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DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

May 16, 2023

Melissa Lloyd, Deputy Director
Sacramento Child Protective Services
Department of Child, Family and Adult Services
Centralized Placement Services Unit
9750 Business Park Drive, Ste 220
Sacramento, CA 95827

SUBJECT: DEMAND TO REMOVE CHILDREN HOUSED AT UNLICENSED WARREN E. THORNTON YOUTH CENTER

Dear Deputy Director Lloyd,

The California Department of Social Services ("CDSS") is writing to demand that Sacramento County ("County") take immediate action to stop children from being housed at the Warren E. Thornton Youth Center ("WET Center"), an unlicensed facility located at 4000 Branch Center Road, Sacramento CA 95827. Simultaneous with this letter, the County is served with a notice of action informing the County that the application for a Temporary Shelter Care Facility License for the WET Center is denied. **Effective immediately, no additional youth may be transferred to the WET Center, and all youth currently housed at the facility must be transitioned to licensed locations no later than June 16, 2023.** (Welf. & Inst. Code section 10600 and Health & Saf. Code sections 1503.5(c), 1540, & 1547.)

Consistent with the authority of the CDSS as the single-state agency responsible for the oversight of Child Welfare Services in California, the CDSS demands the County participate in technical assistance the CDSS has offered to the County to assist the County in facilitating these transitions. The technical assistance has been discussed over the course of several conversations and summarized in the CDSS's May 4, 2023, letter to the County.

Specifically, the CDSS demands the County take the following actions:

- By May 19, 2023, participate in a joint meeting between the Child and Family Services Division (CFSD) of the CDSS and Sacramento County to determine with specificity next steps for implementation of the technical assistance activities discussed in the letter from Deputy Director Schwartz dated May 4, 2023, and appended here. During that meeting, the requested clarification regarding all the technical assistance offered will be discussed. In the interim, the CDSS clarifies that child-specific complex care funding is not available for what would otherwise be considered a payment for care and supervision of a child placed in a group home.
- By May 22, 2023, participate in a meeting that includes the state System of Care Joint Resolution Team and the Sacramento County local interagency leadership team for the purpose of identifying individual transition plans for each youth currently or recurrently cared for at the WET Center. The state AB 2083 Children and Youth System of Care Team will also be available for this meeting.

- By May 31, 2023, submit to the CDSS individual assessments of each youth with a transition plan that includes details of what services and supports will be provided to the youth as well as the date by which the youth will be transitioned into an appropriate licensed or approved placement.
- By June 5, 2023, participate in a monthly Continuous Quality Improvement evaluation with CFSD to determine solutions the County can put into place to deter the use of congregate shelter care.
- By June 16, 2023, or sooner, all youth currently admitted to the facility must be transitioned to licensed locations.

Failure to comply with these demands will result in the CDSS taking legal action. Civil penalties can be assessed against any unlicensed facility which fails to take corrective action within prescribed time periods, per California Health and Safety Code section 1547. Accordingly, a civil penalty of \$200 per day for every violation of children being admitted to the unlicensed WET Center will be imposed on the County if children remain in care beyond June 16, 2023. Additionally, as set forth in the May 16, 2023 letter denying the County's application for a license for the WET Center (attached), a civil penalty of \$200 per day will be assessed if any new youth are admitted to the WET Center in violation of California Health and Safety Code Section 1508 following the effective date of the license application denial.

The CDSS understands the County is negotiating a possible settlement with the Youth Law Center with respect to the youth admitted to the WET Center. As the single-state oversight agency, the CDSS requires the County to coordinate with the CDSS regarding any such negotiations and settlement terms to ensure compliance with the CDSS's demands.

Finally, in accordance with Health and Safety Code sections 1540, 1541, and other applicable laws, the County's continued operation of the WET Center without a license could result in civil and/or criminal action being taken against the County. By law, the County is required to place children only in licensed community care facilities, exempt facilities, or resource families.

Sincerely,



TORENE L. M. SCHWAB
Chief Counsel
Legal Division
California Department of Social Services

cc: Jennifer McLaren, Assistant County Counsel
Kim Johnson, Director, California Department of Social Services
Jen Troia, Chief Deputy Director, California Department of Social Services
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