

California
Department of Corrections and Rehabilitation
Office of the Ombudsman



Senate Bill 518 Report
2022

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Executive Summary

Governor Arnold Schwarzenegger signed Senate Bill 518 into law on October 13, 2007. This bill created the Youth Bill of Rights and mandated the Division of Juvenile Justice (DJJ) and the Office of the Ombudsman (Office) to create several services related to the Youth Bill of Rights. It required the Office to implement 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. The Office was required to post this standardized information, including the toll-free telephone number, in all DJJ facilities by July 1, 2008.¹

Senate Bill 518 also requires that the Office compile and make available to the Legislature and to the public, all data collected over the course of the year. The bill requires that the compilation include the number of inquiries to the toll free number, the nature of the inquiries, the actions taken to address the inquiries, the number of referrals made, and the number of unresolved inquiries. On July 1, 2008², the Office of the Ombudsman implemented the DJJ Hotline (Hotline) and began tracking all incoming calls to the Hotline. All DJJ Facility living units, visiting halls, school areas, libraries, the administration buildings and any other areas deemed appropriate displayed the Youth Bill of Rights posters.

Currently the DJJ receives its youthful offender population from both juvenile and superior court referrals. In 2001, the Division of Juvenile Justice faced significant scrutiny for being overcrowded and having violence in its facilities. Outside experts reviewed the Division's policies, procedures and conditions of confinement. The experts issued six reports on the following topics: education, sex behavior treatment, health care, mental health care, wards with disabilities, and the safety and welfare of the youth. The experts identified major deficiencies in all of these areas. The reports used in a lawsuit against the State in 2003, became the foundation of six Remedial Plans used by the DJJ to reform the state juvenile justice system. In February 2016, the court dismissed the DJJ *Farrell v Kernan* lawsuit, ending over a decade of litigation.

As the result of much reform, the DJJ youths are provided an Integrated Behavior Treatment (IBTM) plan. The IBTM treatment plan is the basis for determining the programing needs of the youth population. The IBTM guides all services provided to youth from arrival at a DJJ facility to

¹ Welfare and Institutions Code § 224.70-224.74

² The Inmate/Ward Telephone System (IWTS) Contract that is used by the adult and juvenile facilities for telephone services includes a requirement that does not allow the inmates or wards to dial a toll-free or special service number. This requirement was established to comply with the CDCR policies in Title 15 Section 3282. Therefore, although the hotline number is a normal 10-digit number, it is toll-free when dialed from any phone inside a DJJ facility.

community re-entry. The youths participate in a variety of cognitive behavioral intervention groups designed to reduce institutional violence, future criminal behavior and anti-criminal attitudes, and provide the youth with personal skills designed to help the youth better manage their environment.

This is the fifteenth report issued by the Office of the Ombudsman. This report is a compilation of data captured from January 1, 2022 through December 31, 2022, offering a breakdown of the number of inquiries to the DJJ Hotline by facility, month, issue, and actions taken.

In 2022, the Office of the Ombudsman received twenty-one (21) inquiries via the DJJ Hotline. The inquiries were received from N.A. Chaderjian Youth Correctional Facility (NAC - Chad), O.H. Close Youth Correctional Facility (OHC), Ventura Youth Correctional Facility (VYCF), and the Public.

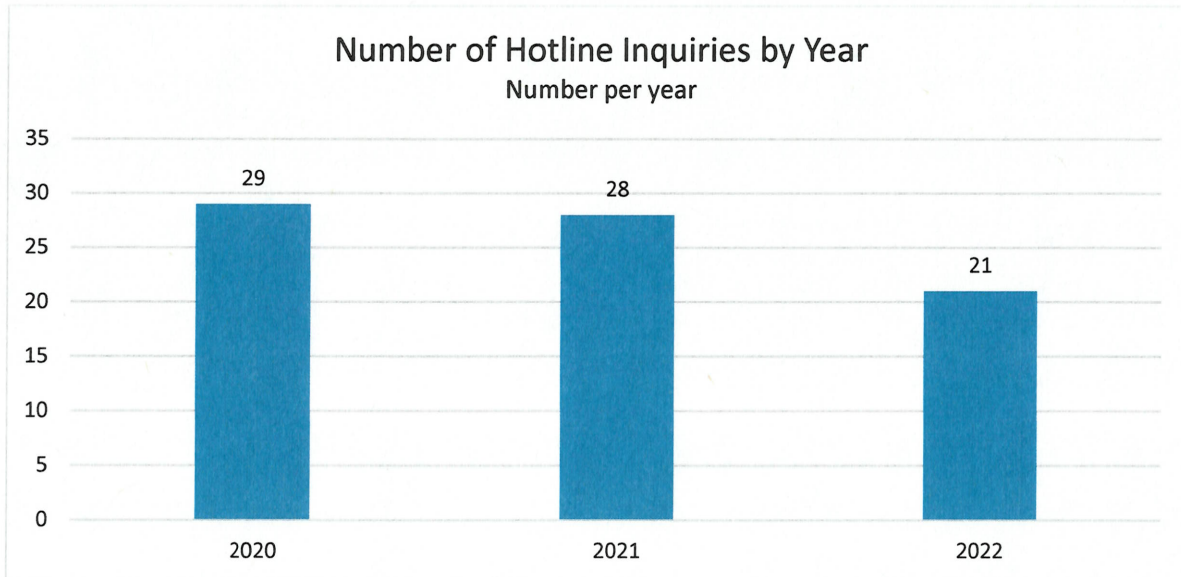
The Office of the Ombudsman received twenty-one inquiries via the DJJ Hotline, (13 of the 21) were resolved, referred, and information or process was provided. Eight (8) inquiries were N/A, caller didn't provide callback information, request additional information, monitor, adequate remedies and insufficient or not ground for action.

It is noteworthy the Office received an additional thirty-five (35) inquiries in 2022 by means other than the DJJ Hotline. These additional inquiries came via telephone (12), email (1) and Ombudsman Webmail (22). All of the inquiries received via other means originated from family and friends of youth, advocates, and outside agencies.

This report offers a comparison of DJJ Hotline inquiries received from 2020 through 2022. This comparison offers a breakdown of the number of DJJ Hotline inquiries received by calendar year (Table A), the number of Hotline inquiries by facility (Table B), the percentage of Hotline inquiries by facility (Table C), and the number of inquiries received by month (Table D).

A decrease was noted in the number of Hotline inquiries received between 2020 and 2022. The Office received a total of 29 inquiries in 2020, 28 inquiries in 2021, and 21 inquiries in 2022. The decrease in Hotline inquiries is likely attributed to the increase in family inquiries on behalf of the youth and noted overall DJJ population continuing to decrease.

Table A: Number of Hotline Inquiries by Year

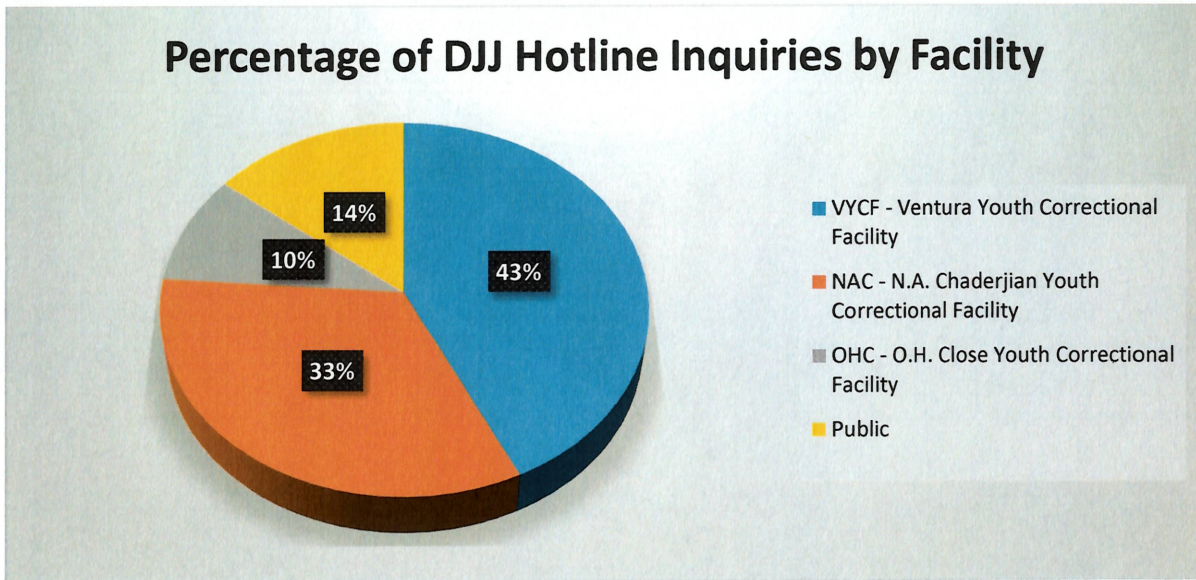


In 2022, there was 9 inquiries received from Ventura Youth Correctional Facility (VYCF). N.A. Chaderjian Youth Correctional Facility (NAC) accounted for 7 inquiries, and O.H Close Youth Facility (OHC) accounted for 2 inquiries. There were no inquiries received from the Pine Grove Youth Conservation Camp (PGYCC) and 3 inquiries were received from the public.

Table B: Number of Hotline Inquiries by Facility

VYCF - Ventura Youth Correctional Facility	9
NAC - N.A. Chaderjian Youth Correctional Facility	7
OHC - O.H. Close Youth Correctional Facility	2
Public	3
Grand Total	21

Table C. Percentage of DJJ Hotline Inquiries by Facility



The average number of inquiries received by the Office of the Ombudsman per month was 1.75. The highest number of inquiries was received in January with a total of four (4) inquiries.

2022 Hotline Inquires by Month	
Month	Number of Inquiries
Jan-22	4
Feb-22	3
Mar-22	3
Apr-22	0
May-22	3
Jun-22	2
Jul-22	0
Aug-22	1
Sep-22	3
Oct-22	1
Nov-22	1
Dec-22	0
Grand Total	21

The majority of the inquiries, 12 of the 21 inquiries (57%), resulted in Information or Process provided and 5 percent (5%) resulted in being resolved or referred. The remaining 8 out of the 21 (38%) received resulted in a finding of "Not Applicable" due to caller failing to provide callback information or additional information was required (2), the Office of the Ombudsman was requesting their issue to be monitored (1), adequate remedies were available (1) and there were a total of three (3) identified as insufficient or no ground for action.

The most common inquiries received were Staff Complaints (5), with the second most common inquiry being related to Disciplinary (4). Additionally, the Office of the Ombudsman received inquiries regarding Health Care (3), Other (3), Appeals (2), Classification (2), Safety (2), Living Conditions (1) and Visiting (1) and Not CDCR related (1). The Program issues generally occurred from the youth's disagreement with the findings and rarely did the youth utilize the avenue for administrative remedies or utilize the grievance process. All Health Care related concerns were referred to the Superintendent and Physician for immediate attention.

The majority of the inquiries were received from VYCF with a total of 9 (43%), NAC received 7 (33%) and OHC had 2 (10%) and the Public received 3 (14%).

The DJJ Ombudsman visits to all DJJ facilities was significantly impacted in 2021 by the Covid19 and associated restrictions; however, site visits have since resumed. 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, their right to contact the Office of the Ombudsman and the role of the Ombudsman as mandated by Senate Bill 518.

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 staffs 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: 2022 DJJ Hotline Inquiries by Facility

VYCF - Ventura Youth Correctional Facility (9 records)	Initial Date of Contact	Issue
VYCF - Ventura Youth Correctional Facility	1/6/2022	Staff Complaint
VYCF - Ventura Youth Correctional Facility	2/2/2022	Staff Complaint
VYCF - Ventura Youth Correctional Facility	2/1/2022	Appeals - Responding
VYCF - Ventura Youth Correctional Facility	7/29/2022	Disciplinary
VYCF - Ventura Youth Correctional Facility	6/24/2022	Classification; Health Care - Mental Hea
VYCF - Ventura Youth Correctional Facility	9/8/2022	Other
VYCF - Ventura Youth Correctional Facility	10/22/2022	Staff Complaint
VYCF - Ventura Youth Correctional Facility	3/9/2022	Disciplinary; Disciplinary - Due Process
VYCF - Ventura Youth Correctional Facility	5/10/2022	Staff Complaint; Use of Force
NAC- N.A. Chaderjian Youth Correctional Facility (7 records)	Initial Date of Contact	Issue
NAC - N.A. Chaderjian Youth Correctional Facility	2/14/2022	Health Care - Medical
NAC - N.A. Chaderjian Youth Correctional Facility	5/17/2022	Classification; Health Care - Medical
NAC - N.A. Chaderjian Youth Correctional Facility	8/1/2022	Other
NAC - N.A. Chaderjian Youth Correctional Facility	9/12/2022	Other
NAC - N.A. Chaderjian Youth Correctional Facility	3/10/2022	Safety Concerns
NAC - N.A. Chaderjian Youth Correctional Facility	1/24/2022	Living Conditions; Other
NAC - N.A. Chaderjian Youth Correctional Facility	5/5/2022	Disciplinary
OHC - O.H. Close Youth Correctional Facility (2 records)	Initial Date of Contact	Issue
OHC - O.H. Close Youth Correctional Facility	6/16/2022	Appeals; Staff Complaint; Other
OHC - O.H. Close Youth Correctional Facility	3/27/2022	Safety Concerns
Public- (3 records)	Initial Date of Contact	Issue
Public	1/5/2022	Disciplinary
Public	9/7/2022	Not CDCR Related
Public	1/26/2022	Visiting - Application / Status

Appendix C: 2022 Hotline Inquiries by Issue and Facility

Issue	Initial Date of Contact	VYCF - Ventura Youth Correctional Facility	NAC - N.A. Chaderjian Youth Correctional Facility	OHC - O.H. Close Youth Correctional Facility	Public	Total
Appeals; Staff Complaint; Other	6/16/2022	0	0	1	0	1
Appeals - Responding	2/1/2022	1	0	0	0	1
Classification; Health Care - Medical	5/17/2022	0	1	0	0	1
Classification; Health Care - Mental Health	6/24/2022	1	0	0	0	1
Disciplinary	1/5/2022	0	0	0	1	1
Disciplinary	5/5/2022	0	1	0	0	1
Disciplinary	7/29/2022	1	0	0	0	1
Disciplinary; Disciplinary - Due Process	3/9/2022	1	0	0	0	1
Health Care - Medical	2/14/2022	0	1	0	0	1
Living Conditions; Other	1/24/2022	0	1	0	0	1
Not CDCR Related	9/7/2022	0	0	0	1	1
Other	8/1/2022	0	1	0	0	1
Other	9/8/2022	1	0	0	0	1
Other	9/12/2022	0	1	0	0	1
Safety Concerns	3/10/2022	0	1	0	0	1
Safety Concerns	3/27/2022	0	0	1	0	1
Staff Complaint	1/6/2022	1	0	0	0	1
Staff Complaint	2/2/2022	1	0	0	0	1
Staff Complaint	10/22/2022	1	0	0	0	1
Staff Complaint; Use of Force	5/10/2022	1	0	0	0	1
Visiting - Application / Status	1/26/2022	0	0	0	1	1
Grand Total		9	7	2	3	21

Appendix D: 2022 Hotline Inquiries by Action, Issue and Facility

Facility	Date Received	Issue	Action	Contact Mode
Public	1/5/2022	Disciplinary	N/A	DJJ Hotline
VYCF - Ventura Youth Correctional Facility	1/6/2022	Staff Complaint	Process Provided	DJJ Hotline
VYCF - Ventura Youth Correctional Facility	2/2/2022	Staff Complaint	N/A	DJJ Hotline
VYCF - Ventura Youth Correctional Facility	2/1/2022	Appeals - Responding	Referred	DJJ Hotline
NAC - N.A. Chaderjian Youth Correctional Facility	2/14/2022	Health Care - Medical	N/A	DJJ Hotline
NAC - N.A. Chaderjian Youth Correctional Facility	5/17/2022	Classification; Health Care - Medical	Information Provided	DJJ Hotline
VYCF - Ventura Youth Correctional Facility	7/29/2022	Disciplinary	Process Provided	DJJ Hotline
OHC - O.H. Close Youth Correctional Facility	6/16/2022	Appeals; Staff Complaint; Other	N/A	DJJ Hotline
VYCF - Ventura Youth Correctional Facility	6/24/2022	Classification; Health Care - Mental Health	N/A	DJJ Hotline
NAC - N.A. Chaderjian Youth Correctional Facility	8/1/2022	Other	Information Provided	DJJ Hotline
VYCF - Ventura Youth Correctional Facility	9/8/2022	Other	N/A	DJJ Hotline
Public	9/7/2022	Not CDCR Related	Information Provided	DJJ Hotline
VYCF - Ventura Youth Correctional Facility	10/22/2022	Staff Complaint	Process Provided	DJJ Hotline
NAC - N.A. Chaderjian Youth Correctional Facility	9/12/2022	Other	N/A	DJJ Hotline
NAC - N.A. Chaderjian Youth Correctional Facility	3/10/2022	Safety Concerns	N/A	DJJ Hotline
VYCF - Ventura Youth Correctional Facility	3/9/2022	Disciplinary; Disciplinary - Due Pro.	Process Provided	DJJ Hotline
OHC - O.H. Close Youth Correctional Facility	3/27/2022	Safety Concerns	Process Provided	DJJ Hotline
NAC - N.A. Chaderjian Youth Correctional Facility	1/24/2022	Living Conditions; Other	Process Provided	DJJ Hotline
Public	1/26/2022	Visiting-Application/St	Process Provided	DJJ Hotline
VYCF - Ventura Youth Correctional Facility	5/10/2022	Staff Complaint; Use of Force	Process Provided	DJJ Hotline
NAC - N.A. Chaderjian Youth Correctional Facility	5/5/2022	Disciplinary	Process Provided	DJJ Hotline