

1999-2000

INTRODUCTION

During the 1999-2000 term, the Law and Justice Committee investigated four areas: the Probation Department, the racial composition of police agencies in Alameda County, the Juvenile Justice/Delinquency Prevention Commission, and the Oakland City Jail. In examining the Probation Department, the Committee looked into complaints regarding the Chief Probation Officer's management of the department; the Probation Department's communication and coordination with schools, especially Oakland public schools; the effectiveness of two special programs funded by a challenge grant – Community Probation and the Reaffirming Young Sisters' Excellence program; the condition of Juvenile Hall; and a complaint regarding the supervision of juvenile detainees in the Juvenile Hall school.

The Committee and the Grand Jury interviewed or heard testimony from the Alameda County Sheriff, members of the Alameda County Board of Supervisors, the Alameda County Chief Administrative Officer, representatives of the Alameda County General Services Agency, the Oakland Chief of Police, the Alameda County Chief Probation Officer, deputy and assistant probation officers, school principals, vice-principals, school district superintendents and Juvenile Justice Commissioners. The Grand Jury visited the Alameda County Juvenile Hall, as well as Camp Sweeney. The Grand Jury also visited the Oakland City Jail and Santa Rita County Jail.

PROBATION DEPARTMENT

The Alameda County Probation Department is supervised by the Presiding Judge of the Alameda County Juvenile Court. This judge is selected by the Presiding Judge of the Superior Court. The Presiding Juvenile Court Judge typically serves a two to four year term. The current Presiding Juvenile Court Judge has held this position since January 2000. The County Board of Supervisors oversees the Probation Department budget but has no authority to set policy or supervise

the Chief Probation Officer or any other Probation Department employee. The Presiding Juvenile Court Judge can terminate the Chief Probation Officer for cause.

Prior Grand Juries have received many complaints about the conduct of the Chief Probation Officer. Most have dealt with the Chief Probation Officer's management skills. The Grand Jury continued to receive complaints of this nature during the current term. Examples include: berating deputy probation officers publicly, abrupt transfers of deputy probation officers to different assignments or shifts after making minor complaints, and micro-management of day-to-day duties. The complaints paint a picture of a Chief Probation Officer who tolerates no dissent, makes punitive transfers, and who does not adequately recognize or reward good work.

This lack of management skill has resulted in the retirement of many experienced deputy probation officers, low morale, and employees who work in fear of punitive actions. As a result, some deputy probation officers have accepted similar positions in other counties. Past evaluations of the Chief Probation Officer's performance have recognized these problems. Prior Grand Jury reports have made recommendations designed to address them as well.

The 1998-1999 Grand Jury recommended that the Superior Court and the Juvenile Justice/Delinquency Prevention Commission retain a management consultant to "define responsibilities and proper management objectives for the Chief Probation Officer." The report further recommended that the Juvenile Justice/Delinquency Prevention Commission and the Presiding Juvenile Court Judge monitor the development of these objectives to make certain they were carried out.

The Chief Probation Officer responded to the 1998-1999 Final Report by concurring with the recommendations. The Chief Probation Officer agreed to participate in counseling and

training to improve interpersonal relations with staff. The Chief Probation Officer welcomed the hiring of a consultant to develop goals and objectives for the department, define responsibilities and proper management objectives and to develop remedial strategies.

The 1998-1999 Grand Jury obtained an agreement from the then-Presiding Juvenile Court Judge and the Chief Administrative Officer of the Superior Court to hire a management consultant to develop performance criteria and establish evaluation standards. The Grand Jury and the then-Presiding Juvenile Court Judge agreed that those standards and evaluation criteria would be used to conduct a review of the Chief Probation Officer's performance. The Superior Court contracted with a consultant to develop the standards. The Grand Jury is concerned that to date no standards have been developed by the consultant. The Grand Jury urges that the consultant develop the standards and that the evaluation process begin as soon as possible.

The 1999-2000 Grand Jury invited the current Presiding Juvenile Court Judge to meet with the Grand Jury to discuss issues related to the Chief Probation Officer's management approach, the continuing complaints from Probation Department employees and whether low morale resulting from the Chief Probation Officer's management style adversely affects the Department's ability to deliver needed services. The Presiding Judge of the Juvenile Court declined the Grand Jury's invitation to appear.

Repeated calls for the Chief Probation Officer to take steps to improve her relations with Probation Department employees have produced no visible results. Rather, the complaints continue.

Past Presiding Juvenile Court Judges have taken steps to exercise their supervisory authority over the Chief Probation Officer. Two of the last four Presiding Juvenile Court Judges

conducted performance evaluations of the Chief Probation Officer. The third agreed to hire a human relations consultant to develop management standards and provide a framework for future evaluations. The fourth Presiding Juvenile Court Judge has held the position since January. However, these steps have not produced any change in the Chief Probation Officer's management approach. Morale among department employees remains low. With turnover in the position of Presiding Juvenile Court Judge, any continuity in supervision is lost.

RECOMMENDATION 00-01:

That the Alameda County Board of Supervisors take immediate and appropriate action to change the supervision of the Chief Probation Officer from the Court to the Board of Supervisors, as exists with all other appointed Alameda County department heads.

RECOMMENDATION 00-02:

That the Alameda County Probation Department and the Alameda County Board of Supervisors request a performance audit of the Alameda County Probation Department, conducted by appropriate State or Federal agencies.

RECOMMENDATION 00-03:

That the Chief Probation Officer continue to participate in counseling and other training designed to improve interpersonal relations with staff and to eliminate the behavior that generates complaints of poor management.

CHALLENGE GRANT

An \$8.9 million Challenge Grant was obtained from the California Board of Corrections in 1997. This three year grant was designed to provide funds to the County Probation Department for programs such as Community Probation and the Reaffirming Young Sisters'

Excellence programs. The grant was scheduled to expire in June 2000, but it has been extended for an additional year.

This committee focused on the effectiveness of the Community Probation program. The committee interviewed all four community probation officers, the director of the community probation program, the director of Juvenile Services and the Chief Probation Officer. The community probation officers are randomly assigned cases within designated zip codes. Under this program, caseloads are limited to 40. Field probation officers often carry over 100 cases. Lower caseloads allow these probation officers to provide closer supervision and are beneficial to both probation officers and the youths. Probation officers could spend more time with each child if additional staff or clerical support were available.

RECOMMENDATION 00-04:

That the Probation Department continue and expand the Community Probation and Reaffirming Young Sisters' Excellence programs.

RECOMMENDATION 00-05:

That the Probation Department hire interns to help reduce the probation officer's clerical demands.

REAFFIRMING YOUNG SISTERS' EXCELLENCE PROGRAM (R.Y.S.E.)

The Probation Department operates the Reaffirming Young Sisters' Excellence program, under the auspices of the Challenge Grant. The program recently received a very prestigious award, the National Public Service Excellence Award 2000.

Although the program provides valuable services and is staffed by dedicated probation officers, there are administrative problems. Probation officers working in this program are supposed to be available to their probationers on a 24 hour basis. Interns who provide much needed assistance to probation officers, and whose use would reduce overtime, were eliminated from the program; a few have been rehired.

Probation officers are expected to seek free office space in the community. As a result, many probation officers do not have adequate work space. In addition, probation officers are asked to use their personal cars to transport probationers and many times are not compensated for that personal car use. There are potential security issues which arise from probationers being transported in this manner.

RECOMMENDATION 00-06:

That the Probation Department publish and disseminate current policies on overtime and use of personal cars consistent with Federal and State law.

RECOMMENDATION 00-07:

That adequate office space, support personnel (such as interns) and County vehicles be made available.

JUVENILE HALL

The Grand Jury visited the Alameda County Juvenile Hall, as well as Camp Sweeney. The Grand Jury noted the cleanliness of Juvenile Hall. Juvenile Hall sits on or very near an earthquake fault. This Grand Jury, like others before it, remains concerned about the condition of the building, the overcrowding of the facility, and the lack of a mental health unit. Overcrowding presents risks to the community as well as to the juveniles.

The Grand Jury conducted numerous interviews and met with representatives of the County Probation Department, the County General Services Agency, the County Administrator, and the Board of Supervisors.

The Board of Supervisors previously approved the construction of a new facility, but the County has been unsuccessful in its efforts to obtain grant money to proceed with construction. The Grand Jury urges the Board of Supervisors to remain firm in its commitment to provide a new Juvenile Hall facility and continue in efforts to obtain funding. Consideration should not be given to remodeling the existing facility. The problem of overcrowding will only be resolved through the building of a full 540 bed facility.

The Grand Jury has been advised that the County Administrator's office has let bids for value engineering of the present site of Juvenile Hall and that such work is to be completed by December 2000. That work will include a seismic evaluation aimed at pinpointing earthquake fault traces at the site. Design phase is expected to be completed by the Fall. While awaiting the seismic evaluation, efforts at lobbying the legislature for financing the project will take place. The Grand Jury urges the County Administrator's office to move with all deliberate speed to bring this matter to fruition.

RECOMMENDATION 00-08:

That the County Administrator's office proceed quickly to finalize its Juvenile Hall plans and present funding options to the Board of Supervisors.

RECOMMENDATION 00-09:

That the Board of Supervisors obtain required funding and continue to pursue completion of a 540-bed Juvenile Hall facility.

JUVENILE HALL SCHOOL

This committee learned that a decision was made by the Alameda County Probation Department to move counselors, who had previously been inside the classrooms at the Juvenile Hall, to assigned stations outside of the classrooms. One counselor is assigned to two classrooms. Concern was expressed by school personnel that removing the counselors leads to less control within the classroom and subjects the teacher (and potentially the students) to safety risks. This issue was discussed with representatives of the school and the Probation Department.

The Grand Jury was advised that the Director of Juvenile Hall would track all incidents in the classroom for a 90 day period beginning March 20, 2000. Upon completion of the 90 day period, the Director of Juvenile Hall will analyze the data, compare it with incidents in the classroom when group counselors were present in the classroom and make a recommendation to the Chief Probation Officer.

RECOMMENDATION 00-10:

That the outcome of the analysis and comparison of data by the Director of Juvenile Hall be provided to the 2000-2001 Grand Jury.

RECOMMENDATION 00-11:

That the Chief Probation Officer review the recommendations of the Director of Juvenile Hall and, if it is determined that incidents have increased since the counselors were removed from the classrooms, the Chief Probation Officer take prompt action to restore counselors in the classrooms.

**RACIAL COMPOSITION OF THE ALAMEDA COUNTY SHERIFF'S DEPARTMENT,
SANTA RITA JAIL, AND THE POLICE DEPARTMENTS OF ALAMEDA COUNTY**

An inquiry was made into the ethnic composition of law enforcement agencies in Alameda County. Racial/ethnic statistical reports were obtained from all law enforcement agencies and compared to the latest racial/ethnic report for Alameda County. The comparison of the reports suggests the ethnicity of the police agencies, in most cases, reflects the racial/ethnic make-up of Alameda County.

OAKLAND CITY JAIL

The Grand Jury toured the Oakland City Jail and found the jail to be well maintained. The conversion of a "safety cell" in the women's jail to a detoxification cell is in progress, but has hit several snags. A new cell which complies with the Americans with Disabilities Act will be completed soon. The building of this cell will occupy more space than anticipated; therefore, the State-mandated 60 square feet requirement for the detoxification cell could not be met.

The Oakland Police Department applied to the State Board of Corrections for a waiver of the 60 square foot requirement. The waiver was approved and there are plans to complete the project. The original cost estimate was \$15,000. The bid was for \$40,000. The Oakland Police Department and the Public Works Agency are in negotiations with the contractor.

JUVENILE JUSTICE/DELINQUENCY PREVENTION COMMISSION

Last year's Law and Justice Committee investigated the Juvenile Justice/Delinquency Prevention Commission. The committee made several recommendations for improvement in

administrative staffing, membership and commission responsibility. None of the Grand Jury's recommendations were adopted.

This year's committee sought a better understanding of the role and work of the Juvenile Justice/Delinquency Prevention Commission. All of the current and resigned commissioners appeared before or provided input to the Grand Jury. The committee reviewed the California Welfare and Institutions Code as it applies to Juvenile Justice commissions throughout the state to determine if the Alameda County Juvenile Justice/Delinquency Prevention Commission met the required responsibilities.

The Commission has two separate functions. The first is to inspect publicly administered institutions such as Juvenile Hall, county homes, camps, etc. The California State Board of Corrections provides that inspection reports be forwarded to it within thirty days after completion of the inspection. The inspection reports should be submitted simultaneously by the Commission to the Board of Corrections and the Presiding Juvenile Court Judge. The second function adopted by the Alameda County Juvenile Justice/Delinquency Prevention Commission is to encourage prevention of juvenile delinquency and to investigate the administration of Juvenile Court Law.

The committee found that the 1999 Commission was diligent in its inspections of public facilities. Additionally, the Commission supported the construction of a new Juvenile Hall. The Commission heard detailed reports on the status of the Probation Department, Juvenile Hall, Camp Sweeney, grants funding, budget, and programs provided by community-based organizations. Commission meeting minutes indicated that there were several requests for follow-up information on programs, but no indication of any action.

The committee heard evidence of dissatisfaction with the actions and management of the Commission when five of the nine Commissioners resigned after the March 2000 meeting. Four of the commissioners who resigned complained about the effectiveness of the Commission and repeated interference in the business of the Commission by the Presiding Juvenile Court Judge and the Chief Probation Officer. As an example, the four former commissioners said the Presiding Juvenile Court Judge and Chief Probation Officer requested that the Commission submit inspection reports to them, prior to their submission to the Board of Corrections.

The resigned commissioners did not support the request. Four of the former commissioners believed that the integrity of the Commission reports and the independence of the Commission would be compromised if the Presiding Juvenile Court Judge reviewed the reports prior to submission to the Board of Corrections. The code provides for prior review of inspection reports when facility conditions pose a danger to its residents or when a law is violated. In those circumstances, the commission would submit the report to the violating agency, the Presiding Juvenile Court Judge and the Chief Probation Officer for immediate action.

The Grand Jury found that opinions vary about the role of the Commission. The resigned commissioners viewed the Commission as an entity independent of the Probation Department. The remaining commissioners regard themselves as an advisory body that works in collaboration with the Probation Department and the Juvenile Court. This committee found that the role of the Chief Probation Officer and the Commission must be clearly defined before new members are added.

The Welfare and Institutions Code provides that the Juvenile Justice Commission should include not less than seven and no more than fifteen members. A term of service is four years and there are no limits to the number of terms a Commissioner may serve. Reappointments are made by the Presiding Judge of the Superior Court with the concurrence of the Presiding Juvenile Court

Judge. It should be noted that, of the remaining four Commissioners, two have served on the Commission for twenty years, and one has served for ten years.

Over the past two years there was a consistent lack of attendance at monthly meetings. Typical attendance averaged from four to eight commissioners. New Alameda County Juvenile Justice/Delinquency Prevention Commission guidelines, adopted in January 2000, address unexcused absences and recommend procedures for removal of commissioners who miss more than three consecutive meetings without excuse.

The nomination process for new commissioners needs structure. Currently, members of the Commission and the Presiding Juvenile Court Judge make recommendations to fill vacancies. In the past, Superior Court Judges, as well, have been asked to submit nominees. This process has led to charges of cronyism and divisiveness. Openings should be published so that interested citizens can submit applications for consideration by the Court. The Commissioners are aware of the under-representation of all cities in Alameda County. They are actively recruiting candidates that better reflect the population of Alameda County with regard to age, sex, ethnicity, etc.

The Commission continues to operate without a dedicated administrative staff. The Chair intends to include staff support in the Commission's current budget proposal to the Board of Supervisors. The independence of the Commission should not be compromised by the use of in-house clerical staff that reports to the Chief Probation Officer.

RECOMMENDATION 00-12:

That the Commission expand its selection process to provide demographic and geographic representation that reflects the citizens of Alameda County.

RECOMMENDATION 00-13:

That the Commission submit inspection reports directly to the Board of Corrections, with simultaneous submission to the Presiding Juvenile Court Judge.

RECOMMENDATION 00-14:

That the Board of Supervisors provide funding to the Commission for independent administrative support.

RECOMMENDATION 00-15:

That the commission fill all vacancies to the maximum number of fifteen commissioners as soon as possible.

RECOMMENDATION 00-16:

That the commission limit the number of terms each commissioner can serve.

PROBATION DEPARTMENT AND LOCAL SCHOOL DISTRICTS

The Law and Justice and Education Committees investigated the relationship between the Alameda County Probation Department and local school districts. Since most youth on probation should be attending school, the Grand Jury looked into how the Probation Department works with Alameda County school districts. The Grand Jury heard from the Chief Probation Officer, other Probation Department administrators, deputy probation officers, school district superintendents, principals, vice-principals, the Chief of the Oakland Unified School District Police, and the Mayor of the City of Oakland. The joint committee surveyed every school district in the County regarding their relationship with the Probation Department.

During the course of this investigation, the California Attorney General, Bill Lockyer, published a report, Sworn Peace Officers on California High and Middle School Campuses. The report highlighted positive experiences in Sacramento County high schools. There, in a cooperative program between the school district and probation department, a deputy probation officer was assigned to each high school campus. The report detailed a number of benefits – probation officers more closely supervised their probationers and were more quickly alerted to problems through immediate reports of truancy or failing class work. Furthermore, probation officers functioned as an addition to the high schools. Many taught classes and, through their full-time presence on campus, were able to develop positive relationships with troubled or at-risk students who were not on probation. Attorney General Lockyer has made it a priority to develop effective collaborations between law enforcement agencies and school systems to address school violence and to prevent juvenile crime.

During the joint investigation, the committee was told that the primary function of the Probation Department, as it relates to juvenile offenders, is law and justice. From the context of these remarks, we have concluded that this refers to custody and control. The Probation

Department has programs that address issues relating to custody and control. However, the joint committee believes efforts should be directed toward rehabilitating youth on probation. In a report dated March 15, 1997, Juvenile Justice Local Action Plan, submitted by the Alameda County Multi-Agency Juvenile Justice Coordinating Council, (Chair: Sylvia Johnson, Chief Probation Officer) the recidivism rates for Alameda County youths 16 years old and younger are noted as being extraordinarily high. This report, based on 1995 data, contains the latest available statistics on recidivism. It highlights the need for a focus on rehabilitation. (see EXHIBIT A, attached)

Our investigation found that little coordination exists between the Probation Department and Alameda County schools. Although Oakland has the largest population of school age youth on probation, survey results indicate that it has the least amount of communication and coordination with the Probation Department. For example, few mechanisms exist to notify schools that students have been placed on probation or have had their probation reviewed. The Juvenile Court routinely notifies the superintendent of schools; it is the responsibility of the superintendent to convey that information to the individual school site. Some Oakland schools are occasionally notified that a student has been placed on probation. Most schools receive this information on an "ad hoc" basis, through notification by the student, parent, or occasionally, by the Probation Department or Court.

A comprehensive approach is needed to reduce violence by youth on probation, to reduce and monitor truancy, to give schools the opportunity to counsel and provide services, and to notify Probation Department staff of potential problems. It is essential that classroom teachers and support staff be informed that a youth is on probation so that they can respond in a timely and appropriate manner. Truancy or erratic school attendance is often a clear indication of a student in need of closer supervision. There is consensus that the earlier the intervention, the greater the likelihood of real rehabilitation. Without being properly informed, the school staff is not in a position

to respond to student needs. In Oakland, an additional constraint is the grossly inadequate number of counselors in the high schools; current ratio is approximately one counselor to every 500 students.

In the course of its investigation, the joint committee heard testimony which confirmed that juvenile probation officers frequently supervise in excess of one hundred youth. Such large caseloads inhibit their ability to provide the guidance which might make a difference in the life of a juvenile offender. Some probation officers, who work in the Community Probation and Reaffirming Young Sisters' Excellence programs, funded by a Challenge Grant, supervise fewer than forty youths. While the Probation Department's obtaining of grant funding is laudable, more needs to be done to reduce caseloads for juvenile probation officers.

Communication between school staff and probation officers can provide an effective early warning that a youth needs closer supervision and additional services. Examples of troublesome behavior include truancy, poor grades, and disruptive behavior in the classroom and on campus.

The joint committee also found that little coordination exists between the Probation Department and community-based organizations. These organizations, which exist to provide services for at-risk youth and their families, report limited meaningful interaction with the Probation Department.

Creative partnerships with probation departments have been formed in other school districts, where effective programs were developed to work with at-risk juveniles, including those not on probation. Unfortunately, schools in Oakland experience little in the way of institutional communication or collaboration between agencies. Although on an informal basis, information and

resources are sometimes shared. The schools and the Probation Department do not envision themselves as part of one team. Each agency attempts to individually respond to problems of juvenile offenders and at-risk students with limited funding and innovation.

RECOMMENDATION 00-21:

That the Probation Department seek authority to transmit electronically an updated list of youth on probation to each Alameda County school superintendent on a weekly basis.

RECOMMENDATION 00-22:

That the Probation Department seek authority to transmit electronically an updated list of youth on probation to the principals of each affected Alameda County school on a weekly basis.

RECOMMENDATION 00-23:

That all Alameda County school superintendents require principals to disseminate the identity of students on probation to counselors, vice principals, and others, as appropriate.

RECOMMENDATION 00-24:

That the Superintendent of the Oakland Unified School District hire additional counselors in the high schools.

RECOMMENDATION 00-25:

That the Probation Department pursue the Challenge Grant model which provides for a caseload of fewer than forty probationers per deputy probation officer.

RECOMMENDATION 00-26:

That the Probation Department immediately initiate a program to place full-time deputy probation officers on all Alameda County school campuses with more than 100 students on probation.

RECOMMENDATION 00-27:

That the Probation Department expand its relationship with community-based organizations to coordinate and deliver services to the youth it supervises.

RECOMMENDATION 00-28:

That the Chief Probation Officer meet with the superintendent of each school district in Alameda County to develop and coordinate collaborative programs that serve youth on probation.

RECOMMENDATION 00-29:

That the Board of Supervisors contract with an outside agency to conduct a performance audit of the Probation Department to ascertain recidivism and program success rates amongst juvenile offenders attending Alameda County schools.

RESPONSES REQUIRED:

Board of Supervisors	Recommendations 00-25 through 00-29
County Administrator's Office	Recommendations 00-21 through 00-23, Recommendations 00-25 through 00-27 and Recommendation 00-29
Chief Probation Officer	Recommendations 00-21, 00-22 and Recommendations 00-25 through 00-29
Alameda County Superintendent of Schools	Recommendations 00-21 through 00-23
Superintendent, Oakland Unified School District	Recommendations 00-21 through 24, Recommendation 00-26 and Recommendations 00-28 and 00-29
All Alameda County School Superintendents	Recommendations 00-21 through 00-23, Recommendation 00-26 and Recommendations 00-28 and 00-29

Alameda County Probation Department

JUVENILE JUSTICE LOCAL ACTION PLAN

Submitted by:

Alameda County Multi-Agency Juvenile Justice Coordinating Council

Chair: Sylvia Johnson, Chief Probation Officer
Alameda County Probation Department
405 Broadway
Oakland, California

March 15, 1997

Alameda County Juvenile Justice Local Action Plan

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Table 13: Intervention Outcomes for Youth 16 Years and Younger at Time of Referral

	Total Cases	Recidivism*	Recidivism Rate (%)
Cases without court disposition			
Closed after investigation	2,151	1,057	49.14%
Informal Supervision	706	590	83.57%
Diversion	1,635	511	31.25%
Other	608	434	71.38%
Cases with Court Dispositions			
Formal Supervision	913	564	61.77%
Placement	601	430	71.55%
Camp Sweeney	96	71	73.96%
CYA	49	6	12.24%
Transferred out-of-county	137	49	35.77%
Transferred to adult court	2	1	50.00%
Court Informal Probation	135	61	45.19%
Dismissed	517	379	73.31%
Other /	8	4	50.00%
TOTALS	7,558	4,157	55.00%

*Recidivism defined as at least one referral within a 12 month period

"EXHIBIT A"

RECOMMENDATION 00-32:

That the Director of Social Services report to the Board of Supervisors the receipt of every employment discrimination complaint and continue to update the Board on the status of each investigation until the complaint is resolved.

**ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
BEHAVIORAL HEALTH CARE - CHILD AND YOUTH SERVICES**

The Committee investigated the status of coordinated services to the county's at-risk youth. An official of the Behavioral Health Care Services, Child and Youth Services advised that the agency is currently implementing a comprehensive program for expansion and easing of the delivery of mental health care services for youth in Alameda County. In this connection, they have started a much needed youth drug and alcohol treatment program. They have also published the first comprehensive mental health care services resource directory.

Behavioral Health Care Services administers contracts with community-based providers and supplies mental health care services directly to allied agencies like the local school districts and Juvenile Hall. Behavioral Health Care Services often delivers contracted services at a cost less than the reimbursement rate paid by Medi-Cal or private insurers. Much of Behavioral Health Care Services' success is due to the fact that they pass the difference between the cost of the services provided and the reimbursement amount to the allied agency. In most cases this results in a positive return of funds. If an agency pays for the provided services when delivered or in advance, Behavioral Health Care Services reimburses the agency the amount of their payment plus any additional amount reimbursed by Medi-Cal or the private insurer. The Probation Department does not participate in this arrangement.

The Committee also learned of a problem that currently hinders delivery of comprehensive services by Behavioral Health Care Services. Hospitalized agency clients under the age of eighteen cannot receive psychotropic medication without approval from the Superior Court. This court oversight is not unique, but in many other counties, the chief medical officer or his designee gives approval for this medication. Officials of Children's Mental Health and a county supervisor have prepared a protocol to serve these youth in need. Last year progress was made on adopting the protocol. Recently, a rotation of judges in the Superior Court has slowed progress on the adoption of this protocol. The Committee hopes for a speedy resolution of this situation.

RECOMMENDATION 00-33:

That Behavioral Health Care Services Agency continue to implement and expand its plan for improvement.

RECOMMENDATION 00-34:

That the Chief Probation Officer and the Director of the Behavioral Health Care Services Agency meet to develop a cooperative plan that assures maximum delivery of services to youth on probation.