



County of Orange
California

Thomas G. Mauk
County Executive Officer

April 7, 2009

James R. Perez, Foreperson
Superior Court of California
700 Civic Center Drive West
Santa Ana, CA 92702

Subject: Response to Orange County Grand Jury Report, "They Are All Children"

Dear Mr. Perez:

Per your request, and in accordance with Penal Code 933, please find the County of Orange response to the subject report as approved by the Board of Supervisors. Respondents are: Board of Supervisors, Probation Department, and Social Services Agency. If you have any questions, please contact Kathleen Long at (714) 834-7410 in the County Executive Office who will either assist you or direct you to the appropriate individual.

Very truly yours,

Thomas G. Mauk
County Executive Officer

Enclosure

TGM:kll

County Executive Office
10 Civic Center Plaza
Third Floor
Santa Ana, California
92701-4062

Tel: (714) 834-2345
Fax: (714) 834-3018
Web: www.oc.ca.gov

“They Are All Children”
Orange County Grand Jury Report 2008 – 2009
Social Services Agency/ Probation Department Responses to Findings and
Recommendations

Background

The number of Child Abuse Reports in Orange County is on the rise and the number of dependent children remains consistent, however, Children and Family Services (CFS) has still been able to successfully divert children from Orangewood Children’s Home (OCH) and to significantly reduce the OCH population. This significant decrease in the population at OCH in recent years is by design and Social Services Agency (SSA) considers it a great success.

In accordance with Federal (Adoptions and Safe Families Act, 1997) and State (Assembly Bill 636, 2001) legislation mandates, CFS has worked diligently to create multiple programs to maintain children in their homes or to place them with relatives or in family-like settings. For example, in 2007/2008 the First Step Assessment Center and Placement and Diversion programs, which are housed at OCH, diverted approximately 809 children, 67% of the children that would have otherwise entered OCH, into a less restrictive placement. CFS has also developed and successfully implemented a rapid response protocol that brings social workers to the police officer in the field for a mutual exploration of placement alternatives. A joint field assessment is conducted by the social worker and the police officer, which results in identifying placement alternatives for children requiring protective custody and reduces the number of formal placements at OCH. Team Decision Making is a process whereby CFS staff, family members, service providers, and community representatives meet and collaboratively address the safety needs for children and determine if out-of-home placement is required. Wraparound Services partners with families to facilitate and support children’s ability to remain in a safe and stable home through a strength-based, family-centered, team approach. Wraparound targets seriously emotionally and behaviorally disturbed children who are at risk of being placed at OCH or in group homes that provide intensive social work activities and mental health treatment services. Multi Treatment Foster Care (MTFC), a component of Wraparound, is an evidenced-based solution for youth with emotional and behavioral problems. The goal of MTFC is stabilization and reunification with a parent, relative, or other permanent caregiver. These programs and services were put into place with the goal of reducing the population at OCH and they have been extremely successful.

Responses to Findings: F.1, F.2, F.3, F.4, F.5, F.6, F.7, and F.8

F.1 The Orangewood Children’s Home can continue to deliver the services necessary for the WIC §300 children while utilizing no more than one half of its property.

SSA Response: Disagrees partially with the finding.

OCH is constructed in such a way that it would not be feasible to split it in half. If it were split in half, the children at OCH could potentially lose access to the gymnasium, school, and/or open field.

OCH is a multi-service campus offering services that enhance the care of children at OCH, as well as, support alternate placement options. In addition to emergency shelter care services, the following are provided at and through OCH and each occupies designated space at OCH:

- First Step Assessment Center: Offers assessment services to support placement diversion efforts.
- Placement Coordination Services: Three Diversion units and one Placement unit are co-located at OCH providing placement coordination services.
- Medi-Cal and AFDC-FC Eligibility Determination: Onsite Eligibility Technician Workers ensure Medi-Cal and AFDC-FC funding for children diverted and admitted to OCH.
- Medical Unit: In partnership with OC Health Care Agency Juvenile Health Services, an onsite medical clinic is staffed by nurses and a pediatrician.
- Court Evaluation Guidance Unit: In partnership with OC Health Care Agency Children and Youth Services, behavioral health services are provided onsite by therapists, psychologists, and psychiatrists.
- Alcohol and Drug Abuse Services: In partnership with OC Health Care Agency Children and Youth Services, prevention and early intervention alcohol and drug abuse services are provided onsite.
- Law Enforcement Services: In partnership with the OC Sheriff Department, onsite Special Sheriff Officers provide security and law enforcement services.
- Early Childhood System of Care Services: In partnership with OC Health Care Agency Public Health Nursing, early child development prevention and intervention services are provided onsite.
- Library Services: In partnership with OC Public Libraries, library and reading enrichment services are provided onsite.
- Educational Services: In partnership with OC Department of Education, an onsite school provides kindergarten through grade 12 instruction and support services.

F.2 The Orangewood Children's Home operation could reduce staff services that are no longer necessary by virtue of the decrease in population and the soon-to-open Tustin Family Campus.

SSA Response: Disagrees partially with the finding.

SSA has reduced both the direct care and medical staff at OCH over the last year by 42 positions. SSA continues to evaluate its staffing. Additional changes in staffing that are identified will be included in the FY 09-10 Budget. As of January 26, 2009 the number of

staff at OCH was 238 and of the 238 staff, 192 were direct care staff. The 46 non-direct service positions include but are not limited to, office technicians, laundry workers, food services workers, cooks, and facilities maintenance workers.

OCH is mandated by Assembly Bill 1197 and Title 22, Section 6, Chapter 5, Paragraph 84265.5 to have a 24 hour, 7 days a week staff-to-child ratio of 1:3 for children ages 2 days to 6 years. OCH's Program Statement with Community Care Licensing (CCL) specifies a staff-to-child ratio for children 7 to 19 years of 1:6 during school hours and 1:4 during non-school hours. In addition, children who are severally emotionally disturbed are required to have a staff-to-child ratio of 1:2. It is important to note that of the 192 direct care staff, not all are present at OCH at the same time. OCH is a 24-hour emergency shelter facility, therefore, staff work in three shifts and must be ready to accommodate any number of high-risk and high-needs children at any given time. The Tustin Family Campus is not an emergency shelter, and therefore, has no impact on the population at OCH.

- F.3 The easterly portion of Orangewood Children's Home property could house the new facilities for the Probation Department's Welfare Institution Code section 600 population.

SSA Response: Agrees with the finding.

The easterly portion of the OCH property could house a new facility for Probation, if funds were available to build a new facility. However, this would mean taking the field and play area from the children that reside at OCH.

Probation Response: Agrees with the finding.

The location is feasible for future consideration; however, state construction funds are not currently available for a remodel of that magnitude. Given the current budget climate, serious consideration of this option is years into the future.

- F.4 The Probation Department has an immediate need for expanded facilities for Juvenile Hall, the Youth Leadership Academy, and the Youth Guidance Center.

Probation Response: Agrees with the finding.

Probation has an immediate and long-term need for both secure beds and treatment beds.

- F.5 The Probation Department programs such as regular schooling, counseling and job training have been shown to be effective.

Probation Response: Agrees with the finding.

Probation effectively collaborates with the Orange County Department of Education for schooling of wards, and utilizes state of the art counseling and therapeutic programming to re-socialize delinquent youth.

- F.6 Additional facilities will allow the Probation Department more capability to deliver services.

Probation Response: Agrees with the finding.

There is a significant number of minors who have received Court ordered commitments but are housed at Juvenile Hall due to a shortage of treatment beds. This situation has existed for over a decade. Additional facilities would allow the provision of improved programming and re-entry services to this population.

- F.7 A reduction in the facilities and excess staffing of the Orangewood Children's Home will save substantial dollars without compromising its care for abused, abandoned, and neglected children.

SSA Response: Disagrees partially with the finding.

A reduction in the facilities and staffing of OCH could save substantial dollars. SSA reduced the staffing at OCH over the last year by 42 positions with a savings of \$2,182,463. SSA continues to review staffing levels as part of the FY 09-10 Budget development process. SSA is required to follow the staff-to-child ratios set by California Department of Social Services in order to retain its license. This includes a 24/7, 1:3, staff-to-child ratio for children under the age of six.

A reduction in facilities could affect the care of the population that OCH serves. It could mean giving up medical services, the play area for the children, and possibly the school.

- F.8 The new Tustin Family Center can accommodate service reductions at Orangewood Children's Home caused by the lot splitting.

SSA Response: Disagrees wholly with the finding.

OCH is an emergency shelter that provides short-term, temporary care for children who have been removed from their caretakers by police officers or child protective services workers and placed into protective custody. The Tustin Family Campus is not an emergency shelter, but is designed to provide strength-based, multi-treatment, residential and day-treatment services in a "homelike" setting. These services will be provided by non-profit contractors. The program components at the Tustin Family Campus will be:

- Sibling groups under the age of 6 receiving transitional treatment intervention services for a period of no longer than 90 days
- Youth ages 11 to 17 who require intensive treatment – length of stay will be determined on a case-by-case basis
- Young adults that have transitioned out of the foster care system receiving temporary transitional housing and independent living skills services
- Mothers who will reside with their young children while participating in SSA's Dependency Drug Court program.

Response to Recommendations: R.1, R.2, and R.3

- R.1 Study the feasibility of allowing the Probation Department to use up to one-half of the Orangewood Children's Home property currently being used by the Department of Social Services. Study to be completed within six months.

SSA Response: *The recommendation will not be implemented because it is not warranted or is not reasonable.*

It is not feasible – financially, logistically, or clinically to split the OCH property. The children at OCH cannot be mixed with Probation youth.

OCH's Program Statement, upon which OCH's Community Care Licensing (CCL) issued group home license is based, specifically identifies Welfare Institution Code (WIC) 300 dependents as the target population accepted for admission at OCH. The OCH Program Statement excludes wards/delinquents as defined in WIC 602. Further, CCL Regulation/Title 22 Division 6 Section 84268.1 states, "a group home that cares for children under the age of six years ... shall not accept an older child, if the older child has a history of sexually threatening behavior with other children or has engaged in any conduct that may represent a threat to younger children." In addition, WIC 206 states, "persons taken into custody and persons alleged to be within the description of Section 300, or persons adjudged to be such and made dependent children of the court ... shall be provided ... with separate facilities segregated from persons either alleged or adjudged to come within the description of Section 601 or 602."

SSA is responsible for protecting the residents at OCH from further abuse and neglect and separating these two populations is a fundamental element of protection. Sharing a facility with juvenile offenders conflicts with child welfare policy in the State of California because it increases the risk to the OCH population.

Probation Response: *The recommendation will not be implemented because it is not warranted or is not reasonable.*

Given the state and local budget forecasts for the next several years, and its impact on staffing levels and construction costs, it is not feasible to utilize half of Orangewood for Probation purposes. A study conducted within the next six months would lose relevance by the time budgets improved to a level where expansion could be considered.

- R.2 The Probation Department to consider developing the transferred property for use by Juvenile Hall and/or the Youth Leadership Academy and/or the Youth Guidance Center.

Probation Response: *The recommendation will not be implemented because it is not warranted or is not reasonable.*

The Probation Department is currently not in a position to be able to utilize the property. In fact, reductions in beds at Los Pinos are taking place to address the current County fiscal realities. Should any of Orangewood's facilities or property become available along

with funds for modification and staffing, Probation asks for first priority in the use of the property in order to better serve the Juvenile Court youth.

- R.3 The Board of Supervisors direct that a detailed examination of staffing and finances at Orangewood Children's Home be conducted by both the Social Services Agency and the county financial oversight staff.

SSA Response: The recommendation has not been implemented, but will be implemented in the future.

Social Services Agency, in coordination with the County Executive Office, is already reviewing staffing levels and finances and will include identified changes in the FY 09-10 Budget.