

Alameda County Probation Department:

*It Generally Addresses the Needs and Safety
of Juveniles, but It Must Tackle Problems With
the Juvenile Hall Facility and Improve Controls
Over Administration of Grant Funds*



May 2001
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May 10, 2001

2000-128

The Governor of California
President pro Tempore of the Senate
Speaker of the Assembly
State Capitol
Sacramento, California 95814

Dear Governor and Legislative Leaders:

As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning our review of the Alameda County Probation Department's (department) ability to meet the needs and safety of its probationers.

This report concludes that the department addresses the needs and safety of juveniles in its detention facilities. However, county residents may be at risk because the department does not have enough probation officers to properly supervise adults and juveniles on probation. Furthermore, while the State Board of Corrections and various county agencies adequately inspect the department's detention facilities, because of the age of Juvenile Hall, the department has elected not to incur the cost necessary to correct serious deficiencies identified during the inspections.

Finally, using federal and state grants, the department has enhanced services provided to at-risk youth. However, it does not have systems in place to measure the effectiveness of some of these services. Additionally, because of weak internal controls, the department cannot ensure that federal and state funds are properly spent.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

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SUMMARY

Audit Highlights . . .

Our review of the Alameda County Probation Department (department) revealed that:

- Vacant positions and the resulting high caseloads hinder probation officers' ability to meet with adults classified as maximum risk.*
 - Detention facilities are adequately inspected for safety; however, many serious deficiencies remain while the department seeks funding to build a new Juvenile Hall.*
 - Policy changes have reduced overcrowding at Juvenile Hall and reduced risks to minors working on community service projects.*
 - The department has established adequate planning and evaluation mechanisms for some programs but lacks similar tools to measure the effectiveness of other services.*
 - The department lacks adequate internal controls to ensure that state and federal funds are used appropriately.*
-

RESULTS IN BRIEF

The Alameda County Probation Department (department) generally addresses the needs and safety of juveniles in its detention facilities. However, it lacks enough probation officers to properly supervise adults and juveniles on probation in the community, so county residents may be exposed to increased safety risks. Vacant positions translate into higher caseloads for existing probation officers, who are then unable to meet monthly with many juveniles as well as adult probationers whom the department has ruled a threat to the community. Furthermore, although the department has a reasonable vacancy and turnover rate when compared with other county departments, its vacancies are likely to rise because much of its workforce is at or near retirement age and the hiring process has not kept up with attrition. A proposed change in retirement benefits for public safety employees may exacerbate this problem by accelerating the retirement plans of many current employees.

The California Board of Corrections (BOC) and various county agencies adequately inspect the department's detention facilities. However, determining that it would be more cost effective to replace than repair the existing facility, the department has elected not to incur the costs necessary to correct serious deficiencies identified during inspections of Juvenile Hall. For example, much of the facility lacks a complete fire detection and sprinkler system. Additionally, an environmental health consulting firm recently found asbestos and lead-based paint in many areas of the facility. Also, the facility lacks upgrades to ensure that detainees are protected adequately during a catastrophe such as an earthquake. The department recently requested funding from the BOC to replace Juvenile Hall, but because of the serious nature of these deficiencies, it needs a contingency plan should the BOC reject its latest request or it is unable to obtain the funds needed to supplement moneys provided by the BOC. Furthermore, due to the county office of education's failure to conduct inspections annually, detained juveniles may not be receiving adequate, consistent levels of educational instruction.

With the implementation of new policies, the department has successfully reduced the number of days that Juvenile Hall is overcrowded, thereby increasing the safety of detained probationers. To further address the safety issue, it has implemented changes to reduce risks to minors working on community service projects and ensures that probation officers are fit to work with juveniles.

The department used federal and state grants to enhance prevention and intervention services for at-risk youth and established two gender-based programs to provide intensive supervision to a select group of juvenile probationers: the Reaffirming Young Sisters' Excellence (RYSE) and Community Probation programs. It has established adequate planning and evaluation mechanisms to measure the success of these two programs but lacks similar systems to measure the effectiveness of a third grant-funded program and of traditional services such as investigating and supervising juvenile and adult offenders. For example, although the department has established performance measures for its traditional services during the annual budget process, it does not capture the data necessary to determine whether it achieves them and, as a result, cannot provide assurance that these programs meet the needs of the county's probationers.

Furthermore, the department uses weak internal controls to ensure that it spends state and federal funds appropriately. It contracts with community-based organizations to provide services to at-risk youth, therefore assuming oversight responsibility. However, it lacks adequate monitoring tools to ensure that the organizations receiving federal and state funds are providing adequate services and that grant funds are spent properly. The county auditor-controller also identified weaknesses in the department's controls over its grant-funded checking accounts. We are concerned about the department's ability to use grant funds appropriately because it lacks adequate procedures to substantiate expenditures made through these checking accounts. We also are concerned that the department may be placing some grant-funded services at risk.

RECOMMENDATIONS

To ensure that it does not compromise public safety and that it meets the needs of juveniles and adults on probation, the department should:

- In conjunction with the county human resources department, step up efforts to attract and retain deputy probation officers and to achieve the desired goal of meeting with probationers at least once a month.
- In conjunction with the county human resources department, develop a plan to address the potential effects of the increased retirement benefits for probation officers.
- Coordinate with the county office of education and stress the importance of performing its annual inspection.

The department also needs to obtain funding to replace Juvenile Hall or consider retrofitting the existing facility to address the deficiencies identified during annual inspections.

To ensure that it has the information necessary to make informed management decisions, the department should track and evaluate the performance data it submits as part of its annual budget.

To improve controls over its administration of state and federal funds, the department should:

- Perform periodic visits to ensure that community-based organizations receiving state and federal funds are using those funds properly and are meeting service delivery objectives.
- Strengthen internal controls, as recommended by the county auditor-controller.

AGENCY COMMENTS

The department concurs with the audit findings and agrees to implement our recommendations. ■

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INTRODUCTION

BACKGROUND

General County Characteristics

Alameda County, one of nine counties in the San Francisco Bay Area, is located on the east side of San Francisco Bay and extends from Berkeley and Albany in the north to Fremont in the south. Most of its population of 1.5 million is concentrated between the East Bay hills and the San Francisco Bay. Alameda County is one of the most ethnically diverse counties in California. According to 1990 census data, its population is 53 percent Caucasian, 17 percent African-American, 14 percent Hispanic, 15 percent Asian and Pacific Islander, and 1 percent other. Socially and economically, it ranges from the concentrated affluence of the Piedmont area to the long and persistent decline of the Oakland urban core.

A Probation Department's Role

The goal of probation is to provide an alternative to traditional incarceration by supervising juvenile and adult offenders in their communities. Probation differs from parole in that it is a condition of an offender's original court sentence. An offender can be sentenced to probation only or can be sentenced to jail time and probation. Probation officers, who are usually county employees, supervise offenders on probation. In contrast, parole is a condition of early release from prison, and parolees usually are supervised by federal or state parole officers.

California law requires the appointment of a chief probation officer for each county. In many counties, including Alameda, the presiding judge of the juvenile court appoints the chief probation officer.¹ Probation departments respond to both statutory and judicial mandates to provide services. Mandated services include investigation, supervision, and the operation of Juvenile Hall; most other services are provided at the discretion of the chief probation officer.

¹ In 1994, Alameda County amended its charter to have future chiefs, starting with the next chief probation officer, appointed by a majority of the judges of the superior court, with the approval of the county board of supervisors.

Many probation departments, including Alameda County's, have two classes of professional employees who provide direct services to probation clientele: deputy probation officers (probation officers) and group counselors. Probation officers investigate adult and juvenile defendants to help the courts determine whether probation should be granted and under what types of conditions. They also supervise juvenile and adult defendants who are placed on probation, assist the courts in making detention and sentencing decisions, and aid in the rehabilitation of defendants placed on probation. Group counselors supervise, counsel, and direct the activities of youths placed in county juvenile institutions.

Traditionally, probation departments have acted as an arm of the courts, investigating and supervising juveniles and adults convicted of an offense. In recent years, however, many probation departments have expanded this role to include an array of activities geared toward prevention, especially for juveniles. They have developed a variety of outreach programs to strengthen families, suppress gang activity and substance abuse, and create skill-building programs to help redirect offenders toward leading positive, crime-free lives. Usually, these programs have been created in collaboration with schools, health agencies, the courts, law enforcement agencies, social service agencies, and community-based organizations.

The Alameda County Probation Department

The Alameda County Probation Department (department) provides services to the courts, local governments, offender clientele, and residents of Alameda County. The department can be divided into three main service areas: juvenile field and institutional services, special programs, and adult services.

Juvenile Field and Institutional Services

The department provides probation and other related services to the county's juveniles and their families. In 1995 the California Department of Finance estimated that 139,000 youths ages 10 to 17 lived in Alameda County. In fiscal year 1998-99, the department supervised 2,700 juveniles. As previously mentioned, the department is required to investigate and supervise youths referred by the courts, and to operate Juvenile Hall. In addition to these services, it provides an array of discretionary services to the Alameda County juvenile population, including:

- Weekend Training Academy, an opportunity for juvenile probationers to perform supervised community service and to receive citizenship training instead of incarceration.
- Camp Wilmont Sweeney, a county-operated, nonsecure residential treatment facility for males from 15 to 18 years of age. The facility uses the normative model, a program emphasizing the importance of norms or social rules and expectations to reinforce positive behavior and to discourage negative, delinquent, or antisocial behavior.
- Chabot Community Day Center, an intensive, short-term day school program for juvenile probationers between the ages of 14 and 18 who are educationally at-risk due to behavior, academics, or attendance. Alameda County's mental health services agency, office of education, juvenile court, and the department collaborate to stimulate renewed interest in academics, life skills, and career planning, with a focus on stabilizing probation students in an academic setting.
- Family Preservation Unit, a 90- to 120-day intensive supervision program that helps families and delinquent teens avoid out-of-home placement in a foster home, group home, or private institution and helps reunite families of teens who have successfully completed an out-of-home placement program.

Special Programs

The department also has three special youth-focused programs that are funded through federal and state grants: the Comprehensive Youth Services Act (CYSA) Program, the Reaffirming Young Sisters' Excellence (RYSE) Program, and the Community Probation Program. All three contract with community-based organizations to deliver services to the youth of Alameda County.

The CYSA Program, passed as part of California's welfare reform efforts, authorizes counties to use a portion of funds received under the Temporary Assistance to Needy Families federal block grant to support juvenile probation activities. The legislative intent of the CYSA is to increase prevention and early intervention services for probation and at-risk youth to help keep them from further crime and to help them develop the skills necessary to avoid relying on public assistance as they become adults. Starting in fiscal year 1997-98 and lasting through fiscal year 2002-03, the CYSA annually allocates \$6.7 million to Alameda County for this purpose. The department contracts with community-based organizations to provide a range of prevention and intervention services,

including mental health assessment and counseling, family crisis intervention, drug and alcohol education, parenting skills development, vocational training, gang intervention, and sex and health education.

The RYSE Program, funded by a grant from the California Board of Corrections (BOC), is a demonstration project designed to prevent female offenders from returning to the juvenile justice system or entering the adult criminal justice system. A second goal is to promote the development of their social, academic, and vocational skills. The program also seeks to end the intergenerational cycle of teenage pregnancy and family fragmentation by offering gender-specific services. Finally, the program strives to prepare the girls to sustain crime-free and economically secure lifestyles. The program uses an interdisciplinary team of probation officers to provide investigation, supervision, intensive in-home case management, and placement services to participants, their children, and their families. These probation officers carry a maximum of 25 cases to allow for frequent contact with female offenders. Based on an individualized needs assessment, the females have access to a variety of gender-specific programming, such as life stages and transitions programs, intensive early intervention services for parenting teens, pregnancy prevention and health, intensive supervision, and educationally-based services. The program is expected to provide services to at least 560 female offenders by the end of the grant period, June 2001.

The Community Probation Program, which is funded by the same BOC grant, combines the efforts of probation officers, police officers, and youth services agencies with a client's family to optimize preventive services and eliminate behaviors that lead to chronic delinquency. Using multidisciplinary teams and flexible case plans to meet each client's needs, the program augments the available resources of the local community (for example, counseling, health care, tutoring, mentoring) with support services such as bus passes, groceries, and clothing. Probation officers, referred to as community probation officers in this program, are assigned to specifically targeted geographic areas in the county. They function as case managers, advocating and coordinating the delivery of services for a caseload averaging 40 youths. Program goals include reducing recidivism and improving the coordination of local service delivery. In addition, the program will help families recognize and respond to problems related to minors' delinquent behavior. The program is expected to provide services to at least 400 at-risk male youths by the end of the grant period, June 2001.

Adult Services

The department's Adult Services program performs two primary functions. First, it investigates the background, criminal history, current criminal offense, family, and employment history of convicted felons referred by the court (some misdemeanor cases also are referred) to assess whether probation should be granted and the conditions if granted. Second, probation officers monitor offenders' compliance with court-ordered conditions of probation and provide rehabilitative services. In fiscal year 1998-99, the department supervised 8,076 adult cases, 24 percent of which received the highest level of supervision. The department did not provide services for an additional 4,864 of these adult cases.

Funding Sources and Uses

In fiscal year 1999-2000, the department had an approved budget of \$63.4 million with 714 full-time-equivalent employees, including 235 probation officers and 224 group counselors. The department receives funding from a variety of sources: county general funds; federal funds for programs such as the CYSA Program, meal subsidies, and child welfare case management; state funds for programs such as RYSE and Community Probation, meal subsidies, domestic violence, capital construction, and training; and funds from miscellaneous sources such as fines and fees. These funds are used for salaries and benefits, program costs, capital equipment, supplies, and other miscellaneous costs.

SCOPE AND METHODOLOGY

The Joint Legislative Audit Committee asked the Bureau of State Audits (bureau) to evaluate the ability of the department to adequately meet the needs and safety of its probationers. Specifically, the bureau was asked to examine the quality and consistency of the services furnished to the probation population with an emphasis on juveniles and to assess the adequacy of recent inspections of the department's detention facilities. It also was asked to determine the impact of agency staffing patterns and caseloads on services and the impact of hiring and retention practices on program stability. Additionally, the bureau was asked to determine the agency's ability to comply with state statutory requirements and mandates.

To familiarize ourselves with the department's policies, procedures, and practices, we interviewed key staff throughout the department. We also interviewed staff at the BOC and other county departments involved in the inspection of juvenile detention facilities. Additionally, we reviewed laws, regulations, and guidelines related to the department.

To assess the recent inspections of the department's two juvenile detention facilities, we reviewed the resulting reports. We also evaluated the department's plans to correct deficiencies identified during the inspections. To determine whether juveniles and employees are protected from unsafe conditions, we reviewed the safety procedures in place at the detention facilities and whether the department ensures that the people responsible for supervising juveniles are physically and mentally healthy and do not have objectionable backgrounds. Finally, we reviewed the adequacy of the changes made as a result of an incident at Oakland's Fox Theater.

To assess the department's ability to serve its juvenile and adult probation clientele, we reviewed caseload data, client case files, and vacancy and turnover data for probation officers and group counselors. We compared vacancy and turnover rates for probation officers and group counselors to the rates experienced for similar classifications at other county departments.

To assess the department's ability to identify the county's probation needs accurately, to design programs and services to meet these needs, and to evaluate the effectiveness of its programs and services, we reviewed its planning and evaluation efforts for specific programs. We also reviewed the department's ability to evaluate its performance at delivering services in its traditional service areas. In addition, we reviewed fiscal and service delivery records at seven community-based organizations to confirm that services were delivered, and we looked at applicable laws and contract regulations to ensure that expenditures complied with the requirements. ■

CHAPTER 1

Vacancies in Critical Positions May Compromise the Department's Ability to Ensure Public Safety

CHAPTER SUMMARY

Despite efforts by the Alameda County Probation Department (department) to fill its open positions for probation officers and group counselors, many remain vacant. Consequently, probation officers are not meeting with adult and juvenile probationers as often as they should, and the average caseload for probation officers supervising adults exceeds department guidelines by more than 20 percent. The department's goal is for supervised adults and juveniles to have a monthly face-to-face meeting with a probation officer, yet officers are not meeting once a month even with adult probationers classified as maximum-risk offenders. These large caseloads and the resulting lack of sufficient supervision pose a threat to public safety because the court-ordered conditions of probation cannot be monitored closely. The department's effectiveness in supervising probationers may be compromised even further because many of its experienced probation officers are poised to retire in the next few years.

The department and the county human resources department (human resources) have made reasonable attempts to recruit applicants for the probation officer and group counselor positions. For example, the application process for all entry-level probation officers has been open continuously since at least September 1999, resulting in more than 540 applicants. Of the 86 who human resources ultimately certified as qualified, 49 were actually interviewed by the department. According to the records of the county auditor-controller, the department eventually hired 23 of the 49. Although these efforts significantly reduced the number of vacancies, as of December 18, 2000, the department still had 25.6 full-time-equivalent (FTE) probation officer vacancies, a vacancy rate of almost 11 percent.

THE DEPARTMENT DOES NOT MEET ITS GOALS FOR SUPERVISING PROBATIONERS

Probation officer vacancies affect the department’s ability to supervise probationers adequately. With average caseloads that exceed the department’s guidelines by more than 20 percent, probation officers cannot always meet with adult probationers once a month, as department policy requires. When probationers lack close supervision, the department is less aware of whether these persons, some of whom are high-risk offenders, are meeting the conditions of their probation agreements. Consequently, the department compromises its ability to ensure public safety adequately.

Due to concerns over high turnover rates and large numbers of unfilled positions, we compared the department’s data with that of other departments in the county with similar professional service positions. As Table 1 illustrates, the department is experiencing a turnover rate in its probation officer positions that is higher than that of other departments in Alameda County. However, that turnover rate does not appear to be excessive. Turnover for probation officers has been relatively constant for the last four years, averaging 11.6 percent. The department’s turnover rate for group counselors is even lower.

TABLE 1

Turnover Rates in the Probation Department Are Reasonable When Compared to Turnover Rates in Other Alameda County Departments

Department/Position	1997	1998	1999	2000	Average
Probation Department					
Deputy Probation Officer	12.3%	11.2%	11.3%	11.7%	11.6%
Group Counselor	5.8	4.5	5.8	6.9	5.8
Sheriff’s Office					
Deputy Sheriff	3.1	5.2	5.1	5.7	4.8
Health Care Services Agency					
Clinical Nurse	3.4	4.7	2.7	5.6	4.1
Psychiatric Social Worker	10.8	6.7	5.0	3.8	6.5
Social Services Agency					
Social Worker	14.0	5.2	11.0	9.0	9.5
Child Welfare Worker	9.8	10.7	14.3	6.9	10.3
Employment Counselor	7.4	4.9	6.3	8.3	6.6

Source: Alameda County Human Resources Department.

Similarly, Table 2 shows that the department’s vacancy rates of 10.9 percent for probation officers and 4.2 percent for group counselors are in line with the vacancy rates of key service positions in other departments in Alameda County. Still, the vacancies have affected the department’s ability to serve the county’s juvenile and adult probationers. For example, it does not achieve its goal of meeting in person with its juvenile probationers once a month. Of the 67 juvenile probationers whose cases we tested, 43 (64 percent) did not meet with their probation officers on a monthly basis. We noted that 7 of these 43 juveniles failed to meet with their probation officers for at least 6 consecutive months. In one instance, a probation officer saw the juvenile only six times over a period of 56 months. In the 43 cases, 3 of the juveniles were arrested during months in which they did not meet with their probation officers. One juvenile who had not been seen for 3 consecutive months was arrested at the end of the third month for battery against a peace officer.

TABLE 2

Vacancy Rates in the Probation Department Are Comparable to Vacancy Rates in Other Alameda County Departments

Department/Position	Approved FTE* Positions	Vacant Positions as of 12/18/00	Vacancy Rate
Probation Department			
Deputy Probation Officer	235.6	25.6	10.9%
Group Counselor	200.7	8.5	4.2
Sheriff’s Office			
Deputy Sheriff	719.7	20.7	2.9
Health Care Services Agency			
Clinical Nurse	129.8	31.0	23.9
Psychiatric Social Worker	100.8	16.3	16.2
Social Services Agency			
Social Worker	83.0	7.2	8.6
Child Welfare Worker†	273.1	0.0	0.0
Employment Counselor	170.7	47.0	27.6

Source: Alameda County Human Resources Department.

* Full-time equivalent employees.

† The Social Services Agency was 17.2 FTEs over budget for this position.

Adult probationers who have been classified as maximum-risk offenders also are not being supervised monthly as required by department policy, and caseloads for many of the probation officers supervising adult probationers exceed department

Despite department guidelines, probation officers did not conduct monthly in-person meetings with maximum-risk adults for 1,173 (34 percent) of 3,496 cases reviewed.

guidelines. Department guidelines require that probation officers meet with adults classified as needing maximum supervision once a month. According to an internal review conducted in November 2000, probation officers did not perform in-person monthly client contact for 1,173, or 34 percent, of the 3,496 maximum-supervision cases reviewed. Of the 26 probation officers supervising maximum cases as of February 2001, 20, or 76.9 percent, had caseloads exceeding the department's guideline of 100 cases per probation officer. Excessive caseloads contribute to these lapses in supervision.

If only 6 of the 25.6 vacant probation officer positions were filled and available to supervise adult maximum-risk cases, the department could reduce its current caseload average of 121.9 maximum-supervision cases to 99 cases, a figure slightly below its guideline of 100 cases per probation officer. However, another factor that affects the department's ability to meet its guidelines is the judges' authority to require the department to provide additional services to probationers. For example, according to the chief probation officer, drug court judges often require the department to provide frequent drug testing services for offenders even though these cases are not considered high-risk by the department. As a result, the department must reallocate existing resources to meet the demands of these judges.

Furthermore, high caseloads hinder the department from achieving its goal of having probation officers visit probationers in the field to provide additional assurance of compliance with the conditions of their probation agreements. Field visits also would help probationers who have difficulty coming to the department because of work schedules, limited means of transportation, or parental obligations. Currently, however, with adult maximum-supervision caseloads averaging more than 120, probation officers do not have enough time to see probationers in the field as often as the department would like. With smaller caseloads, probation officers could allocate more time to seeing at least some probationers in the field.

The department has recently contracted with the National Council on Crime and Delinquency (NCCD) to conduct a probation officer workload study to identify methods in which the department can efficiently deploy its resources to meet the needs of adult and juvenile probationers. This study will attempt to measure the amount of time needed to complete various tasks associated with supervising probationers. Specifically, the NCCD will determine current department caseload standards, estimate

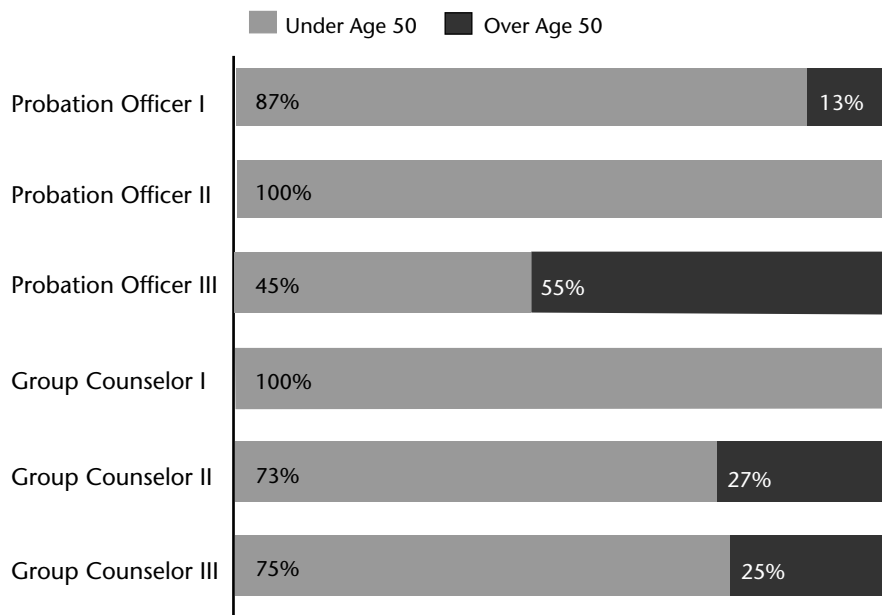
the number of staff needed to provide necessary services to adult and juvenile offenders, estimate the staff time required to complete activities, such as investigations, and analyze case supervision.

AN AGING WORKFORCE AND PROPOSED CHANGES TO RETIREMENT BENEFITS MAY SUBSTANTIALLY INCREASE VACANCIES

The department’s inability to fill its vacant positions may be exacerbated in the coming years as its probation officers begin to retire. Currently, 65, or 31 percent, of its probation officers are at least 50 years of age, including, as the Figure indicates, 55 percent of probation officer IIIs, its senior level officers.

FIGURE

A Significant Percent of the Department’s More Experienced Probation Officers and Group Counselors May Be Eligible to Retire



Source: Alameda County Human Resources Department.

Consequently, the department faces the prospect of soon losing a significant portion of its most experienced probation officers. Of its group counselors, 24 percent are also at least 50 years of age. Thus, not only does the department face the possibility of an acute shortage of professional staff in the coming years, it also faces a troubling loss of experience and institutional memory.

While some turnover has a positive affect of introducing innovative approaches, without seasoned probation officers to handle the toughest cases and pass along wisdom gained from years of mastering the job, the less experienced officers may face difficulties in effectively managing their caseloads and ensuring that the public is protected.

Furthermore, the Alameda County Board of Supervisors is considering whether to approve an increase in retirement benefits for county safety employees, which may encourage many probation officers to retire earlier than they might have without the added incentive. In the 1999-2000 legislative session, California passed a law authorizing counties, subject to approval by their boards of supervisors, to provide enhanced retirement benefits for safety employees. Since 65 of its probation officers are already 50 years of age and it currently has 25 vacant probation officer positions, the department soon could have to fill up to 90 probation officer positions. If it continues to hire at its current rate of 1.5 candidates per month (23 positions filled over a 15-month period), the department would need 5 years to fill just these 90 openings without any additional attrition.

Increased retirement benefits for probation officers currently being considered by the county board of supervisors could encourage many probation officers to retire early.

RECOMMENDATIONS

To ensure that it meets the needs of juveniles and adults on probation and protects the public, the department and human resources should:

- Step up their efforts to attract and retain new deputy probation officers to achieve the department's goal of meeting with probationers at least once a month.
- Develop a plan to address the potential effects of the increased retirement benefits for probation officers. ■

CHAPTER 2

Department Policies Generally Ensure a Safe Environment for Minors, but Juvenile Hall Needs to Be Replaced or Retrofitted

CHAPTER SUMMARY

The Alameda County Probation Department (department) and other agencies usually ensure that juveniles are not exposed to hazardous conditions while detained at Juvenile Hall and Camp Wilmont Sweeney (Camp Sweeney) or when assigned to a work-release program as part of their probation. Numerous inspections by a variety of entities generally ensure that juvenile detainees are safe and that staff provides necessary medical, nutritional, and counseling services. The department also has drastically reduced the dangerous overcrowding at Juvenile Hall and improved safety for minors participating in a weekend work program.

However, Juvenile Hall, constructed in 1953, needs improvements to make it reasonably safe during a fire or earthquake. According to the California Board of Corrections (BOC) and independent consultants, upgrading the outdated building would be prohibitively expensive, so the department has sought funds to replace this facility with one that would meet current standards. In fact, the county board of supervisors submitted two proposals to the BOC in February 2001 requesting more than \$54 million in state and federal funds to use for construction of a new facility. The department has been attempting to obtain funding for a new facility since at least 1992, so it should consider alternative options, including retrofitting the existing facility, in case its current proposals are rejected or it is unable to secure the funds needed to augment amounts provided by the BOC.

Unlike most inspectors, the Alameda County Office of Education (education office) did not inspect juvenile probation school programs in 1999 and 2000, as required. The education office inspection is intended to ensure that classroom conditions, course content, and general resources meet state guidelines.

Without these inspections, the education office cannot provide assurance that juveniles residing at Juvenile Hall or Camp Sweeney are afforded the required educational services.

The department uses various tools to reduce overcrowding at Juvenile Hall, thereby reducing confrontations between detained youths. For example, before detaining juveniles who have been referred by police, the department assesses the level of risk they pose to the general public. Juveniles who were deemed to pose minimal public safety risks were released without being formally booked in calendar year 2000, greatly reducing the facility's level of overcrowding from the previous year. Additionally, the department places juveniles within the facility based, in part, on their ages, the nature of the crimes they allegedly have committed, and their criminal history. The department also has implemented various changes aimed at eliminating juveniles' exposure to unsafe working conditions. For instance, the county's risk management department now examines potential work sites to determine any inherent dangers. These changes were implemented, in part, because of concerns that minors assigned to assist in the renovation of Oakland's Fox Theater (theater) may have been exposed to asbestos.

Finally, the department's compliance with county policies and BOC requirements in its hiring, promotion, and training of probation officers and group counselors ensures that staff are qualified to interact with juveniles. However, we could not always determine whether incidents were handled appropriately at Camp Sweeney because documentation of many of the cases was either never completed or was lost.

RECENT INSPECTIONS COVERED MOST HEALTH AND SAFETY AREAS BUT NOT EDUCATIONAL REQUIREMENTS

The inspections of Juvenile Hall and Camp Sweeney generally ensure the facilities are safe for housing juveniles, but the education office did not evaluate either facility's school programs in calendar years 1999 or 2000. Consequently, that office cannot ensure that minors were getting a sound education while at those facilities during this time. Although not all inspections were conducted when required, most critical safety-related areas are inspected at least annually. Inspections are performed by various county, state, and private entities and cover areas ranging

from minors’ rights and living conditions to the availability of health and education. Many areas are, in fact, addressed by more than one entity. Table 3 provides a description of the areas covered by each agency during the most recent inspections.

TABLE 3

Inspections of Juvenile Detention Facilities Address Critical Safety Areas

	State Board of Corrections (Biennial)	Juvenile Justice/ Delinquency Prevention Commission (Annual)	Health Department (Annual)	Office of Education (Annual)	Fire Services (Annual)	Safety Officer (Annual)	Private Entities (Annual)
Date of last inspection	1998*	2000	2000	2001†	2001‡	2000	2000
Staffing requirements	●	●					
Juvenile Counseling and evaluation	●	●	●				
Juveniles’ rights	●	●					
Educational development	●	●		●			
Living conditions	●	●	●			●	
Environmental and sanitary issues	●	●	●				
Nutritional areas		●	●				
Health and mental issues		●	●				
Structural and fire conditions	●				●	●	●

* Biennial inspection for 2000 was started in February 2001, two months late. The inspection report was not finalized in time for our review.

† Inspection was missed in 1999 and 2000.

‡ Inspection for 2000 was done in February 2001, two months late.

The California Code of Regulations requires county agencies to perform their mandated inspections each year. Additionally, the Welfare and Institutions Code requires the BOC to conduct an inspection every two years. Each entity must inspect specific areas. Government entities submit their reports to the department, which usually prepares a corrective action plan to address any identified deficiencies. Based on our review, the department is adequately addressing the deficiencies noted in the inspection reports. For example, the BOC recommended in 1998 that the department repair bathroom fixtures and upgrade its dishwashers to provide better sterilization. The department subsequently reported that it had repaired the fixtures and replaced the dishwashers.

The Education Office Failed to Evaluate the School Program Two Years in a Row

The education office did not evaluate the two facilities' school programs in 1999 and 2000, even though the California Code of Regulations requires annual evaluations. The evaluations are conducted by the education office's juvenile court and community schools principal and are intended to determine whether school programs comply with the state Education Code and county board of education policies. According to the current principal, employed in that capacity since October 2000, the education office has hired several principals since July 1997; however, none stayed more than a year. Consequently, the annual inspections were not performed. Although the current principal recently completed the inspection for calendar year 2001, the education office has no assurance that minors were provided a quality education program designed to respond to the students' different learning styles and abilities during the previous two years.

The Juvenile Justice/Delinquency Prevention Commission Did Not Perform a Thorough Inspection of Juvenile Hall

We also noted that the inspection performed by the county Juvenile Justice/Delinquency Prevention Commission (commission) in November 2000 added little value to the inspection process. The commission members represent the community's eyes and ears. Consequently, they must conduct a thorough inspection of the department's detention facilities to ensure that minors are treated in a safe and humane manner.

The Juvenile Justice/Delinquency Prevention Commission's inspection of Juvenile Hall provided little value.

The California Welfare and Institutions Code requires each county to establish a juvenile justice commission to monitor the administration of a county's juvenile court law. The superior court's presiding judge, with concurrence of the presiding judge of the juvenile court, appoints the commission. Commission members have access to all jails and lockup facilities used for confining juveniles, including those administered by the department. The commission also is required to inspect these facilities annually. Although the code does not require the commission to perform specific procedures during inspections, the BOC recommends that certain areas be included.

We accompanied the commission on its November 2000 inspection of Juvenile Hall, and we observed that it failed to perform many of the recommended inspection procedures. For example, the BOC recommends commission members conduct one-on-one

interviews with minors, taking into account that they may be intimidated if more than one adult is present. However, the commission limited its contact with minors to a group question-and-answer session at which several probation officers and the Juvenile Hall director were present. The BOC also recommends the commission review various documents, including a sample of minors' assessment and classification plans, but we did not observe members reviewing any documents during the inspection. Commission members also did not review other agencies' previous inspection reports to determine what, if any, corrective action was implemented as a result of their recommendations. Based on our observations, we do not believe the commission's inspection of Juvenile Hall provided as much value to the overall inspection process as it could have.

THE AGING JUVENILE HALL RAISES SAFETY CONCERNS

Several areas in Juvenile Hall contain asbestos and lead-based paint, and only part of the facility has an automatic fire detection and sprinkler system.

Juvenile Hall was built in 1953 and has remained structurally unchanged, with the exception of an additional wing built in 1972. Recent inspections identified various safety concerns. For example, several areas contain asbestos or lead-based paint, conditions that are known to cause serious health problems, and only part of the facility has an automatic fire detection and sprinkler system. Finally, county officials noted the current Juvenile Hall facility is constructed atop the Hayward Fault, raising concerns about serious injury to its occupants in an earthquake. Because the department is hoping to build a new facility, it has elected not to incur the costs necessary to correct these deficiencies. However, the county has been unable to obtain the necessary funding since 1992, when it first recognized the need to replace the facility. The department must develop alternative ways to address these deficiencies should its most recent attempt to obtain funding fail.

Recognizing the need to address safety concerns in Juvenile Hall, the Alameda County Board of Supervisors submitted two applications to the BOC in February 2001 seeking state and federal funds totaling \$54.3 million to assist in the construction of a new facility. The initial request, totaling \$33.2 million, is for the construction of a 330-bed facility. The second request, totaling \$21.1 million, would be used to increase the capacity of the new facility to 540 beds. According to a principal administrative analyst at the county administrator's office, the total cost for a proposed 540-bed facility is expected to be \$117 million, leaving

\$62.7 million to be funded by the county. The principal administrative analyst stated the county has \$3.3 million set aside for the project and plans to borrow the remaining \$59.4 million, if necessary.

In one application, the board of supervisors, citing inspections by county and state agencies, contended that the current facility fails to provide a safe environment for the care and detention of minors in custody. During the past several years, the BOC, the county fire department, and a private environmental consultant identified a variety of problems. For example, the BOC noted in its most recent inspection that the present facility is too small to accommodate the current juvenile population. The BOC also stated that more restroom fixtures, recreation space, and dayroom space are needed to meet today's standards for juvenile hall facilities.

Similarly, the fire department stated that fire and life safety principles in effect when the facility was constructed would be viewed as minimal by today's standards. The fire department inspector was particularly concerned about the lack of fire-rated corridors throughout much of the facility. Fire-rated corridors act as safety tunnels that allow occupants to escape in the event of a fire. The fire inspector also indicated that much of the facility lacks fire sprinklers. According to the director of Juvenile Hall, many of the bedrooms and classrooms have not been equipped with sprinklers because of structural problems with the facility. In addition, the board of supervisors noted that, due to inadequate classroom space, as many as 40 minors fall short of each day's educational requirements.

A January 2000 report by an environmental health consulting firm noted that several areas of the facility, including living quarters and the administration unit, contain asbestos in ceiling tiles, plaster, wallboards, and roofing materials. Additionally, because of the facility's age, the consultants presumed that many areas contain lead-based paint, which has been banned in California since 1978. However, the consultant also noted that the asbestos and lead-based paint do not pose a danger as long as they are not disturbed.

Because the department hopes to construct a new facility, it has opted not to incur costs to address many problems identified in annual inspections.

The department has made some renovations to Juvenile Hall, including the addition of fire sprinklers and an alarm system in parts of the facility. Based on a 1999 assessment by a private consultant, the department decided against a complete renovation. The consultant noted that the cost of renovating the facility to meet applicable building codes and upgrade systems

and infrastructure is prohibitive. The consultant also stated the costs of continued operation are significantly greater than those associated with new structures. Similarly, the BOC found that modifications would be a poor investment, considering the facility's age and condition. As a result, the department will not address many problems identified in the annual inspections but will continue trying to obtain funds to construct a new facility. However, should the BOC deny its requests for those funds, the department needs to develop and consider alternatives to ensure the safety of minors detained in Juvenile Hall.

THE DEPARTMENT MAKES EFFORTS TO PROTECT JUVENILES FROM INJURY

New safety procedures should significantly reduce the risk of serious injury or illness to juveniles.

The department has implemented various safety measures to reduce the possibility of injuries to juveniles. For example, it has reduced the likelihood of violent incidents at Juvenile Hall by reducing overcrowding and basing room assignments on the wards' ages, the nature of their crimes, and their criminal history, among other things. Also, the department recently amended its safety requirements applying to minors' work assignments. The county safety officer now must inspect potential work sites before minors perform community services at a site. Finally, the department ensures that sufficient, qualified staff is on duty at Juvenile Hall and Camp Sweeney to reduce the frequency of conflicts among detained minors.

Concerns Over the Fox Theater Incident Resulted in Significant Changes

The department recently reevaluated its use of juveniles for work activities as a result of an incident involving minors assigned to its Weekend Training Academy (weekend training program), which is sometimes a condition of probation wherein youthful offenders perform community service throughout the county. Because of the new safety requirements, youths working in the weekend training program, as well as juveniles performing routine maintenance tasks at the department's detention facilities, have significantly less risk of serious injury or illness.

The new safety requirements resulted from heavy criticism of the department for using minors assigned to the weekend training program to assist in the renovation of the theater. The

renovation project was the result of a partnership between the department and the City of Oakland (city), which owns the theater. The city, planning to make major renovations to the theater, contracted with the department to assist in the project.

Several Minors Were Assigned to Work at the Theater Between August 1, 1998, and March 11, 1999

According to the director of the weekend training program, a city representative asked that the minors be used to remove old furniture, carpet, and debris from the main auditorium and office areas and to sweep the theater. The representative also stated he did not want minors or staff to go on the stage or in the dressing rooms because of concerns about asbestos and extensive damage to those areas. Department staff acknowledged they did not ask for or obtain an environmental report before allowing the minors to enter the theater, nor did the city representative offer one. However, according to the director of the weekend training program, minors were given gloves, goggles, and face masks as a precautionary measure.

In February 1999, the California Department of Industrial Relations (industrial relations), established to improve working conditions for California workers, received complaints that probation department staff and minors were working on a site containing harmful materials. In March 1999 the chief probation officer stopped using minors on the project after they had removed most of the debris and had begun sweeping. Industrial relations subsequently issued five citations to the department. Four were issued because the department did not follow specific guidelines when working with hazardous materials. For example, according to one citation, the department failed to provide adequate protection to workers and failed to disclose the hazards. The fifth citation concerned the absence of a rail to reduce the danger of workers falling more than 20 feet. Most citations have been withdrawn due to lack of evidence and the county and industrial relations have entered into a preliminary settlement agreement. The settlement does not admit any wrongdoing by the county.

In its response to this incident, the county's risk management department and the probation department issued new safety procedures governing the use of minors for community service as well as for tasks performed in detention facilities. According to the guidelines, both entities must evaluate the scope of any contracts for the department to provide services involving any

construction, demolition, and material handling or hauling before the department accepts the contract. The risk management department also must conduct a site safety survey for all projects and provide the department with a written report of the health and safety risks and controls needed.

Current Safeguards Should Reduce Confrontations Among Juveniles in Detention Facilities

Given that detention facilities are inherently dangerous, the department takes reasonable action to ensure the safety of minors and staff at Juvenile Hall and Camp Sweeney. For example, the department implemented new procedures aimed at reducing overcrowding in Juvenile Hall. As a result, the number of days the facility exceeded maximum capacity was significantly lower in calendar year 2000 than in previous years. The department's consideration of factors such as age and criminal and violent history when determining where minors will reside during their stay at the facility also aids in keeping inmate confrontation to a minimum. Finally, the department ensures that staffing levels at Juvenile Hall and Camp Sweeney meet BOC requirements, thereby providing adequate supervision and reducing the likelihood of incidents between minors.

As a result of policy changes implemented by the department, the number of days Juvenile Hall was overcrowded was reduced from 253 in 1999 to 39 in 2000.

Overcrowding at Juvenile Hall has been an issue since at least 1994. Between 1994 and 1999, the facility was above its maximum capacity of 299 for an average of 243 days each year. In an effort to reduce overcrowding, the department implemented new procedures to reduce the number of minors detained at Juvenile Hall. Largely as a result of these changes, the number of days the facility exceeded its capacity decreased from 253 in 1999 to 39 in 2000, an 84.6 percent reduction.

Two policy changes implemented in February 2000 triggered this dramatic reduction. The first change was to allow the release of minors posing a low risk to public safety without detaining them at Juvenile Hall. Probation officers are required to complete a risk assessment form for all minors brought to the facility. The risk assessment uses a point system to classify juveniles into categories of high and low risk based upon factors such as the severity of the youth's offense, previous criminal history, and various aggravating and mitigating factors, including gang affiliation, school attendance, and the family situation. Before February 2000, all minors brought to Juvenile Hall were detained, regardless of the outcome of the risk assessment. Starting in February 2000, however, probation officers could immediately

release low-risk minors into the custody of a legal guardian without detaining them by issuing a “Notice to Appear” at juvenile court on a particular date. The notice acts as a promissory agreement between the department and the minor.

The department also extended the number of hours that probation officers are available to administer risk assessments for referred juveniles. Before February 2000, probation officers were available only from 8 a.m. to 9 p.m. (13 hours) Monday through Friday and 10 a.m. to 7 p.m. (9 hours) on weekends. Minors brought to Juvenile Hall after 9 p.m. during the week or after 7 p.m. on weekends were detained until at least the following day, when the risk assessment could be done. Beginning in February, probation officers were on duty to administer the assessment from 8 a.m. to 12 a.m. (16 hours), seven days a week. Since many juveniles commit crimes at night and on the weekends, the department’s extended coverage allows many low-risk youths to avoid being detained.

These changes enable the department to focus its limited detention resources on those youths identified as high public safety risks. A study conducted by the National Council on Crime and Delinquency (NCCD) indicates that, for a sample of 410 youths who completed the risk assessment between February and May 2000, 184, or 44.9 percent, were released without being detained. Equally important, the NCCD study also indicates that the re-arrest rate for a sample of 127 of the 184 minors who were not detained was only 12.6 percent during the first 30 days after they were released.

However, for the period of February 2, 2000, to May 31, 2000, the department did not consistently administer the risk assessment tool. Out of 24 cases reviewed, we found no evidence of a risk assessment in seven instances (29.2 percent). The department may be able to realize additional reductions in Juvenile Hall population by performing a risk assessment for all minors brought to the facility. Similarly, the department was not able to provide evidence that a needs assessment was completed for all minors brought to Juvenile Hall. A needs assessment identifies specific services that may benefit the particular needs of each detained minor. The department could not provide evidence that a needs assessment had been completed for 5 (23.8 percent) of the 21 cases we reviewed.

Although the department’s risk assessment tool allows it to detain high-risk youth while releasing those who pose little threat to public safety, the department does not consistently use the tool.

The department also makes a concerted effort to minimize the possibility of minors becoming involved in further misconduct while in Juvenile Hall. It considers various factors when placing minors in one of the facility's eight residential units. The department attempts to match the assignment on the basis of age, size, and previous record, among other things. It gives additional consideration to the severity of the alleged offense and the minor's emotional status. The department appropriately assigned each of 22 minors whose cases we reviewed to the most suitable unit given their individual circumstances.

The department's staffing levels at Juvenile Hall and Camp Sweeney complied with mandated guidelines for the period of our review.

The department also ensured that staffing levels at Juvenile Hall and Camp Sweeney complied with mandated guidelines during the period we reviewed. The BOC requires the department to have at least one child supervision staff member on duty for every 10 minors in Juvenile Hall during the day and one staff member for every 30 minors at night. The required staff-to-minor ratio at Camp Sweeney is 1.6 staff for every 10 minors, with at least two child supervision staff present at all times. According to the staffing logs we reviewed at both facilities for 10 days during calendar year 2000, we found that staffing levels met or exceeded BOC requirements.

The Department Should Improve Its Documentation of Incidents at Camp Sweeney

A certain number of altercations and accidents resulting in injuries to minors and staff are expected in a detention facility. Incidents reported in calendar year 2000 included fights, assaults, and accidents. The department has established guidelines outlining the process for investigating; using force, including the use of pepper spray and restraints; and reporting of incidents. However, it does not adequately document its handling of incidents with minors. We reviewed a sample of 35 incident reports at Juvenile Hall and Camp Sweeney to determine whether the department's response was timely and appropriate. It acted according to guidelines for the 15 incidents tested at Juvenile Hall. However, we could not determine whether some incidents at Camp Sweeney were handled correctly because the department did not complete or did not maintain required documents for 10 of the 20 incidents we reviewed.

THE DEPARTMENT ENHANCES ADULT AND JUVENILE PROBATIONERS' SAFETY BY FOLLOWING PERSONNEL PRACTICES

The department ensures that staff who interact with juvenile and adult probationers are physically and mentally healthy and do not have questionable backgrounds. It also complies with requirements when promoting and training probation officers and group counselors.

The county department of human resources and the BOC have established minimum qualifications for hiring and promotion. For example, applicants for the group counselor and deputy probation officer positions must undergo physical and psychological examinations and a background investigation. Based on our review of five probation officers and five group counselors hired in calendar year 2000, candidates hired by the department met all the requirements. Candidates eligible for promotion must demonstrate a satisfactory level of performance at their current position or pass a civil service examination and be ranked in the top five on the list of candidates, depending upon the position. We reviewed 10 promotions and determined that each candidate met these requirements.

For the 10 cases sampled, individuals hired as deputy probation officers and group counselors passed physical and psychological examinations and background investigations.

The BOC also requires certain training for entry-level probation officers and group counselors. For example, these individuals must receive at least 40 hours of training on topics such as basic rights of minors, first aid, and counseling techniques before assuming sole responsibility for the supervision of minors. In addition, the BOC requires that group counselors receive 134 hours of training and probation officers receive 174 hours within the first year of employment. The BOC performs an annual compliance review to determine whether the department provides sufficient training for entry-level employees. Based on its review for fiscal year 1999-2000, the department substantially complied with all applicable requirements. We examined the training records of 29 employees and confirmed the results of the BOC review.

RECOMMENDATIONS

To ensure that it meets the needs and ensures the safety of juveniles detained at its facilities, the department should:

- Coordinate with the education office and stress the importance of completing the required annual inspections.
- Continue efforts to obtain funding to construct a new juvenile hall facility. If funding is not obtained, the department must develop other options to address documented problems with the current facility. ■

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CHAPTER 3

The Department Should Evaluate Its Traditional Services and Strengthen Controls Over Program Funds

CHAPTER SUMMARY

The department has undertaken adequate planning activities and established appropriate evaluations to help ensure the success and measure the effectiveness of its Reaffirming Young Sisters' Excellence (RYSE) and Community Probation programs. It also has undertaken adequate planning activities for its Comprehensive Youth Services Act (CYSA) Program. We have concerns, however, about its ability to measure the effectiveness of its CYSA Program and about the lack of tools to measure the effectiveness of the services it provides in its traditional service areas, such as investigating and supervising juvenile and adult probationers. In addition, the department does not effectively monitor community-based organizations that it contracts with and lacks adequate internal controls to ensure the proper use of grant funds.

PLANNING AND EVALUATION ARE SUFFICIENT FOR TWO OF THREE GRANT-FUNDED PROGRAMS

The Alameda County Probation Department (department) has undertaken adequate planning activities to help ensure the success of its RYSE and Community Probation programs. It also contracted with the National Council on Crime and Delinquency (NCCD) to measure these programs' effectiveness. As Table 4 illustrates, these two programs are funded through a California Board of Corrections (BOC) grant of \$5.4 million (\$2.5 million for RYSE and \$2.9 million for Community Probation) that was awarded to the department in July 1997.

TABLE 4**The Department Receives Outside Grants for Three Programs**

Program	Purpose	Amount	Grant Period
Reaffirming Young Sisters' Excellence	Provide intensive supervision and gender-specific programming to female offenders to help prevent them from returning to the juvenile justice system.	\$2.5 million for entire grant period.	FY 1997-98 through FY 2000-01
Community Probation	Provide intensive supervision and gender-specific programming in a community setting to male youth to eliminate behaviors leading to chronic delinquency.	\$2.9 million for entire grant period	FY 1997-98 through FY 2000-01
Comprehensive Youth Services Act	Provide prevention and early intervention services to at-risk youth and youth on probation to help keep them from further crime and to help them develop the skills necessary to avoid relying on public assistance as they become adults. Funds may vary per year.	\$6.7 million in FY 1997-98*	FY 1997-98 through FY 2002-03

* Funding availability and amount dependent on the annual state budget act.

The Department Properly Plans for and Evaluates the RYSE and Community Probation Programs

The department, as Table 5 on the following page illustrates, has met the planning requirements set forth in the legislation authorizing the BOC's grant for the RYSE and Community Probation programs. This legislation requires grant recipients to establish a multiagency juvenile justice coordinating council to identify the resources and strategies for an effective continuum of responses to Alameda County's juvenile offenders, including strategies for preventing offenses; intervention to help troubled youth; and supervising, treating, and incarcerating minors. Alameda County's coordinating council, chaired by the chief probation officer, issued its juvenile justice local action plan in March 1997. The department also meets grant conditions requiring it to assess the effectiveness of these two programs. It contracted with the NCCD to assess their effectiveness in producing desired outcomes. The assessment uses an experimental evaluation design where selected youths on probation are assigned randomly to a treatment or a control group. Minors assigned to the treatment group receive specific intervention services; minors assigned to the control group receive traditional probation services. The treatment and control groups are then compared on several outcome measures, including recidivism, successful termination of probation, and various psychological indicators. The assessment period for both programs is from July 1, 1997, to June 30, 2001.

TABLE 5

**The Department Needs to Strengthen Some Areas
of Program Administration**

Program	Planning	Monitoring of Service Delivery	Monitoring of Program Expenditures	Evaluation
Reaffirming Young Sisters' Excellence	Yes	Yes	Limited*	Yes
Community Probation	Yes	Yes	Limited*	Yes
Comprehensive Youth Services Act	Yes	No	Limited*	No

* Limited to review of CPA reports and invoices submitted by community-based organizations. The department does not review underlying support for invoices.

Intervention services in the RYSE Program include comprehensive assessments; intensive supervision; life stages and transitions programs; intensive early intervention services; career readiness services; re-entry services for females returning from out-of-home placement; and support services for child care, food, clothing, and other necessities. Intervention services for the Community Probation Program include more frequent and specialized contact with an assigned community probation officer, assignment of youths to their own neighborhoods, and family and education intervention services.

The results of the study are not expected to be released until September 30, 2001. However, preliminary results presented to the BOC on July 20, 2000, indicate that higher percentages of youth in the treatment groups for both programs have successfully completed program requirements, have avoided further arrests, and have not been held responsible by the juvenile court for some action they were accused of committing after exiting the programs.

The Department Lacks the Tools to Evaluate the CYSA Program

Although it has met the planning requirements outlined in the State's legislation for the CYSA Program, the department may not have necessary data collection and program monitoring systems in place to measure the program's effectiveness.

The CYSA specifies that counties form a local planning council to meet and advise the chief probation officer in the development of an expenditure plan for money they receive from the federal

Temporary Assistance to Needy Families Program. Following this requirement, Alameda County's local planning council—with representatives from community-based organizations, school districts, law enforcement, and various public agencies—adopted an expenditure plan covering the period from July 1, 1997, through June 30, 2000. This plan recommends that the county use most of its CYSA allocation (totaling \$6.7 million in fiscal year 1997-98) to expand its system of intervention and prevention services to target certain populations, including youths who are habitual truants or runaways or are at risk of being wards of the court. For fiscal year 2000-01, the local planning council recommended that the department continue to use its CYSA funds to contract with community-based organizations to provide prevention and intervention services to at-risk youth.

The plan also recommends that the service delivery system be separated into seven geographical units, called local service areas, to use the department's existing network of community-based organizations that provide similar services. This allows the department to take full advantage of existing community resources, a CYSA requirement. It also makes it easier to ensure that all areas of the county are covered and that each local service area has some flexibility to meet the unique needs of the youth in its part of the county. The department uses its network of community-based organizations to provide services in most of the 23 prevention and intervention services authorized by CYSA.

As Table 5 indicates, the department has complied with the planning requirements for its CYSA Program, but we are less confident that it will be able to assess whether the program has achieved its desired outcomes. To measure the program's effectiveness at producing desired outcomes, the department has joined with the State's other probation departments in contracting with the RAND Corporation to perform a three-year study of the state-wide CYSA Program. The study's primary objectives are to provide feedback on CYSA Program implementation, to document how county probation departments are using CYSA Program funds, to assess the impact of these expenditures on target populations, and to draw lessons for improving overall program design and operation. The RAND Corporation expects to issue a report focusing on the range of planning and implementation activities performed by the counties in late April 2001. Later reports will focus on the number of clients served and program outcomes.

The department has not implemented the necessary data collection and program monitoring systems to assess whether its CYSA Program achieves desired outcomes.

The RAND Corporation's assessment of the effectiveness of the program is not expected to be complete until close to when the CYSA Program is set to expire in 2003. However, it already has noted that some counties are having difficulties identifying the extent to which CYSA funds have enabled them to provide additional programs or services beyond what they were providing before receiving these funds. Based upon our review, which included visits to selected community-based organizations receiving program funds, we believe the department may not have the systems in place to identify the incremental effect that CYSA expenditures have on some of the programs and activities that it funds with this money.

For example, the department allocated 57 percent of its \$6.7 million fiscal year 1997-98 CYSA grant to fund the following programs and services: \$1.89 million for services that were funded previously through county general funds and \$1.92 million to fund special programs tailored to meet the needs of each local service area. The department was unable to demonstrate that it had crucial baseline data, a systematic data collection system, or the monitoring efforts in place to assess whether these expenditures will achieve desired outcomes. Consequently, we have concerns about the department's ability to provide the RAND Corporation with complete and reliable data for the outcomes assessment portion of its study.

Evaluation of Traditional Services Does Not Occur

The department also does not adequately measure the effectiveness of its traditional adult and juvenile probation services, which include supervising adult and juvenile probationers. It submits performance goals for most of these services as part of its yearly budget request. Because the county administrator does not require follow-up data indicating whether it meets these performance goals, the department neither tracks nor evaluates whether it achieves them. Also, according to the chief probation officer, resources do not exist for the design or implementation of systems that would allow the department to collect such data efficiently. The department was able to provide the audit team with only limited and unsupported performance data. Consequently, we believe the department lacks the information it needs to make informed management decisions regarding the performance of its traditional services.

WEAK INTERNAL CONTROLS CANNOT ENSURE THAT THE DEPARTMENT USES PROGRAM FUNDS APPROPRIATELY

The absence of adequate assessments and controls makes it difficult to ensure that grant funds are used properly. As stated earlier, the department contracts with community-based organizations to provide services under its special programs. Although the department has some assurance that a select group of these organizations are providing services, it cannot ensure that others are meeting their contractual agreements. In addition, because it uses weak internal financial controls, the department cannot adequately support some of its expenditures and could be jeopardizing the future of some services.

Community-Based Organizations Are Providing Services but Lack Sufficient Monitoring

It is evident that the seven community organizations we reviewed provided some form of service delivery to clients, but the department is unable to provide assurance that all community-based organizations are meeting their contracted service delivery obligations. In an effort to divert youths from the juvenile justice system and to provide a program of coordinated services, the department contracts with community-based organizations, awarding them money from the CYSA and BOC grant funds to provide services, such as counseling, case management, and after-school activities, to at-risk youths. In contracting with these organizations, the department assumes the oversight responsibility of ensuring that services are delivered and grant money is used appropriately.

Probation personnel associated with programs funded by the BOC grant often attend workshops and receive periodic status reports from community-based organizations. As a result, they are able to provide some assurance that services are being delivered to RYSE and Community Probation clients. However, the department has no mechanism to monitor the service delivery to CYSA program clients. According to the director of juvenile services special programs, the monitoring of CYSA-funded community organizations consists of providing technical assistance through on-site visits and reviews of annual independent audit reports. However, no monitoring to determine if the organization is adhering to contract requirements occurs during the visits, and the independent audits review only an organization's expenditures, not its service delivery. Furthermore, in determining which grants to review, independent auditors often perform a risk

Although the department has some assurance that some community-based organizations are providing services, it cannot ensure that others are meeting their contractual agreements with the department.

assessment based on the amount expended and do not necessarily review all funds awarded by the department. Therefore, the department cannot provide assurance that CYSA-funded organizations are delivering services to at-risk youths.

Because it relies on incomplete monitoring mechanisms, the department cannot ensure that community-based organizations are using state and federal funds properly. The department requires organizations to submit claim forms for CYSA and BOC payments. Amounts claimed generally are based on actual expenditures the organizations incur, but because no compliance monitoring occurs during the site visits, the department cannot ensure that submitted claim forms are for actual expenditures. If the department had monitored grant recipients adequately, it would have discovered that some community-based organizations that receive CYSA funds do not maintain daily activity reports to detail the amount of time spent on a federally funded program. In addition, the department would have realized that at least one community-based organization claimed reimbursement for expenses it had not incurred and expenses for which it had insufficient documentation.

One community-based organization billed the department \$1,374 more than it should have over a three-month period.

We reviewed records for three months at seven community-based organizations to determine if they substantially supported the claims they submitted to the department for fiscal year 1999-2000. We selected three organizations receiving CYSA funds and four receiving BOC grant funds. Only one of the seven organizations could not adequately support all the programmatic costs submitted in its claim to the department. Project Re-Connect, which receives BOC grant funds, could not substantiate the total amount submitted on every invoice. In fact, it billed for \$1,374 more than actual costs incurred during the three months we reviewed. This organization also used inadequate records, such as canceled checks, to support 14 (33 percent) of the 42 transactions reviewed. The unsupported expenditures totaled \$1,400. As a result, neither the department nor the Bureau of State Audits can determine whether this organization is using grant funds properly.

Additionally, the department does not ensure that all community-based organizations demonstrate they accomplish all contracted objectives. For instance, the department awarded CYSA funds to the East Bay Asian Youth Center and BOC grant funds to Girls Inc. of Alameda County. In these contracts, both organizations stated they would attain certain service delivery goals, which have specific measurable outcomes. However, according to staff

at these organizations, neither has a system in place to track these outcomes and, as a result, they cannot ensure that their objectives are being met. Consequently, neither the department nor these organizations can provide assurance that contracted objectives meet the needs of the county's at-risk youth and juvenile probationers. If the department had inquired about these systems, it would have realized that the organizations were not able to capture and evaluate this information.

The Department Cannot Support All Its Grant-Funded Expenditures

The department may not be able to detect fraudulent activities in three grant-funded checking accounts because of poor internal controls.

The department's internal financial controls to safeguard and ensure that grant funds are used properly are inadequate, as noted by the county auditor-controller in February 2001. Because it relies upon inadequate internal controls, the department runs the risk of fraud and the untimely detection of such activities from the three checking accounts it maintains, which are funded by the BOC grant. For instance, only one person was assigned responsibility for recording transactions, reconciling the account, and acting as a custodian of negotiable instruments for one of the checking accounts. These incompatible duties may allow one individual an opportunity to misappropriate checks, falsify accounting records, and conceal the falsification during the reconciliation process.

In addition, each unit supervisor for the RYSE and Community Probation programs maintains custody of a program checkbook, authorizes transactions, and disburses cash. These duties are also incompatible because they create an environment that is more susceptible to fraud and abuse. The department reassigned some duties as a result of the county auditor-controller report. However, the department did not address all of the duties related to its grant programs and, therefore, cannot ensure that all tasks are adequately separated. Furthermore, the department assigned some duties to vacant positions. Until these positions are filled, other employees will need to perform these tasks, possibly creating additional problems with separation of duties. In addition, the county auditor-controller discovered that the department's checking accounts had not been reconciled for approximately one year. Reconciling accounts ensures a careful review of all cash transactions and provides a means to prove the accuracy of records. Reconciliations are additionally valuable because they allow the comparison of two independent sources that have recorded the same transaction.

We noted similar weaknesses during our review of departmental accounts. Department records do not provide satisfactory evidence for some BOC grant expenditures. The department uses the grant-funded checking accounts to provide nontraditional services, such as buying clothes for a needy child or making a rent payment so a client can avoid eviction. To provide assurance that funds are used appropriately, the department must have adequate supporting documentation. We discovered that it lacked adequate documentation for 70 percent, or 14 out of 20, expenditures we reviewed from the BOC grant, totaling \$6,000. Because the unit supervisors who are responsible for safeguarding the RYSE and Community Probation checking accounts also can authorize and disburse grant funds, it is possible that some of these transactions may have resulted in improper use of grant funds.

These deficiencies occur because department staff use obsolete procedures that do not include policies for using grant-funded checking accounts. According to one of its financial services specialist supervisors, the department does not feel the need to implement procedures to address these issues because the BOC grant expires at the end of fiscal year 2000-01. Because we were unable to determine the appropriateness of the grant-funded transactions, we are concerned that the department may use funds to enhance other activities or make inappropriate purchases, such as augmenting salaries and benefits for probation officers not affiliated with the BOC grant-funded programs.

The department overstated its expenditures by \$137,250 when billing the State for grant expenses.

The department provides services to the BOC grant population, which consists of youths in the RYSE and Community Probation programs, on a reimbursement basis. It pays for the costs associated with providing these services and then bills the BOC for reimbursement. It is responsible for ensuring that the submitted invoices are accurate and properly supported. However, during our review of one claim submitted to the BOC, we discovered that the department had overstated the total grant expenditures by \$137,250. This occurred because department management did not conduct a thorough review of the invoice before submitting it to the BOC and, as a result, failed to identify duplicate expenditure amounts.

The Department's Use of Grant Funds for Other Activities Puts Some Services at Risk

The department may be jeopardizing the future of some services because it relies upon grant funds to support activities previously funded by county general funds. The department has contracted with community-based organizations to provide status-offender services to the county juvenile population for more than 25 years. These services consist of crisis intervention, providing emergency shelter, and family reunification assistance to at-risk juveniles and their families. Before receiving CYSA funds, the department supported these services with county general funds. However, in fiscal year 1997-98, when it began receiving CYSA funds, the department, with the approval of the county board of supervisors, allocated \$1.9 million of its \$6.7 million CYSA allocation to the existing status offender services program in lieu of county general funds. By replacing secure funding from county general funds with a funding source that may not be reauthorized or may be reauthorized for a lesser amount, the department risks having to reduce staff or terminate services if it cannot convince the county to pay for these services once again.

The department used the county general funds, which were pre-approved to support status-offender services, to augment staffing levels and salaries to meet the department-wide personnel and caseload needs. Although it appropriately used CYSA funds to augment and create new services such as case management, which consists of providing case-specific information and monitoring of a client's progress, it did not increase the amount of funding for status-offender services. Because the Youth Services legislation that authorizes these expenditures expires at the end of fiscal year 2002-03 and must therefore be reauthorized by the Legislature, the department is risking that it will be forced to reduce the level of services to status offenders.

RECOMMENDATIONS

To ensure that it has the information necessary to make informed management decisions, the department should track and evaluate the performance data it submits as part of its annual budget.

To improve control over its administration of state and federal funds, the department should:

- Perform on-site monitoring of community-based organizations receiving federal funds to ensure that they are meeting service delivery objectives and to ensure that all community-based organizations receiving state and federal funds are using those grant funds properly.
- Segregate fiscal duties of personnel assigned to grant-funded accounts and strengthen internal controls, as recommended by the county auditor-controller.
- Develop and implement procedures to strengthen fiscal control over grant-funded checking accounts.
- Review all quarterly claims submitted to the BOC since 1997, when the department began receiving BOC grant funds, to ensure that expenditures have not been claimed more than once. The department also should repay any erroneous expenditures or offset future claims by the amount of any expenditures claimed in error.

We conducted this review under the authority vested in the California State Auditor by Section 8543 et seq. of the California Government Code and according to generally accepted government auditing standards. We limited our review to those areas specified in the audit scope section of this report.

Respectfully submitted,



ELAINE M. HOWLE
State Auditor

Date: May 10, 2001

Staff: Ann K. Campbell, CFE, Audit Principal
Steven A. Cummins, CPA
Miles L. Burnett, Ph.D.
Carol MacMillan
Fernando Valenzuela

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Agency's comments provided as text only.

COUNTY OF ALAMEDA
PROBATION DEPARTMENT
Probation Center
400 Broadway; P. O. Box 2059
Oakland, CA 94604-2059

April 18, 2001

Elaine M. Howle, State Auditor
Bureau of State Audits
555 Capitol Mall Suite 300
Sacramento, California 95814

Dear Ms. Howle:

This correspondence provides the response to the audit of the Alameda County Probation Department. The Chief Probation Officer on behalf of the agency fully concurs and will begin efforts to implement audit recommendations.

Please find enclosed attachments (1-4) that provide information in regards to the following:

- 1) Juvenile Hall Construction grant funding - Board of Corrections. The County continues to proceed with planning for Juvenile Hall construction.
- 2-3)* Workload study overview that will identify staff resources needed to perform work functions.
- 4) Memorandum confirming the hiring of an Administrative/ Financial Services Manager, who will provide oversight to the improvements of all Fiscal practices.

I would like to thank you for the time and efforts to investigate and make recommendations to the agency.

Sincerely,

(Signed by: Sylvia J. Johnson)

SYLVIA J. JOHNSON
CHIEF PROBATION OFFICER

*We have not included attachments 2 and 3 in the report. However, they are available at the California State Auditor's Office.

Attachment (1)

BOARD OF CORRECTIONS

600 BERGUT DRIVE,
SACRAMENTO, CA 95814

April 10, 2001

Sylvia J. Johnson
Chief Probation Officer
Alameda County Probation Department
400 Broadway
Oakland, CA 94607

Subject: Executive Steering Committee Construction Grant Recommendations

Dear Chief Johnson:

Thank you for your county's submission of its construction grant proposal and subsequent presentation to the Executive Steering Committee (ESC) as part of the competitive Request for Proposals (RFP) process. I am pleased to inform you that your county's proposed project is recommended by the ESC to receive a construction grant (see attached alphabetical list of all recommended projects). The list reflects the highest ESC rated projects. ESC recommendations will be provided to the Board of Corrections (BOC) as an action item for funding consideration at its meeting on May 17, 2001, in San Diego (exact time and location will be on our website @ bdcorr.ca.gov as soon as known). County representatives should plan to attend the BOC meeting in case there are any questions about your county's project prior to funding decisions being made.

All proposed projects were rated according to the criteria previously identified in the RFP. Twenty-five counties (31 projects) requested \$219.6 million of an available \$131.7 million, resulting in an over-subscription of nearly \$88 million in meritorious grant requests. As a result, 15 counties (20 projects) were unable to be recommended for construction grants due to lack of available funds.

Contingent upon BOC funding action on May 17, 2001, I have also attached a registration form for county designated staff to attend a construction grant briefing on June 6, 2001, in Sacramento. Please review this material and ensure that your county staff is registered no later than May 21, 2001. If needed, the BOC will reimburse travel/per diem costs in accordance with state guidelines for up to three county staff to attend the briefing (additional staff may register and attend at county expense). Airline tickets, if needed, must be issued by the BOC and arranged by Michelle Jackson who can be reached at 916/323-8600; e-mail mjackson@bdcorr.ca.gov.

If you have any questions or need more information at this time, please feel free to contact your BOC construction grant field representative (see attached listing of assigned staff) or me at 916/323-8618; e-mail thafey@bdcorr.ca.gov. We look forward to seeing you at the BOC meeting on May 17, 2001.

Sincerely,

(Signed by: Toni Hafey)

Toni Hafey, Deputy Director
Corrections Planning and Programs Division

**CONSTRUCTION GRANT RECOMMENDATIONS
EXECUTIVE STEERING COMMITTEE – APRIL 2001**

Below is the alphabetical list of county construction projects recommended for grant funding by the Board of Corrections (BOC) appointed Executive Steering Committee (ESC). All proposed projects were rated according to the criteria previously identified in the Request for Proposals (RFP) issued by the BOC on September 21, 2000. ESC recommendations will be considered by the BOC as an action item for funding consideration at its meeting on May 17, 2001, in San Diego.¹

COUNTIES	PROPOSAL ID	RECOMMENDED GRANT AWARD	NUMBER OF BEDS ADDED	FEDERAL OR STATE FUNDS
Alameda	2001-J1	\$33,165,000	330	Federal
Construct a new 330-bed juvenile hall consisting of two medium-security housing clusters totaling 300 beds and two maximum-security units totaling 30 beds. Units will contain a combination of single-occupancy and double-occupancy wet rooms and all necessary support space. Also included is all ancillary space to support expansion to a 540-bed facility. This facility will replace the current Alameda County Juvenile Hall.				
Alameda	2001-J2	\$2,325,069	210	State
Construct an additional 210 beds onto the new 330-bed replacement facility (540 total beds). This will consist of one medium-security housing cluster totaling 150 beds and a portion of one maximum-security housing cluster totaling 60 beds. Units will have a combination of single-occupancy and double-occupancy wet rooms and all necessary support space.				
El Dorado	2001-J1	\$4,020,000	40	Federal
Construct a new 40-bed juvenile hall consisting of two 20-bed housing units. Each unit will contain 6-8 single-occupancy rooms (with the remainder double-occupancy rooms) and related support space.				
Los Angeles	2001-J1	\$24,120,000	240	State
Add 240 beds (double-occupancy wet rooms), related support space, and a code-mandated parking structure to the Los Padrinos Juvenile Hall.				
Merced	2001-J1	\$6,030,000	60	State
Add 60 beds (20 single-occupancy and 20 double-occupancy wet rooms) and related support space to the Merced Juvenile Justice Correctional Complex. This facility will replace the current Merced County Juvenile Hall.				
Napa	2001-J1	\$5,378,888	60	Federal \$5,200,866 State \$178,022
Construct a new 60-bed juvenile hall consisting of two 30-bed housing units. Each unit will contain a combination of single-occupancy and double-occupancy wet rooms and related support space. This facility will replace the current Napa County Juvenile Hall.				
San Bernardino	2001-J1	\$19,329,640	200	State
Construct a new 200-bed high desert juvenile detention facility (100 double-occupancy wet rooms in 10 housing units of 20 youth each) and related support space.				
San Diego	2001-J1	\$800,000	20	State
Add 20 beds (four, 5-bed dormitory style rooms), 1 classroom, and related support space to the Girls Rehabilitation Facility.				
Santa Clara	2001-J1	\$21,092,269	210	State
Add 210 beds to the Santa Clara Juvenile Hall. The project consists of seven 30-bed housing units, each unit containing 14 double-occupancy and 2 single-occupancy wet rooms and related support space.				
Sonoma	2001-J1	\$8,000,000	140	Federal
Construct a new 140-bed juvenile hall consisting of seven 20-bed housing units. Two units will consist of 20 single-occupancy wet rooms; four units will consist of 4 single-occupancy and 8 double-occupancy wet rooms; one unit will consist of a 20-bed post-adjudicated dormitory. All related support space will be constructed with a combination of federal and county funds. This facility will replace the current Los Guilucos Sonoma County Juvenile Hall.				
Yolo	2001-J1	\$7,505,619	90	Federal
Construct a new 90-bed juvenile hall consisting of three 30-bed housing units. Each unit will contain 10 single-occupancy and 10 double-occupancy wet rooms and all related support space. This facility will replace the current Yolo County Juvenile Hall.				
TOTAL FEDERAL FUNDS:				\$57,891,485
TOTAL STATE FUNDS:				\$73,875,000
TOTAL BEDS ADDED:				1,600

¹ Twenty-five counties (31 projects) requested \$219.6 million of an available \$131.7 million resulting in an over subscription of nearly \$88 million. Twenty projects from 16 counties were considered meritorious but not recommended for construction grants due to lack of available funds.

Attachment (4)

ALAMEDA COUNTY PROBATION DEPARTMENT
MEMORANDUM

DATE: April 18,2001
TO: Sylvia J. Johnson, Chief Probation Officer
FROM: Vera Sims, Senior Personnel Officer
SUBJECT: **LAWRENCE CHIU**

Mr. Chiu was offered the position of Administrative/Financial Services Manager on April 13, 2001. He accepted the offer and is scheduled for physical exam on Wednesday, April 18, 2001 at 8:30 a.m.

cc: Members of the Legislature
Office of the Lieutenant Governor
Milton Marks Commission on California State
Government Organization and Economy
Department of Finance
Attorney General
State Controller
State Treasurer
Legislative Analyst
Senate Office of Research
California Research Bureau
Capitol Press