California Department of Corrections and Rehabilitation
Office of the Ombudsman

Senate Bill 518 Report
2015

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Executive Summary

Senate Bill 518 was signed into law by Governor Arnold Schwarzenegger on October 13, 2007. This Bill created the Youth Bill of Rights and mandated the Office of the Ombudsman and the Division of Juvenile Justice (DJJ) to implement several services related to the Youth Bill of Rights. It required the Office to install a toll-free number through which youth in DJJ facilities could contact the Office directly. The Office was required to consult with various stakeholders, including youth advocates and support groups, to develop standardized information explaining the Youth Bill of Rights, and to disseminate this information to all facilities. By July 1, 2008, the Office was required to post this standardized information, including the toll-free telephone number, in all DJJ facilities.

The Office of the Ombudsman's DJJ Hotline was implemented on July 1, 2008. Upon implementation, the Youth Bill of Rights posters were placed in all DJJ facility living units, visiting halls, school areas, libraries, administration buildings, and other areas deemed appropriate. To date, the DJJ Ombudsman continues to monitor, ensure the distribution and placement of posters, and track all calls received on the hotline.

Senate Bill 518 also required that the Office of the Ombudsman compile and make available to the Legislature and public all data collected over the course of the year, including, but not limited to, the number of inquiries to the toll free number, the nature of the inquiries, the actions taken to address the inquiries and the number of inquiries not resolved. Pursuant to this requirement, the following report is a compilation of the data captured for the year 2015. This report includes all inquiries made to the Office of the Ombudsman's DJJ Hotline.

This is the eighth report issued by the Office of the Ombudsman. It contains data for inquiries received via the DJJ Hotline from January 1, 2015 through December 31, 2015. Over the eight year period, the issues have changed slightly due to evolving programs. There are currently a total of sixteen (16) categories identified.

In 2015, the Office of the Ombudsman received eighty-one (81) inquires, four (4) by United States Mail and seventy-seven (77) DJJ Hotline inquiries. The inquiries came from the three (3) DJJ Facilities: Ventura Youth Correctional Facility (VYCF), N.A. Chaderjian Youth Correctional Facility (NACYCF) and O.H. Close Youth Correctional Facility (OHYCF). The average population has slightly increased from 670 youth in 2014 to 683 in 2015. Currently the DJJ receives its youthful offender population from both juvenile and superior court referrals. Those youths are sent to the DJJ to receive various training and treatment services.

The Integrated Behavior Treatment Model (IBTM) has been evolving since implementation and provides a fundamental vision through screening, assessment, case planning, treatment and rehabilitation. Staff works with the youth and family to develop a case plan for the youth's success. As of December 2014, the IBTM was implemented at all DJJ Facilities and is across all programs and living units.

From January 1, 2015 through December 31, 2015, the Office of the Ombudsman received a total of 77 hotline inquiries. This is nearly the same number of inquiries as prior year, reflecting a slight decrease from 2014 when the Office received 79 calls.

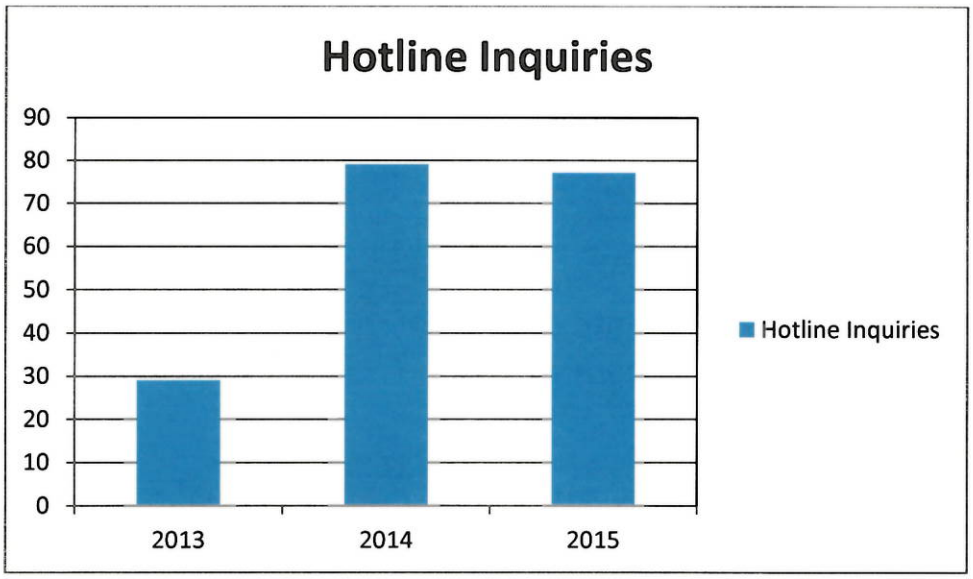

Table A. Hotline Inquiries received by the Office of the Ombudsman's DJJ Hotline, 2013-2015

In calendar year 2015, the DJJ experienced a slight increase in the youth average daily population. Numerous legislative and regulatory changes have realigned the juvenile justice population to county jurisdiction, including post-custody release supervision.

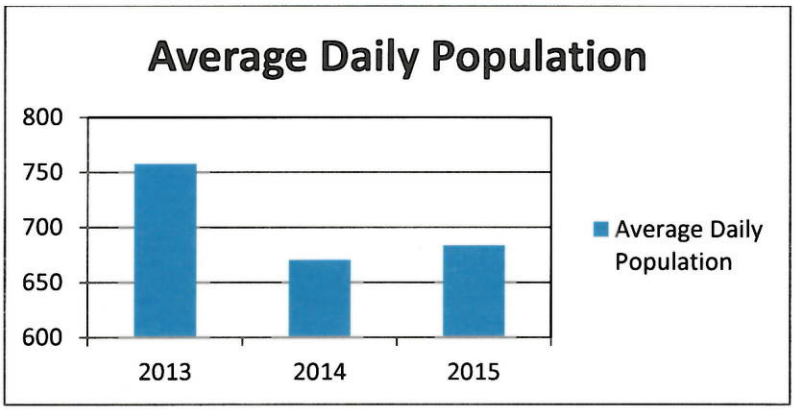

Table B. Average Daily Population for the Division of Juvenile Justice, 2013-2015

In 2015, the average number of hotline inquiries received per month by the Office of the Ombudsman was six (6). The highest number of inquiries received was in the month of February (13) and the lowest in the months of May (3) and December (3).

Hotline Inquiries per Month 2015

Month	*Total Number of Inquiries*
Jan-15	6
Feb-15	13
Mar-15	8
Apr-15	10
May-15	3
Jun-15	6
Jul-15	5
Aug-15	5
Sep-15	6
Oct-15	4
Nov-15	8
Dec-15	3
Total Number of Inquiries	77

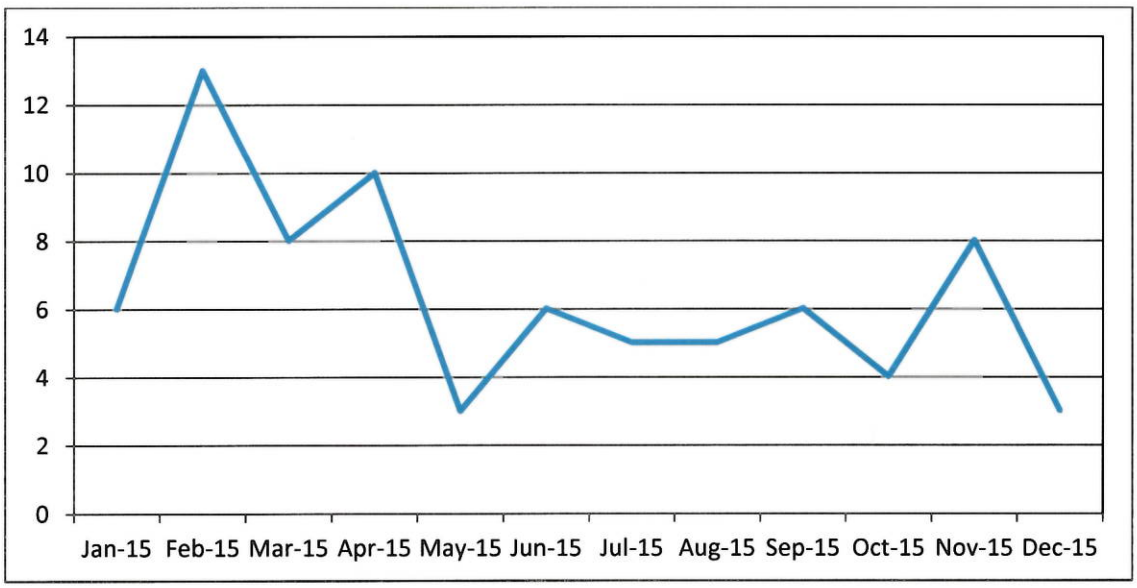

Table C. 2015 DJJ Hotline Inquiries per Month

In a comparison from 2014–2015, the number of calls received per month has decreased from the prior year.

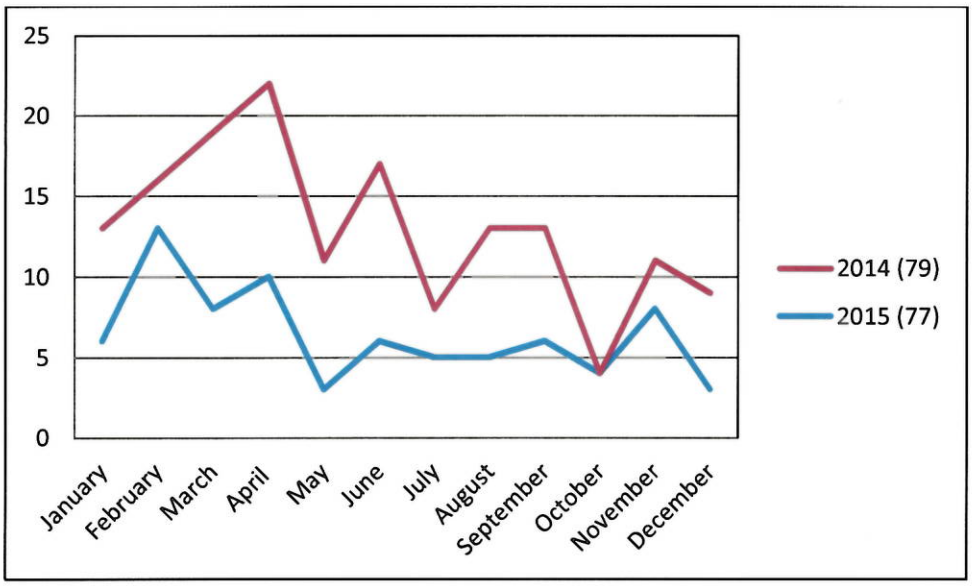

Table D. Comparison by Year of DJJ Hotline Inquiries per Month

The greatest number of inquiries received was related to concerns at the N.A. Chaderjian Youth Facility, receiving 29 calls (37.7% of total inquiries), reflecting slightly more than one-third of the total inquiries. However, all facilities were relatively close with Ventura Youth Correctional Facility receiving 26 calls (33.8% of total inquiries) and O.H Close Youth Correctional Facility with 22 calls (28.6% of total inquiries).

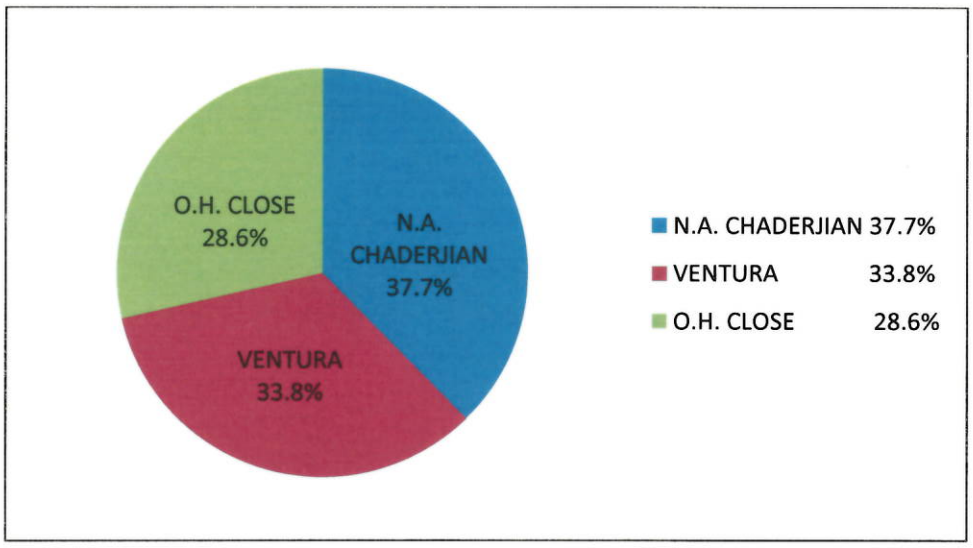

Table E. 2015 Percentage of DJJ Hotline Inquiries by Facility

2015 DJJ Hotline Inquiries by Category and Facility

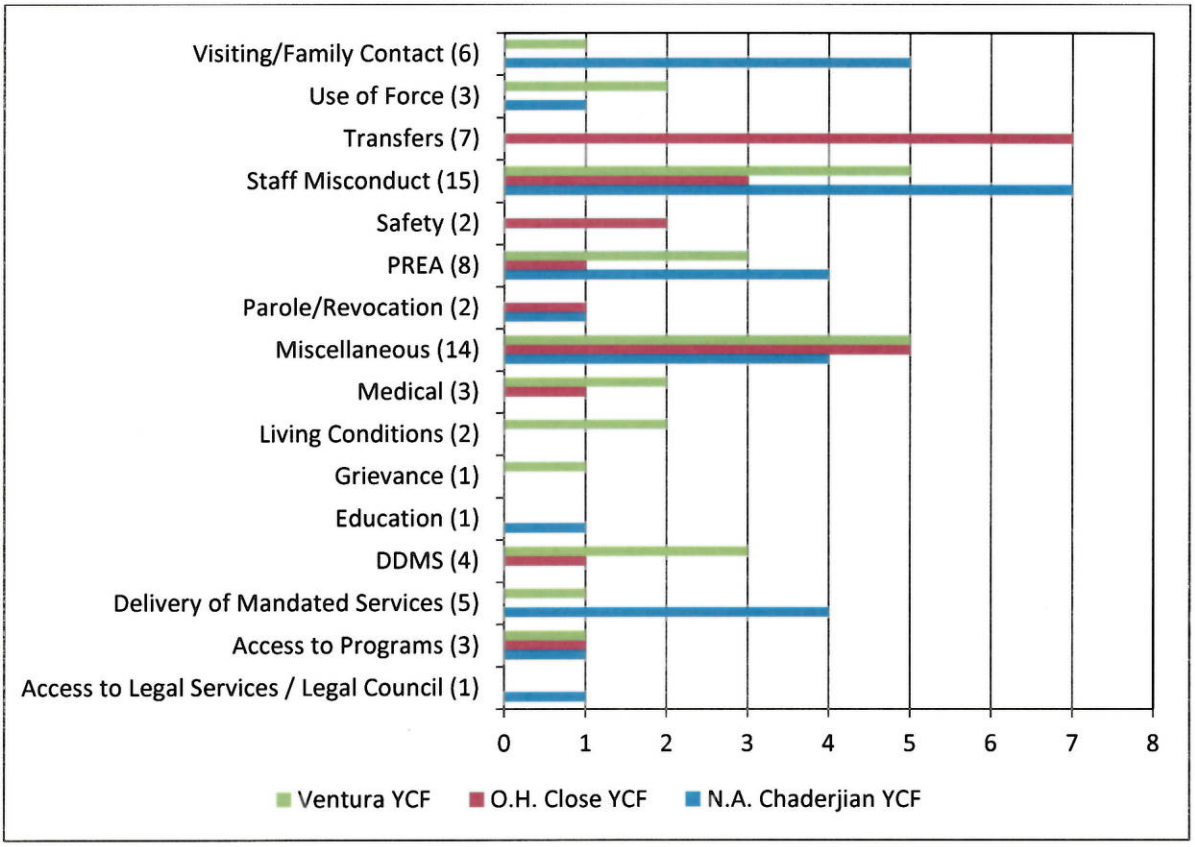

Table F. DJJ Hotline Inquiries by Category and Facility

Staff Misconduct: The inquiries received in the area of Staff Complaints, with a total of fifteen (15) inquiries received, were spread fairly evenly among the three facilities, noting two (2) of the seven (7) complaints received for N.A. Chaderjian Facility had each called twice, resulting in an actual five (5) complaints. This is the same number of complaints as received for Ventura YCF, with O.H. Close receiving three (3) complaints. This category covered anything from allegations of disrespect to allegations of negligence. Approximately half of the complaints were filed as a result of perceived disrespect by staff. The Ombudsman's Office does not conduct investigations into allegations of Staff Misconduct. These complaints are referred to the attention of the Superintendent and the inquiry is monitored or investigated in accordance with the DJJ's Staff Misconduct Complaint policy.

Allegations of excessive or unnecessary physical or chemical force are captured under Use of Force. Per the DJJ's Crisis Prevention Management and Use of Force Policy, any DJJ employee that receives an allegation of excessive physical or chemical force must report the allegation immediately. This year, three (3) allegations of excessive or unnecessary physical

or chemical force were received via the DJJ Hotline. Two of the three allegations received by the Office of the Ombudsman were reported to the Superintendent. The Ombudsman made multiple attempts to interview the youth regarding the third allegation. However, the youth remained in out-to-court status and the Ombudsman was unable to interview the youth.

The Miscellaneous category traditionally captures a significant number of inquiries. In 2015, fourteen (14) inquiries fell in the miscellaneous category which constitutes 18% of the total calls received to the DJJ Hotline. Seven (7) of the inquiries were from youth who either did not provide the nature of their inquiry or who provided a message that was unclear. Four (4) of the fourteen (14) inquiries received were reports that the DJJ Hotline was not working at the O.H. Close Facility. The issue was promptly investigated, resolved and the DJJ Hotline was restored. Two (2) inquiries were from youths with a request for notary service, and (1) one inquiry was from a youth with concerns about his program.

The Office received eight (8) inquiries alleging sexual misconduct or assault. Pursuant to the Federal Prison Rape Elimination Act (PREA) protocol, and in accordance with the DJJ's Staff Misconduct Complaint policy where staff misconduct is alleged, all PREA allegations were referred to the attention of the Superintendent. Additionally, the inquiries were monitored or investigated in accordance with the DJJ's policy.

Another category that received a high number of inquiries was transfers, including both inter-facility and intra-facility transfers. In 2015, seven (7) inquiries received in this category were from youths housed at the O.H. Close Facility. Six (6) were calls from the same youth checking on the status of a pending transfer. It was determined the transfer was delayed due to appropriate procedures relative to housing. One (1) inquiry was from a youth with allegations of safety and a request to be moved closer to home. The Office of the Ombudsman does not have any jurisdiction over transfers. These calls were referred to the Superintendent and the youth's treatment team who are equipped with the knowledge of the youth's case factors and can make the best decision regarding the youth's placement.

The Office received six (6) calls pertaining to Visiting and or Family Contact. This number has slightly increased since 2014 where there were five (5) inquiries related to Visiting and or Family Contact. The Youth Bill of Rights states that youth shall not be deprived of contact with his or her family for disciplinary reasons. Similarly, a visitor may be restricted for serious or repeated violations of the rules, regulations and procedures, and/or upon belief of the visitor's involvement in a criminal act. Upon a review of all 2015 visiting inquiries to the DJJ Hotline, there were four (4) of the six (6) calls relative to the suspension of family visiting. The suspension was a result of family member(s) inability to clear visiting approval policies due to their background. This Office provided appeal process information.

The Integrated Behavior Treatment Model (IBTM) guides all services received by the youth from the time they arrive at the Division of Juvenile Justice (DJJ) until they re-enter the community. In addition to the case plan for the youth's success, the plan is for all levels of staff to receive training of the following: IBTM Overview, Skill-of-the Week/Advanced Practice, Cognitive Behavioral Primer, Substance Abuse, Aggression Interruption Training/

Reinforcement, and Effective Casework. Group activities have promoted teamwork and communication. There has been implementation of programs to assist Mental Health Youth and Interventions for Substance Abuse for youth in need of treatment. Teams have implemented a revised reinforcement system. Substantial compliance has increased at all facilities as the DJJ continues to move closer to ending the court oversight in the *Farrell vs. Beard* case.

The DJJ Ombudsman continues to visit all DJJ facilities, clinics and reception centers. During these visits, the Ombudsman monitors the placement of the posters, and educates and informs the youth, individually and in group settings, of the Youth Bill of Rights and their right to contact the Office of the Ombudsman.

Contact Information:

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Appendix A -

Glossary of Terms

Access to Programs—shall include any complaints about youth access to programs, including but not limited to: religious services, substance abuse treatment program, free venture, fire camp, etc. This category also includes complaints from youth who are not on alternate programs and are concerned about access to programs or inquiries regarding Program Service Day.

Access to Counsel and Courts—(previously categorized as Access to Legal Counsel and Court/Hearings & Representation) shall include inquiries regarding seeking legal advice, requesting new hearings of case and /or commitment to DJJ, complaints about attorneys such as public defenders or CalPAP.

ADA—shall include inquiries relating to meeting youth's needs as identified in the Ward with Disabilities Program, such as providing accommodations for vision, hearing, or learning disabilities.

Alternative Program— (formerly categorized as Restrictive Program; the terminology was modified to be consistent with DJJ terminology) shall include all calls related to conditions of Alternative Programs, Temporary Detention (TD), TIP (Temporary Intervention Program), BTP (Behavior Treatment Program), Program Change Protocol Status (PCP).

DDMS—shall include any calls regarding the Disciplinary Decision Making System, including calls about appeals, behavior reports, and allegations of due process violations.

Delivery of Mandated Services—shall include basic necessities such as clothing, food, bedding, access to showers, etc.

Discrimination—shall include allegations that youth are being discriminated against based on race, gender, sexual orientation or religion. This category also includes allegations based on protected classes, such as youth with mental health diagnoses or ADA requirements.

Education—shall include any inquiries regarding education services.

Facility Condition—shall include any inquiries regarding the physical plant of the facilities, to include the structure, the plumbing, air conditioning, etc.

Grievances—shall include any inquiries where the specific complaint is that the youth is not receiving responses to his grievances, or feels that the responses are being appropriate. If the youth calls about a specific issue, and mentions that he has filed a grievance, the inquiry is categorized under the specific issue.

Juvenile Parole Board—shall include any hearings, actions, or decisions of the JPB, including Parole Consideration Hearings and all proceedings related to the LH lawsuit, such as Probable

Cause Hearings or the setting of Revocation Release Dates, and hearings and actions relating to AB 1053 or AB 1628.

Medical—shall include any issues relating to access to medical care and/or receiving medical attention.

Miscellaneous—shall include calls in which not enough information is provided by the youth regarding the nature of their concern; calls where the issues that fall under multiple jurisdictions; or items that do not fall under any other specific category in this report.

Parole—shall include any calls about parole operations, including placement plans, issues in the community, warrants, tickets, etc.

Property—shall include any calls relating to a youth's property.

Staff Complaint—shall include any complaint against staff that is not regarding discrimination (see Discrimination) or use of force (see Use of Force). This category shall also include allegations of abuse by staff that do not occur in documented situations where chemical or physical force was used.

Transfers—shall include any calls regarding inter- or intra-facility transfers to another facility, program, or living unit. This category shall also include calls regarding transfers to the Division of Adult Facilities.

Use of Force—shall include any allegation of excessive or unnecessary use of chemical or physical force that is reported to the Office of the Ombudsman. Please note that any allegation of excessive or unnecessary chemical or physical force made to the Office of the Ombudsman is reported immediately to the Superintendent or designee upon receipt of the allegation.

Visiting/Family Contact—shall include any phone call regarding contact with family via mail, telephone or through the Visiting Program.

Appendix B: 2015 DJJ Hotline Inquiries by Facility

Facility	Date Received	Issue	Contact Mode
VENTURA	1/17/2015	Miscellaneous	Hotline
VENTURA	1/19/2015	Staff Misconduct	Hotline
VENTURA	1/26/2015	Grievance	Hotline
VENTURA	2/7/2015	Access to Programs	Hotline
VENTURA	2/11/2015	PREA	Hotline
VENTURA	2/12/2015	DDMS	Hotline
VENTURA	2/18/2015	Staff Misconduct	Hotline
VENTURA	3/24/2015	Staff Misconduct	Hotline
VENTURA	3/26/2015	Miscellaneous	Hotline
VENTURA	4/2/2015	Use of Force	Hotline
VENTURA	4/6/2015	PREA	Hotline
VENTURA	4/10/2015	Miscellaneous	Hotline
VENTURA	5/18/2015	Use of Force	Hotline
VENTURA	5/18/2015	Visiting/Family Contact	Hotline
VENTURA	6/29/2015	Miscellaneous	Hotline
VENTURA	8/25/2015	DDMS	Hotline
VENTURA	9/12/2015	DDMS	Hotline
VENTURA	9/23/2015	Medical	Hotline

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Facility	Date Received	Issue	Contact Mode
VENTURA	9/25/2015	Living Conditions	Hotline
VENTURA	9/25/2015	Living Conditions	Hotline
VENTURA	10/5/2015	Medical	Hotline
VENTURA	11/11/2015	Staff Misconduct	Hotline
VENTURA	11/17/2015	Staff Misconduct	Hotline
VENTURA	12/3/2015	Delivery of Mandated Services	Hotline
VENTURA	12/6/2015	PREA	Hotline
VENTURA	12/16/2015	Miscellaneous	Hotline

Appendix C: 2015 DJJ Hotline Inquiries by Issue and Facility

Issue	Facility	Date Received
Access to Legal Services / Legal Council	CHAD	2/17/2015
Access to Programs	CHAD	9/22/2015
Delivery of Mandated Services	CHAD	11/7/2015
Delivery of Mandated Services	CHAD	11/7/2015
Delivery of Mandated Services	CHAD	11/19/2015
Delivery of Mandated Services	CHAD	11/20/2015
Education	CHAD	2/25/2015
Miscellaneous	CHAD	2/4/2015
Miscellaneous	CHAD	2/5/2015
Miscellaneous	CHAD	2/27/2015
Miscellaneous	CHAD	4/17/2015
Parole/Revocation	CHAD	7/17/2015
PREA	CHAD	7/23/2015
PREA	CHAD	7/23/2015
PREA	CHAD	7/23/2015
PREA	CHAD	8/4/2015
Staff Misconduct	CHAD	2/4/2015

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Issue	Facility	Date Received
Staff Misconduct	CHAD	4/9/2015
Staff Misconduct	CHAD	7/29/2015
Staff Misconduct	CHAD	8/3/2015
Staff Misconduct	CHAD	8/12/2015
Staff Misconduct	CHAD	8/15/2015
Staff Misconduct	CHAD	10/5/2015
Use of Force	CHAD	9/10/2015
Visiting/Family Contact	CHAD	3/6/2015
Visiting/Family Contact	CHAD	4/29/2015
Visiting/Family Contact	CHAD	10/20/2015
Visiting/Family Contact	CHAD	10/29/2015
Visiting/Family Contact	CHAD	11/8/2015
Access to Programs	OHCLOSE	3/9/2015
DDMS	OHCLOSE	3/22/2015
Medical	OHCLOSE	6/25/2015
Miscellaneous	OHCLOSE	5/18/2015
Miscellaneous	OHCLOSE	6/1/2015

Appendix C: 2015 DJJ Hotline Inquiries by Issue and Facility

Issue	Facility	Date Received
Miscellaneous	OHCLOSE	6/1/2015
Miscellaneous	OHCLOSE	6/25/2015
Parole/Revocation	OHCLOSE	1/27/2015
PREA	OHCLOSE	1/12/2015
Safety	OHCLOSE	2/6/2015
Safety	OHCLOSE	2/6/2015
Staff Misconduct	OHCLOSE	1/15/2015
Staff Misconduct	OHCLOSE	2/10/2015
Staff Misconduct	OHCLOSE	11/10/2015
Transfer	OHCLOSE	3/13/2015
Transfer	OHCLOSE	3/16/2015
Transfer	OHCLOSE	3/31/2015
Transfer	OHCLOSE	4/2/2015
Transfer	OHCLOSE	4/9/2015
Transfer	OHCLOSE	4/11/2015
Transfer	OHCLOSE	4/23/2015

Appendix C: 2015 DJJ Hotline Inquiries by Issue and Facility

Issue	Facility	Date Received
Access to Programs	VENTURA	2/7/2015
DDMS	VENTURA	2/12/2015
DDMS	VENTURA	8/25/2015
DDMS	VENTURA	9/12/2015
Delivery of Mandated Services	VENTURA	12/3/2015
Grievance	VENTURA	1/26/2015
Living Conditions	VENTURA	9/25/2015
Living Conditions	VENTURA	9/25/2015
Medical	VENTURA	9/23/2015
Medical	VENTURA	10/5/2015
Miscellaneous	VENTURA	1/17/2015
Miscellaneous	VENTURA	3/26/2015
Miscellaneous	VENTURA	4/10/2015
Miscellaneous	VENTURA	6/29/2015
Miscellaneous	VENTURA	12/16/2015
PREA	VENTURA	2/11/2015
PREA	VENTURA	4/6/2015

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Issue	Facility	Date Received
PREA	VENTURA	12/6/2015
Staff Misconduct	VENTURA	1/19/2015
Staff Misconduct	VENTURA	2/18/2015
Staff Misconduct	VENTURA	3/24/2015
Staff Misconduct	VENTURA	11/11/2015
Staff Misconduct	VENTURA	11/17/2015
Use of Force	VENTURA	4/2/2015
Use of Force	VENTURA	5/18/2015
Visiting/Family Contact	VENTURA	5/18/2015