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June 7, 2011

To: Honorable D. Scott Daniels
Presiding Judge

From: Supervisor Michael J. Reagan
Chair, Board of Supervisors

Re: *Response to Grand Jury Report of March 21, 2011 – Fouts Springs Youth Facility*

Honorable Judge Daniels:

The following, under Penal Code sections 933 and 933.05, is the Solano County Board of Supervisors' response to the findings and recommendations contained in the 2010/11 Grand Jury Report of March 21, 2011 concerning the Fouts Springs Youth Facility.

Finding 1

The underutilization of Fouts Springs, Solano County's subsidizing of contracting Counties, and the facility's remote location cause the facility to operate at a deficit.

Response to Finding 1

Probation - Probation disagrees partially with this finding. The facility is operating at a deficit for the first time since 2006. The deficit is primarily due to low ward census and increased operational costs.

Board of Supervisors – The Board of Supervisors concurs with Probation's response to the Grand Jury's finding.

Recommendation 1

The County Probation Department should undertake a complete analysis of the Juvenile Probation system to condense and localize the functions of the department. As part of its analysis, the Probation Department, with the approval of the Solano County Board of Supervisors and Fouts Springs Board of Directors, should eliminate subsidies of other counties' wards and all parties should be charged based on the actual cost involved with housing the wards.

Response to Recommendation 1

Probation - The first part of the recommendation will not be implemented as it is not warranted. The Probation Department has analyzed intervention options and identified a continuum of services that are used based on assessed risk and need of each youth. The second part of the recommendation is not under the control of the Probation Department.

Board of Supervisors – The Board of Supervisors concurs with Probation's response to the Grand Jury's recommendation. Concerning the second part of the recommendation, the Board will consider and evaluate the recommendation to eliminate subsidies, as set forth in its response to Finding 3, during the FY2011/12 budget deliberations.

Finding 2

The State is reducing its role in the Juvenile Justice area, thus causing Solano County to find or create a facility to house the displaced wards from Department of Juvenile Justice facilities.

Response to Finding 2

Probation - Probation disagrees partially with this finding. If the State further reduces its role in the Juvenile Justice area without providing alternatives, Solano County will need to seek alternative options for high risk juvenile offenders. Although AB 109, which was signed by the Governor on April 15, 2011, eliminates DJJ as an option for juvenile court commitments, it provides an alternative for the County to enter into a Memorandum of Understanding with the State to continue to house youth at DJJ.

Board of Supervisors - The Board of Supervisors concurs with Probation's response to the Grand Jury's finding relative to the Department of Juvenile Justice (DJJ).

Recommendation 2

The County Probation Department should work with the other counties in the immediate area to develop a jointly-operated facility to house this class of wards.

Response to Recommendation 2

Probation – This recommendation will not be implemented because it is not warranted at this time. If the State takes action to further reduce its role in the Juvenile Justice area and does not provide alternatives, there may be a need for a regional facility; however, joint-operations is not the only option and may not be the most efficient approach.

Board of Supervisors – The Board of Supervisors concurs with Probation's response to the Grand Jury's recommendation.

Finding 3

The high cost of operating Fouts Springs is an inefficient use of taxpayers' money.

Response to Finding 3

Probation – Probation agrees with this finding.

Board of Supervisors – The Board of Supervisors concurs with Probation’s response to the Grand Jury’s finding. Solano County has advised Colusa County of its desire to terminate the Fouts Springs JPA no later than June 30, 2012. Solano County has also advised Colusa County that it stands ready to support Colusa County in taking the necessary steps to reach a mutually agreeable termination or transfer of operating authority prior to that date.

The competition of securing new wards from other counties has intensified due to adverse fiscal conditions, resulting in a gradual decline in ward enrollments, as noted in Finding 1. This, combined with losses in funding of \$500,000, effective July 1, 2011, as a result of state budget actions will result in an increase in cost. Consequently, the Joint Powers Agency opted to maintain the existing monthly rate at the amount of \$4,200, using state funds in FY2010/11. Maintaining the JPA status quo with respect to Fouts Springs Youth Facility is estimated to result in a potential increase in Solano County General Fund costs.

The County’s Recommended Budget for FY2011/12 includes partial funding, pending further negotiations with the JPA.

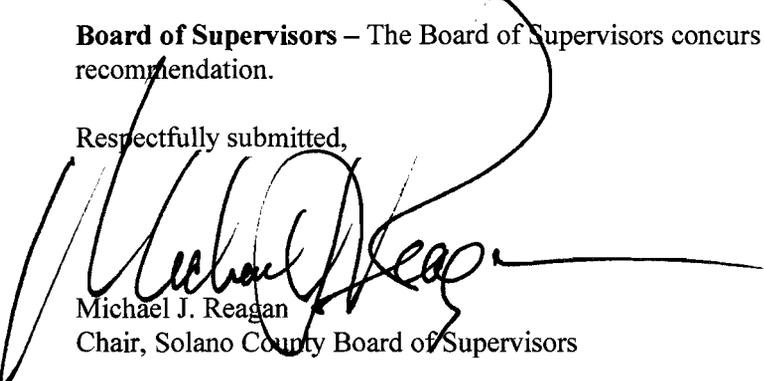
Recommendation 3

The County Probation Department should work with other counties in the immediate area to develop a jointly-operated facility to house the class of wards that is currently being housed at Fouts Springs. The Probation Department should consider combining such a facility with the facility discussed in Recommendation 2.

Probation – This recommendation will not be implemented because it is not warranted. Currently, there are sufficient residential alternatives available, including group homes, making it unnecessary to pursue developing another facility.

Board of Supervisors – The Board of Supervisors concurs with Probation’s response to the Grand Jury’s recommendation.

Respectfully submitted,



Michael J. Reagan
Chair, Solano County Board of Supervisors