

1998-99 Grand Jury

## INTRODUCTION

The Law & Justice Committee reviewed conditions and management of the jails within the County, as mandated by Penal Code section 919. During the 1998-1999 term, the Committee investigated the overcrowding at Juvenile Hall, the management of Oakland City Jail and the Juvenile Justice & Delinquency Prevention Commission.

Also under the provision of State Penal Code section 919(b), the Law & Justice Committee surveyed local police departments to assure that minors are being detained in compliance with State regulations. Those police departments which were contacted appear to be in compliance.

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## JUVENILE HALL

The 1998-1999 Grand Jury conducted an on-site visit to the Alameda County Juvenile Hall and was concerned with the problem of overcrowding. Overcrowding which has existed periodically since 1986, appears to be getting worse, and has reached crisis proportions.

The Grand Jury conducted numerous interviews and had multiple contacts with the County Probation Department, Juvenile Court Judge, the State Board of Corrections (the agency responsible for standards for Juvenile Halls), County General Services Agency, and the Board of Supervisors. Correspondence, reports and records were reviewed.

Overcrowding has grave and far-reaching consequences for the County: diminished community safety, a vulnerability to legal action and adverse effects on the health and safety of staff and detainees. The situation may well become unmanageable.

To respond to this situation, the Board of Supervisors approved the construction of a new facility. This application for a grant from the State Board of Corrections for funding was denied. The Grand Jury urges that the Board of Supervisors remain firm in its commitment to provide a new Juvenile Hall facility, and pursue alternative means of funding.

Only by building the full 540-bed facility will the overcrowding problem at Juvenile Hall be relieved. Partial construction will not solve the ongoing and ever-worsening problems at the present facility.

**RECOMMENDATION 99-31:**

*That the Board of Supervisors continue to pursue completion of a 540-bed Juvenile Hall facility.*

**RECOMMENDATION 99-32:**

*That the Board of Supervisors establish a working committee consisting of a member of the Board, the Chief Probation Officer, the County Administrator, the Director of General Services, and a facilitator/correctional consultant.*

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## JUVENILE JUSTICE COMMISSION

The Grand Jury received complaints concerning the ineffectiveness of the Juvenile Justice Commission. The Law & Justice Committee interviewed past and present members of the commission, and reviewed the provisions of the Welfare and Institutions Code sections 225-236 as well as minutes of 1997-1998 meetings.

The W&I Code mandates the establishment of a Juvenile Justice Commission in each county. Members are appointed by the Juvenile Court and/or the Presiding Judge of the Superior Court and are answerable to the Court.

Under the same code, a county may, but is not required to, create a Delinquency Prevention Commission to assist the Chief Probation Officer in preventing delinquency. Members of the Delinquency Prevention Commission are appointed by and are answerable to the Board of Supervisors.

In the early 1990's, the Juvenile Justice Commission and the Delinquency Prevention Commission were merged, partly for cost-saving reasons and partly at the suggestion of the 1991-1992 Grand Jury. Unfortunately, the merger can hardly be deemed successful. The Commission usually does not have a quorum and does little, except to complete its medical inspection of Juvenile Hall. Minutes are not always kept, nor are they all on file. Some members are habitually absent. It is not possible to appoint action committees because there is not enough interest or commitment of time on the part of the Commissioners.

The Grand Jury finds that combining the two commissions has not improved the function of the Juvenile Justice Commission. In fact, the situation has worsened. The Commission has not followed its own guidelines. The Commission has not come forward and

publicly supported the construction of a new Juvenile Hall. It has not availed itself of the reporting formats developed by the Board of Corrections for actions such as evaluating probation placement facilities. Nor has the Commission looked into the findings of the 1997-1998 Grand Jury concerning the many complaints by staff regarding the administration of the Probation Department.

The Grand Jury believes that the Commission should not only participate in these activities but that it should also fulfill the twelve responsibilities listed in the Juvenile Justice Commission's Operating Procedures and Responsibilities guidelines (See Exhibit A.) These guidelines clearly spell out the role of the Juvenile Justice Commission in setting policy, acting as an advocate and assuring that the Probation Department and Juvenile Hall are well administered. The Grand Jury finds, further, that the Commission is incapable of completing these tasks under its present structure.

**RECOMMENDATION 99-34:**

*That the Alameda County Juvenile Justice Commission be separated from the Delinquency Prevention Commission and be staffed by the Alameda County Court Administrator's Office.*

**RECOMMENDATION 99-35:**

*That the Presiding Judge of the Alameda County Juvenile Court give specific charges, both annually and on an ad hoc basis, to the Juvenile Justice Commission.*

**RECOMMENDATION 99-36:**

*That the Presiding Judge of the Alameda County Juvenile Court assure that the Juvenile Justice Commission has a membership capable of carrying out the responsibilities of its office.*

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**EXHIBIT A - EXCERPT FROM JUVENILE JUSTICE COMMISSION OPERATING PROCEDURES  
AND RESPONSIBILITIES**

The following reports and recommendations are required:

1. The results of the Commission's inspection of any jail or lockup shall be reported in writing to the Juvenile Court of Alameda County and to the California Youth Authority. Included in such report shall be recommendations based upon the inspection.
2. After conducting an investigation in pursuance of its duties, the Commission may recommend to any person charged with the administration of any of the provisions of the Juvenile Court Law, such changes as it has concluded will be beneficial.
3. The Commission may publicize its recommendations.

**COMMISSION RESPONSIBILITIES**

The Juvenile Justice Commission of Alameda County has extended its responsibilities to include:

1. Advise the Presiding Judge and the County Probation Officer on broad policies for the operation of Juvenile Hall as well as all youth facilities administered by the Probation Department.
2. Advise and assist in the setting of standards, preparation and presentation of budgets and development of juvenile programs.
3. Visit, observe and evaluate the youth facilities of the Probation Department, as well as those used by the Department.
4. Serve in the role of interpreter between the Probation Department and the public.
5. Lead in the development of needed personnel, services and youth facilities for the Probation Department; and in the development of casework, out of home care, diagnostic and treatment resources outside the Department.
6. Propose legislative changes.

7. Raise funds and solicit assistance from the community for special projects designed to benefit the Juvenile Justice Programs.
  8. Coordinate work with regional and State Commissions.
  9. Advise the Alameda County School District on educational programs conducted at juvenile hall facilities.
  10. Recruit and educate members of the Commission regarding the juvenile justice system.
  11. Coordinate efforts of community, non-profit and private groups involved in juvenile programs with the work of the Probation Department.
  12. Work with the Probation Department in conducting and interpreting studies on effectiveness of programs for juveniles.
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