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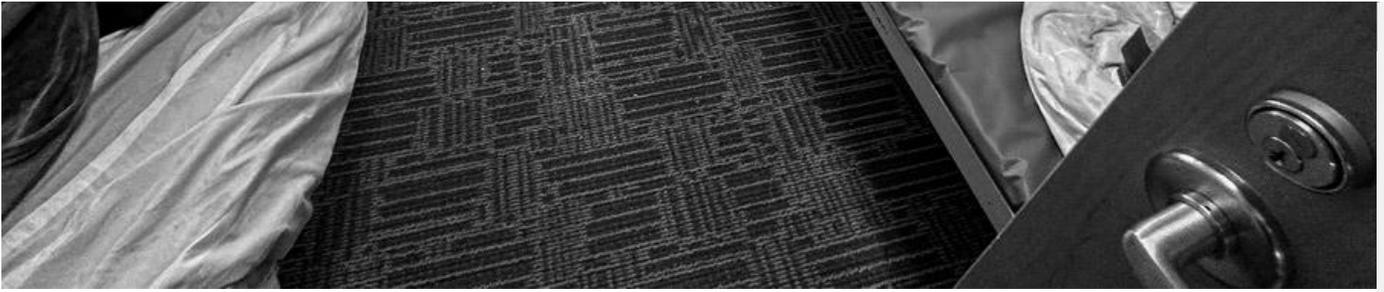
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Judge Orders Court Oversight for Sacramento County After it Housed Foster Youth in an Old Juvenile Hall

BY JEREMY LOUDENBACK





During an unannounced visit by Disability Rights California to Sacramento County's Warren E. Thornton Youth Center, inspectors photographed cells occupied by foster youth. Here, metal beds are topped with thin, plastic pads. In the back, county officials had covered steel toilets with wooden boxes in an effort to make the cells feel more "homelike," the inspectors said. Provided photo.

Months after it was revealed that Sacramento County was housing dozens of foster youth at a repurposed juvenile detention facility, a lawsuit has forced county officials into five years of court supervision to address the systemic failures that led to the illegal placement.

On Tuesday, Superior Court Judge Shelleyanne W.L. Chang signed an agreement between the San Francisco-based Youth Law Center and Sacramento County that prohibits the use of unlicensed placements for foster youth and orders an array of services to prevent such placements in the future.



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A [joint statement](#) released by the two parties described the placement of scores of foster youth at the Warren E. Thornton Youth Center's jail-like setting in Rosemont as "an attempt at a short-term fix to provide a safe place for youth who had no other place to go."

The settlement marks "a turning point in Sacramento County, ending a practice of placing children in unlicensed settings that has been going on for years," the statement reads. "Sacramento County is taking the necessary first steps to come out of this situation a stronger system more capable of providing children in care the supports and services they need."

Under the terms of the legal settlement, all foster youth in the county will receive access to behavioral health treatments, including "wraparound" services that are available to young

people living in family homes. Another mandated service will be the use of intensive “family finding” programs — intensive searches for children’s relatives willing to take them in or provide ongoing support.

Sacramento County child welfare director Michelle Callejas said her agency has been transparent about its use of the Thornton Center to house foster youth, notifying dependency courts and scheduling services with mental health providers. She attributed the need for such a facility to the dwindling number of beds in Sacramento residential treatment centers, placements that can provide a heightened level of care for foster youth.

Michelle Callejas

“This is something that keeps every child welfare director in the state awake at night,” she said. “At the end of the day, child welfare is always the system of last resort and we are faced with tough decisions.”

Youth Law Center Senior Staff Attorney Brian Blalock praised Sacramento County’s recent commitment to finding alternatives to the detention center, but expressed concerns about previous decisions.

“When you have kids sitting in an old juvenile hall because there’s no beds for them, that’s just not how I think a healthy system should be looking at this at all,” Blalock said. “The question is not where do the kids sleep. The question should be: who is tucking them in at night?”

After months of negotiations with the Youth Law Center, on June 16, Sacramento County moved the last foster youth out of the former detention center on Branch Center Road. In its place, the county has opened three “welcome centers” for foster youth — houses in residential neighborhoods where teens will live on an emergency basis while the county’s Department of Child, Family, and Adult Services finds suitable homes and therapeutic programs to meet their needs.

Brian Blalock

Sacramento County has had a particularly fraught history of relying on temporary shelters to house foster children, leading to extensive critical [media coverage](#). In 2017, the state [shut down](#) the county’s foster care intake center, where youth ~~spent on the floor and were preyed upon by human traffickers~~

County leaders eventually moved foster youth to another unlicensed facility, a county-owned office building with no beds or showers. That arrangement posed an “immediate health and safety risk” to the children, the California Department of Social Services found last year. In August of 2022, children were moved to another vacant county-owned building down the street: the closed juvenile detention facility.

In a September letter to local officials, Larry Fluharty, the foster care ombudsperson for the California Department of Social Services, warned local officials: “The physical space of the facility and the facility environment has potential to retraumatize or trigger youth, leaving children to feel physically and psychologically unsafe.”

In March, the Youth Law Center sent Sacramento County a [demand letter](#) insisting on an end to the illegal housing arrangement. Dozens of attorneys, state legislators and members of the media toured the formerly shuttered juvenile detention center in April, where roughly 20 foster youth had been living for months.

Extensive media coverage ensued, including ongoing [coverage](#) in the local paper, The Sacramento Bee.

“THE FACILITY ENVIRONMENT HAS POTENTIAL TO RETRAUMATIZE OR TRIGGER YOUTH, LEAVING CHILDREN TO FEEL PHYSICALLY AND PSYCHOLOGICALLY UNSAFE.”

— LARRY FLUHARTY, OMBUDSPERSON, CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

Children ages 13 to 17 placed in state custody due to parental abuse or neglect — through no fault of their own — had been sent to live in the facility designed for juvenile offenders. Walking in, they had to pass by metal detectors staffed by the sheriff’s department, and they slept in repurposed cells, with two metal slab beds next to steel toilets that were covered over with wooden boxes, apparently in an effort to make the cells look less jail-like. The facility was watched by a uniformed guard and numerous security cameras, according to press reports.

The California Department of Social Services refused the county's bid to license the facility that had been housing roughly a dozen or more children a night. It later fined the local government for placing children at the detention center after being warned not to, according to the [Sacramento Bee's](#) reporting.

In addition to mounting legal challenges from the Youth Law Center, the mother of a 13-year-old boy housed at the Warren E. Thornton Youth Center also [sued Sacramento County](#), alleging in court documents that he had been subjected to statutory rape and provided illicit drugs, according to KCRA-TV.

The detention facility's "outdoor recreational area" is an enclosed concrete space with benches bolted to the ground and no shade. Provided photo.

Assemblymember Mia Bonta of Oakland condemned the actions of Sacramento County. Earlier this month, she introduced a state budget proposal that prohibits placements of California foster youth in any current or former detention settings.

"Desperate times do not call for desperate measures in this case," Bonta said in an interview with *The Imprint*. "While we know that we need alternatives, we need to make sure that we're cutting off an option that is just not viable and being very clear about the fact that our children do not belong in detention facilities, ever."

Although the Sacramento County detention center is an extreme example, foster youth are held in inappropriate, unlicensed placements across the country. Earlier this month, the Texas Family and Protective Services reported that [more than 250 foster children](#) were sleeping in hotels, offices and other ad-hoc arrangements — a number that has crept up in recent months. An article last year in the [Philadelphia Inquirer](#) found that the city's child welfare agency had housed roughly 300 children overnight in conference rooms over the past 12 months. The Nevada Division of Child and Family Services placed seven children from rural counties in [casino hotel rooms](#) this year. And in North Carolina, foster children are sleeping on cots in child welfare offices and even jails.

[Officials](#) in that state blame a steep downturn in the number of foster parents. Overall, 36 states have reported a decrease in the number of licensed foster homes from 2021 to 2022, according to research compiled by [The Imprint](#).

**“DESPERATE TIMES DO NOT CALL FOR
DESPERATE MEASURES IN THIS CASE.”**

— ASSEMBLYMEMBER MIA BONTA

Youth housed in unlicensed settings tend to be older than other foster children, advocates say, and may be dealing with behavioral and mental issues and a history of unstable housing arrangements. The makeshift placements leave young people even further cut off from mental health services and education, compounding the trauma of being placed into foster care.

An internal survey of California child welfare agencies conducted by the County Welfare Directors Association of California found that in 2022, there were more than 1,000 incidents of foster youth residing overnight in a setting that was not approved by the state.

There are also safety concerns for youth and staff. For more than two years, Los Angeles County housed dozens of youth at the historic beaux arts-style Millennium Biltmore Hotel, where a foster youth reportedly assaulted a social worker, according to reporting by [The Los Angeles Times](#).

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Department of Children and Family Services Director Brandon Nichols said at a recent public hearing that hotel rooms would continue to be used to house a small number of youth, including those who have been rejected by licensed residential facilities. He said that in the wake of The Times story, the agency would rely on peer mentors and provide more staff to disrupt potentially violent situations.

“I want to move to a place where we’re not using hotels at all,” Nichols said. “But I don’t want a kid under an underpass, and I don’t want a kid sleeping in a car.” Trying to balance housing and regulatory issues is “difficult,” he said.

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ABOUT THE AUTHOR

Jeremy Loudenback

Jeremy Loudenback is a senior reporter for The Imprint.

 jloud@imprintnews.org

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JEREMY LOUDENBACK

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