, and that redevelopment would include a smaller and smarter Juvenile Hall as well as facilities for other Marin County needs.

The third objection stated in 2015 was that transportation would be too burdensome when detainees are housed in a neighboring county. Specifically, it was suggested that access to legal counsel and personal visitors could be impacted. It is true that transportation would be a major concern in any plan and the cost of staff time must be considered. However, keeping Juvenile

Hall fully operational requires far more staff. The facility has 21 full-time employees and nearly as many temporary employees. Compared to even daily trips by multiple departments, the staff costs would be substantially lower than that incurred by Juvenile Hall.

It was further noted that these personnel costs would be distributed to other divisions within the probation department or even to other law enforcement agencies, perhaps unfairly. The departments impacted could easily be made whole simply by redirecting resources or through a system of reimbursements.

Personal visitors are only allowed twice per week, one hour each time, for a total of two hours per week. The reasons for the limited number of visiting hours are beyond the scope of this report but the point remains that visitors already have very limited access to incarcerated youth. Transportation of visitors could be easily considered in any regionalization plan.

The Board of Supervisors must recognize that the Juvenile Hall facility is aging and nearing obsolescence. The success of the diversion programs has resulted in reducing the population, rendering the facility too large. The time is now right to consider these cost-saving measures.

FINDINGS

- F1. Alternatives to juvenile detention continue to produce positive results in Marin.
- F2. The average census at Marin Juvenile Hall has remained low.
- F3. Marin Juvenile Hall is an aging facility.
- F4. Marin spends between \$600 and \$800 per day, per incarcerated youth.

RECOMMENDATIONS

- R1. The Board of Supervisors should solicit input from the public regarding the future of Marin's juvenile detention services and the Juvenile Hall property within three months of receipt of this report.
- R2. The Board of Supervisors should conduct a formal Request for Proposal (RFP) process with all neighboring counties to determine interest in sharing juvenile detention services and facilities within six months of receipt of this report.
- R3. The Board of Supervisors should commission a study to determine the highest and best use of the entire Juvenile Hall property within three months of the conclusion of the RFP process.

REQUEST FOR RESPONSES

Pursuant to Penal code section 933.05, the grand jury requests responses as follows:

From the following governing body:

- County of Marin (R1 - R3)

The governing body indicated above should be aware that the comment or response of the governing body must be conducted in accordance with Penal Code section 933 (c) and subject to the notice, agenda and open meeting requirements of the Brown Act.

The Grand Jury invites the following individual to respond:

- Chief Probation Officer, Marin County Probation Services (R1 - R3)

Note: At the time this report was prepared information was available at the websites listed.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.