

**County of Santa Clara**  
**Board of Supervisors**  
Supervisory District Three  
Supervisor Dave Cortese



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BOSD312 040709

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Board Aide

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DATE: April 7, 2009

TO: Board of Supervisors

FROM:   
Dave Cortese  
Supervisor, District 3

SUBJECT: Request for Report on the Detention of 10-year-old minor.

**RECOMMENDED ACTION**

Refer to the Administration a report back to the Children, Seniors and Families Committee on April 23, 2009 on the circumstances behind the 10-year-old boy and his 11- and 12-year-old siblings being placed into Juvenile Hall, which is usually reserved for 13- to 18-year-old minors. It is common knowledge that the Juvenile Justice System and Social Services are a work in progress and they have made good strides in the right direction such as having a survey for the probationary officers to determine the criteria for detention. However, when such an egregious incident occurs, it is important to look at the system, the communication and the policies in place that would allow such a detention to take place and how we can prevent it in the future.

**REASONS FOR RECOMMENDATION**

It is common knowledge that the Juvenile Justice System and Social Services are a work in progress and they have made good strides in the right direction such as having a survey for the probationary officers to determine the criteria for detention. However, when such an egregious incident occurs, it is important to look at the system, the communication and the policies in place that would allow such a detention to take place and how we can prevent it in the future.

## **BACKGROUND**

It is requested that staff bring a coordinated report back to the Children, Seniors and Families Committee on April 23, 2009 with all pertinent, non-privileged information regarding this incident and what allowed it to happen, including:

- A report from the Social Services Agency;
- A report from the Probation Department;
- A report from the Court System;
- Details on the safeguards in place to prevent such an occurrence;
- Details on the support and care, including psychiatric care, given to and made available to children in the foster care system;
- Details on the protocols in place for dealing with very young children as well as the work that is being done to revamp them;
- Where the communication between departments involved may have broken down and where there are gaps in communication.

It is in the interest of everyone concerned that this matter is looked into and corrected. As the “safety net” for the citizens of Santa Clara County, it is imperative that we treat everyone with respect and do not allow individuals to fall through the cracks. Furthermore, it is necessary that the cause of this case be determined so that the same problem does not happen to another minor.