



## **TELOS YOUTH OUTPOSTS, INC.**

**P.O. Box 958, El Dorado, CA 95623**

Ph. 530-626-0345 Fax: 530-642-8814

E-mail: [johnधिatt@telosyouth.com](mailto:johnधिatt@telosyouth.com)

Website: [www.telosyouth.com](http://www.telosyouth.com)

### **Board of Directors**

Frank J. Jager Paul Laudenschlager Teresa Russell  
Tom Emigh Terry Bixler

---

**February 7, 2009**

## **Press Release**

### **Re: Why Telos Youth Outposts, Inc. is Closing**

Telos is closing its doors after 23 years of service to California's most vulnerable and disadvantaged boys. At the time, it was a financially and programmically viable business. The need for its closing was due entirely to the California Department of Social Services (CDSS), Community Care Licensing Division's (CCLD) insistence upon re-interpreting existing regulations to socially re-engineer the operation of children's homes in accordance with some of its personnel's personal belief systems, rather than in accordance with the needs of the children placed into such homes, or even in accordance with other of its own regulations.

The outcome was that CDSS/CCLD eviscerated our program by finding a plethora of "new" children's rights in existing regulations, new rights that destroyed Telos' ability to intervene in the inappropriate behavior of its behaviorally disordered clientele, and instead required Telos staff to become enablers of that inappropriate behavior. Its action was akin to disallowing hospitals to perform surgery due to it being too invasive a procedure!

Telos was a very successful program, one that helped many young men turn away from poor behavioral choices such as crime, drug use, gang involvements, school failure, etc. Its success was due to its ability to intervene—to get between a boy and his poor choices—and stop poor behavior, establish a mentoring relationship with the boy through wilderness pursuits, sports participation, and the daily milieu, and then gradually lead the boy to choose a healthier lifestyle, one that became habituated by the time the boy was ready to graduate.

But to intervene in poor behavior required Telos to have certain control over a boy's life. Not cruel or abusive control, but rather the abilities to control his contacts by phone and in person, to search him (not to the extent of strip searches as are routinely done in government run institutions like juvenile halls, county ranches, and the California Department of Juvenile Corrections), to search his property, and to discipline him with slight physical exertions like laps

and push-ups (that are routinely utilized by coaches in government run schools for the same type of discipline.) But suddenly, the CDSS/CCLD discovered that their existing regulations freed children in licensed children's homes from all these controls and interventions.

Actually, the CDSS/CCLD, in its discussion with this writer, blamed the need for the changes upon political pressure exerted by the San Francisco Youth Law Center, and the CDSS Foster Care Ombudsmen's office. However, when a local reporter sought to understand CCLD's side of the issue for a story in Placerville's Mountain Democrat, in an astonishing show of government transparency, he was stone-walled with a repetition of its boiler-plate public statement and a refusal to allow questioning of the regulators that had actually ordered Telos to make the changes stated above.

While it may seem that Telos' closing was sudden and capricious, in actuality this writer had seen Telos' destruction coming the past 18 months. You may find the story interesting.

In the fall of 2007, this writer attended a conference in Van Nuys, CA provided co-jointly by the California Association of Child and Family Services (of which Telos was a member) and CCLD. Both the CDSS Foster Care Ombudsman and CCLD legal division chief addressed those in attendance on the "personal rights" changes that they were anticipating. They ostensibly were on an "information gathering mission," but in retrospect, they were only trying to gauge the level of the placement community's opposition to the changes they had already made up their mind to augment. This writer spoke in defense of current practices to the extent that he was twice given a standing ovation by his peers, and to the extent that the presenters refused to call on him again for comment during the session. Chillingly, afterwards, Telos began receiving heightened enforcement attention from CCLD, and nuisance citations.

Then in the fall of 2008, this writer was invited by a phone call from its regulator to a CCLD meeting for providers on the issue of new personal rights for children in state licensed homes. Due to a required court attendance for a client, this writer was unable to attend, but did leave a message for the caller stating that Telos would not accept changes that required its staff to become enablers of poor behavior rather than interveners to stop it. More CCLD enforcement attention followed, with more nuisance citations.

Interestingly, in appealing some of these citations, this writer learned that there is no mechanism to appeal a CCLD citation to an Administrative Law Judge (ALJ). In California, ALJ's oversee regulatory matters as opposed to other legal issues. Rather, there are four levels of appeal, all within CCLD itself. Astoundingly, this means that CCLD can interpret the regulations under which it operates any way that it wants, and there is no process for those affected to get the matter in front of an ALJ for review! In short, private companies such as Telos—a 501 (c) (3)

charitable, non-profit corporation—operating a state licensed facility exist only upon the benevolence of CCL; they can be shut at any moment CCLD capriciously chooses with no recourse or appeal outside CCLD. Frankly, I pale that government of the people, by the people, for the people has given an agency such as CCLD such power!

In November 2008, Telos received a letter stating that CCLD had undertaken a routine periodic review of each state licensed children's home program statement and questioned certain items that Telos' program statement had contained for the past 15+ years. A program statement is like a contract with the state; Telos spells out its program, and is then obligated to follow that program. In its 23 years of operation, Telos was never aware of any other routine periodic program statement review, but that's an aside.

In response to CCLD's letter, this writer sought to show that Telos was operating within the regulations by citing the specific regulations that applied to its conduct of its program on each issue raised.

The result was more enforcement action. Ostensibly, this time the regulator showed up on a "follow-up" to an ongoing investigation. In tow, she had a member of the CCLD legal department, ostensibly a new employee who was "just observing a day in the life of a regulator." Together, they just happened to be in the house when the children arrived home from school and just happened to stand where they could observe staff search the boys and their school book packs as is the daily routine. To this writer, the duplicitous purpose of their presence was obvious.

Telos routinely searches boys after they are away from the facility at school, or other absences not supervised by staff. Such searches keep weapons, tobacco, drugs, alcohol, stolen items, and other contraband from entering our home and thus assist in Telos maintaining a safe, healthy, comfortable environment for all, as is required by the regulations. The searches are pretty benign and are routinely accepted by our residents; many have been subjected to strip searches by government agencies, and probably find the maintenance of their privacy in our searches refreshing.

Notably, one of the nuisance citations Telos recently received was for an instance of not providing a safe, healthy, comfortable environment for all.

Then on January 20, 2009 this writer was called to a meeting with CCLD regulators; only the regulators and he were present. At the outset of the meeting the written reply Telos had made to CCLD's November letter was dismissed with the statement "From the tone of your letter it appears that you are not going to comply..." Without making any statement regarding the validity of the references made to existing regulations in Telos' written response, the regulators then began stating how Telos was to change its program to comply with the new

personal rights that had been found in its regulations. At one point, this writer stated that the changes were “stupid,” promised to shutter Telos, and left the room. It was clear that Telos could no longer intervene to stop the poor behavioral choices of its behaviorally disordered clientele. Its service as a behavioral change agent was over.

At this time, California—and our nation and the world—are in the worst economic crisis since the Great Depression. Employment is scarce and worsening, tax revenues are low, and the need for services to children is heightened. Despite all that, in the midst, CCLD has sought to embark on a social re-engineering project that will eviscerate the programs of the children’s homes that serve youthful offenders. In our case, our community and its businesses lost a \$575K budget, the state and federal government lost the payroll tax revenues of \$350K, the county lost its portion of the state sales tax generated by the velocity of that \$575K budget through its community, 12 more people were added to the unemployment rolls, and eight children who were stable and doing well at their schools and in their programs have suffered a terrible loss—the loss of a program that they loved! (The note they gave this writer that reflected their pain is posted on Telos’ website: [www.telosyouth.com](http://www.telosyouth.com).)

Why didn’t the CCLD stand up against the Youth Law Center, the CDSS Ombudsman, and its own legal department to fight for the right of effective programs like Telos to continue doing what they had long been successful doing? CCLD has to know what damage their new found rights are causing behaviorally disordered children in care! What about the rights of these children to be properly parented, provided loving discipline, and to learn to live appropriately within our society? Why aren’t those rights important? Why is it that private business such as Telos is treated like the enemy of the state and made to kowtow like chattel to the personal whims and prejudices of the people who populate state agencies such as CCLD? Unfortunately, there will be no answers to such questions because CCLD does not operate transparently, and there is no mechanism with which to hold CCLD accountable.

In our 23 years, Telos served 408 boys ages 11-18. It provided 7,902 days of residential care, supervision and treatment. It engaged in 296 wilderness adventures (and we might add safely—never did a child require other than 1<sup>st</sup> Aid, stitches, or treatment for a sprain.) Participants camped 554 nights, climbed 170 peaks including Mt. Shasta and Mt. Whitney, rappelled 163 cliffs, and hiked and paddled 3,226 wilderness miles. Once Telos participated for several days in the search for a lost young hunter in Trinity County—unfortunately he was found dead from exposure weeks after the search ended, but we tried!

Over the years, a plethora of staff Telos employed and trained have gone on to public service in law enforcement, corrections, child protective services, probation, special education, fire and paramedic services, etc. In short, we

kindled, or at least furthered, the desire of many of our employees to pursue public service careers.

In 1975, Telos was the dream of this writer, then serving as a high adventure Boy Scout leader and a Deputy Sheriff. Its foundation was the subject of this writer's 1986 Master's thesis entitled A Community Based Wilderness Treatment Program for Juvenile Offenders. Telos was founded in 1986 and first opened its doors in 1987. It was successful in carrying out its mission beyond this writer's early imagination.

I am thankful for the 23 years that I was allowed to serve the children with the worst broken hearts. We make a positive mark on the future only in so far as we make a positive mark on our children. I am thankful that I had the opportunity to make that mark!

I am also thankful to the local community that accepted Telos, especially the El Dorado Jr. Cougar Football and Cheer community who embraced our boys, and the El Dorado County Office of Education's Charter Community School that disciplined our children while continuing to provide them with an education, rather than excluding them from their education for disciplinary reasons. Public schools could certainly improve educational outcomes by following their example.

I'd also like to acknowledge the fact that it took great teamwork between juvenile court judges, probation and social welfare department representatives, the Charter Community School, and Telos itself to arrive at successful outcomes for children placed into our care. Looking back, a child where that teamwork faltered—a member of the team did not work effectively with others, or lost patience—did not have a good outcome. Those children that did benefit from all members of the team working together—understandingly, effectively, and patiently—did arrive at good outcomes. I have never heard such teamwork mentioned as a reason for good outcomes, so here's another.

While I am saddened at the loss of Telos, and the detrimental effect its closing has on its residents and staff, and to the future children who will not have the opportunity, I remain cognizant that—as our boys recently found inscribed inside a relic of a business in the ghost town of Bodie on a recent wilderness trip—“nothing endures except change.”

John D. Hiatt, M.A.  
Executive Director  
Telos Youth Outposts, Inc.  
POB 958  
El Dorado, CA 95623  
(530)-626-0345

