

DEPARTMENT OF CORRECTIONS AND REHABILITATION

DIVISION OF JUVENILE JUSTICE

Title 15, California Code of Regulations

4680, 4681, 4682, 4683, 4684, 4685

Youth Escape

INITIAL STATEMENT OF REASONS

Section 1712 of the Welfare and Institutions (W&I) Code establishes the California Department of Corrections and Rehabilitation has the responsibility to make and enforce all rules appropriate to the proper accomplishment of the functions of DJJ.

Section 1004 of the W&I Code establishes that the DJJ shall have charge of the persons committed to or confined in DJJ facilities and shall provide for their care, supervision, education, training, employment, discipline, and government.

Section 1710 (a) in the W&I Code abolished the Youth and Adult Correctional Agency. It then created the Department of Corrections and Rehabilitation, consisting of the Division of Adult Operations, the Division of Adult Programs, the Division of Juvenile Justice (DJJ), Corrections Standards of Authority, the Board of Parole Hearings, and the State Commission on Juvenile Justice, the Prison Industry and the Prison Industry Board.

Section 224.70(e) of the W&I Code states... *“youth’ means any person detained in a facility of the Division of Juvenile Justice.”* Per Section 224.70(e), the DJJ will now identify a “ward” as a “youth.”

Specific Purpose and Factual Basis

The specific purpose for amending section 4680, Definition of Escape, is to change “ward” to “youth” per section 224.70 (e) in the W&I Code and to add the word “and with intent to abscond” for clarity.

4680 subsection (a) has not been changed.

4680 subsection (b) has not been changed.

4680 subsection (c) has not been changed.

The specific purpose for amending section 4681, Attempted Escape, is to re-word the sentence for clarity.

4681 subsection (a) has not been changed.

4681 subsection (b) has not been changed.

4681 subsection (c) has not been changed.

The specific purpose for adopting section 4682, Escape from Non- Youth Authority Facility, is to amend the appealed title to Escape from Non- DJJ Facility per 1710 (a) in

the W&I Code. Section 4682 is also adopted to include the processes for which staff will be held accountable.

The specific purpose for adopting section 4683, Staff Procedure, is to describe the general staff procedures that shall be followed in the event a youth escapes.

The specific purpose for amending section 4684, Apprehension of Escaped Ward, is to change “ward” to “youth” in the title per section 224.70(e) in the W&I Code. Section 4684 is also amended to include the procedures for apprehending an escaped youth and to align with the DJJ Crisis Prevention Management (Use of Force) regulation.

4684 subsection (a) is deleted.

4684 subsection (b) is deleted.

4684 subsection (c) is deleted.

4684 subsection 1 is amended to be subsection (a) and changes Youth Authority to Division of Juvenile Justice per 1710 (a) in the W&I Code.

4684 subsection 2 is re-assigned to be subsection (b) with no changes to the language.

4684 subsection 3 is re-assigned to be subsection (c) with no changes to the language.

The specific purpose for amending section 4685 is to change “ward” to “youth” per section 224.70 (e) in the W&I Code.

4685 subsection (a) no changes have been made.

4685 subsection (b) no changes have been made.

4685 subsection (c) no changes have been made.

Subsection (d) is amended to change “Youth Authority” to “Division of Juvenile Justice” per section 1710(a) in the W&I Code.

Reasonable Alternatives

No other alternatives have been considered by the DJJ.

Reasonable Alternatives That Would Lessen Any Adverse Economic Impact on Business

The DJJ has not identified any alternatives that would lessen any adverse impact on small businesses.

Documents Relied Upon

Except for W&I and Penal Code statutes and DJJ policies and procedures, the DJJ did not rely upon any other reports or documents in proposing the adoption of this regulation.