



Department of Corrections and Rehabilitation

NOTICE OF CHANGE TO REGULATIONS

Section: 3000, 3040.5, and 3375.2	NCR Number: 25-09	Publication Date: November 14, 2025
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INSTITUTION POSTING AND CERTIFICATION REQUIRED

This Notice announces the proposed amendment of sections 3000, 3375.2 and adoption of section 3040.5 of the California Code of Regulations (CCR), Title 15, Crime Prevention and Corrections, Division 3, Chapter 1, regarding the Youth Offender Fire Camp Program.

PUBLIC COMMENT PERIOD

The public comment period will close on **December 30, 2025**. Any person may submit written comments about the proposed regulations by mail to the California Department of Corrections and Rehabilitation (CDCR), Regulation and Policy Management Branch (RPMB), P.O. Box 942883, Sacramento, CA 94283-0001, or by e-mail to RPMB@cdcr.ca.gov. All written comments must be received or postmarked no later than **December 30, 2025**.

PUBLIC HEARING INFORMATION

A public hearing regarding these proposed regulations will be held **December 30, 2025, from 10:00 a.m. to 11:00 a.m.** in Room 101 located at 8260 Longleaf Dr. Elk Grove, CA, Building C-1. The purpose of the hearing is to receive comments about the proposed regulations. It is not a forum to debate the proposed regulations. No decision regarding the permanent adoption of these regulations will be rendered at this hearing. Written comments submitted during the prescribed comment period are given the same significance and weight as oral comments presented at the hearing. This hearing site is accessible to the mobility impaired.

POSTING

This Notice shall be posted immediately upon receipt at locations accessible to incarcerated or supervised persons, and employees in each Department facility and field office not later than five calendar days after receipt. Also, institutions and facilities shall make this Notice available for review by incarcerated persons in restricted housing who do not have access to the posted copies and shall distribute it to incarcerated person law libraries and advisory councils. CDCR Form 621-A (Rev. 05/19), Certification of Posting, shall be returned to RPMB by mail or email. See Department Operations Manual Section 12010.6.7 for posting and certification of posting procedures.

CONTACT PERSON

Inquiries regarding this Notice should be directed to Dmitriy Kostyuk, by mail to California Department of Corrections and Rehabilitation, RPMB, P.O. Box 942883, Sacramento, CA 94283-0001, by telephone at (916) 203-9779, or e-mail to RPMB@cdcr.ca.gov. Inquiries regarding the subject matter of these regulations should be directed to Steve Jimenez, Division of Adult Institutions, at (916) 917-6382.

Original signed by:

JASON D. JOHNSON
Undersecretary, Operations
California Department of Corrections and Rehabilitation

Attachment

NOTICE OF PROPOSED REGULATIONS
California Code of Regulations
Title 15, Crime Prevention and Corrections
Department of Corrections and Rehabilitation

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR or the department), proposes to amend sections 3000, 3375.2 and adopt section 3040.5, of Title 15, Division 3, Chapter 1, regarding the Youth Offender Fire Camp Program.

PUBLIC HEARING

Date and Time: **December 30, 2025 – 10:00am to 11:00am**
Place: Department of Corrections and Rehabilitation
8260 Longleaf Dr. – Building C-1 – Room 101
Elk Grove, CA 95758

Purpose: To receive comments about this action.

PUBLIC COMMENT PERIOD

The public comment period begins **November 14, 2025**, and closes on **December 30, 2025**. Any person may submit written comments by mail addressed to the primary contact person listed below, or by email to rpmb@cdcr.ca.gov, before the close of the comment period. For questions regarding the subject matter of the regulations, call the contact person listed below.

CONTACT PERSONS

<u>Primary Contact</u>	<u>Back-Up</u>	<u>Program Contact</u>
D. Kostyuk	Y. Sun	Steve Jimenez
Telephone: (279) 223-2313	Telephone: (916) 203-9779	(916) 917-6382
Regulation and Policy	Regulation and Policy	Division of Adult Institutions
Management Branch	Management Branch	P.O. Box 942883
P.O. Box 942883	P.O. Box 942883	Sacramento, CA 94283-0001
Sacramento, CA 94283-0001	Sacramento, CA 94283-0001	

AUTHORITY AND REFERENCE

Government Code Section 12838.5 provides that commencing July 1, 2005, CDCR succeeds to, and is vested with, all the powers, functions, duties, responsibilities, obligations, liabilities, and jurisdiction of abolished predecessor entities, such as Department of Corrections, Department of the Youth Authority, and Board of Corrections.

Penal Code (PC) Section 5000 provides that commencing July 1, 2005, any reference to Department of Corrections in this or any code, refers to the CDCR, Division of Adult Operations. **PC Section 5050** provides that commencing July 1, 2005, any reference to the Director of Corrections in this or any other code, refers to the Secretary of the CDCR. As of that date, the office of the Director of Corrections is abolished.

PC Section 5054 provides that commencing July 1, 2005, the supervision, management, and control of the State prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of the CDCR. **PC Section 5055** provides that commencing July 1, 2005, all powers and duties previously granted to and imposed upon the Department of Corrections shall be exercised by the Secretary of the CDCR. **PC Section 5058** authorizes the Director to prescribe and amend rules and regulations for the administration of prisons and for the administration of the parole of persons.

INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

The proposed regulations establish a Youth Offender Fire Camp Program (YOFCP) to encourage youth offenders to commit to positive change and self-improvement with the goal of being law-abiding members of society upon release. By participating in the YOFCP, youth offenders will receive valuable wildland firefighting training, which enhances their opportunities for future firefighting careers. In addition, pursuant to PC section 1203.4(b), an incarcerated person who successfully participated in the California Conservation Camp program as a firefighter and has been released from custody may petition the court to withdraw a guilty plea or set aside a plea of guilty and dismiss the accusations or information against the offender. The offender shall thereafter be released from all penalties and disabilities resulting from the offense of which they have been convicted, with some exceptions.

The Certified Youth Offender Program (YOP) Peer Mentor role is a transformative position within CDCR, designed to foster rehabilitation and personal growth among incarcerated youth under the age of twenty-six. The Certified YOP Peer Mentor plays a vital role in transforming correctional environments into rehabilitative environments. Their presence assists in bridging the gap between institutional authority and youth offenders by offering guidance rooted in shared experience and empathy. These mentors must meet stringent eligibility criteria and are trained to guide youth away from prison politics and violence, helping them build constructive habits early in their incarceration.

This action will:

- Establish the YOFCP. This is a voluntary program at designated conservation camps designed to train and employ youth offenders, as defined, in wildland firefighting and fire activity support roles.
- Establish eligibility and exclusionary criteria for participation in the YOFCP. These criteria are designed to ensure that participants are likely to succeed in the program and benefit from the opportunities it provides.
- Establish processes for the vetting and transfer of potential YOFCP participants, plus any necessary changes to the participant's custody level or classification.
- Establish criteria for the removal of a participant from the YOFCP.
- Create Certified YOP Peer Mentors and establish criteria.
- Establish criteria for the removal of a Certified YOP Peer Mentor.

SPECIFIC BENEFITS ANTICIPATED BY THE PROPOSED REGULATIONS

YOFCP provides youth offenders with the opportunity to house at a lower security level for greater access to the department's rehabilitative programs with the goal of increasing the likelihood of rehabilitation during critical development stages in their lives. YOFCP encourages youth offenders to commit to positive change and self-improvement with the goal of being law-abiding members of society upon release. The program provides participants with valuable wildland firefighting training, which enhances their opportunities for future firefighting careers. The program will help the state of California's firefighting efforts by training and deploying more incarcerated person firefighters. Additionally, camp firefighters are eligible for felony expungement which helps remove barriers for employment and will result in more productive citizens being released into the community and make the community safer as a whole.

The Certified YOP Peer Mentor is a transformative position within CDCR, designed to foster rehabilitation and personal growth among youth offenders. The Certified YOP Peer Mentor plays a vital role in transforming correctional environments into rehabilitative environments. Their presence assists in bridging the gap between correctional authority and youth offenders by offering guidance rooted in shared experience and empathy.

DOCUMENTS INCORPORATED BY REFERENCE

Automated Classification Committee Chrono (Rev.05/19)

EVALUATION OF INCONSISTENCY/INCOMPATIBILITY WITH EXISTING LAWS AND REGULATIONS

Pursuant to Government Code 11346.5(a)(3)(D), the department has determined the proposed regulations are not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the department has concluded that these are the only regulations that concern the YOFCP.

LOCAL MANDATES

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement of costs or savings pursuant to Government Code Sections 17500 - 17630.

FISCAL IMPACT STATEMENT

- | | |
|--|-------------|
| • Cost or savings to any state agency: | <i>None</i> |
| • Cost to any local agency or school district that is required to be reimbursed: | <i>None</i> |
| • Other nondiscretionary cost or savings imposed on local agencies: | <i>None</i> |
| • Cost or savings in federal funding to the state: | <i>None</i> |

EFFECT ON HOUSING COSTS

The department has made an initial determination that the proposed action will have no significant effect on housing costs.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESS

The department has made an initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, because the proposed regulations place no obligations or requirements on any business.

EFFECT ON SMALL BUSINESSES

The department has determined that the proposed regulations will not affect small businesses. This action has no significant adverse economic impact on small business because they place no obligations or requirements on any business.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The department has determined that the proposed regulation will not have an effect on the elimination of jobs within California, but may potentially create new jobs, as incarcerated individuals are provided with job skills that will assist them in securing jobs once they are released from prison. The department has determined the proposed regulation will have no effect on the creation of new businesses or the elimination of existing businesses within California or affect the expansion of businesses currently doing business in California. The department has determined that the proposed regulation will benefit the health and welfare of California residents by increasing public safety due to better reintegration and reduced recidivism of incarcerated individuals upon their release into their communities. The State's environment will benefit by CDCR securing special skills workers for the crucial and necessary functions related to firefighting. The proposed regulations will have no effect on worker safety other than those related to specific job functions within the fire camp for firefighters.

CONSIDERATION OF ALTERNATIVES

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed regulatory action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law. Interested persons are invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

The department has prepared and will make available the text and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon request directed to the department's contact person. The proposed text, ISOR, and Notice of Proposed Regulations will also be made available on the department's website: www.cdcr.ca.gov.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the department's contact person.

AVAILABILITY OF CHANGES TO PROPOSED TEXT

After considering all timely and relevant comments received, the department may adopt the proposed regulations substantially as described in this Notice. If the department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text, with the changes clearly indicated, available to the public for at least 15 days before the department adopts, amends or repeals the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The department will accept written comments on the modified regulations for at least 15 days after the date on which they are made available.

TEXT OF PROPOSED EMERGENCY REGULATIONS

In the following text, ~~striketthrough~~ indicates deleted text, and an underline indicates newly added text.

California Code of Regulations, Title 15, Crime Prevention and Corrections.

Division 3. Adult Institutions, Programs, and Parole

Chapter 1. Rules and Regulations of Adult Operations and Programs

Article 1. Behavior

3000. Definitions

Section 3000 is amended to alphabetically merge the definitions below into existing definitions in the Title 15, Division 3 regulations

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Certification means documentary evidence that a business concern has been certified as a Disabled Veteran Business Enterprise pursuant to Military and Veterans Code section 999 from an agency that has been authorized by law to issue such certification.

Certified Youth Offender Program Peer Mentor is an incarcerated person 26 years of age or older who completed the Certified Peer Mentor curriculum and 500 hours of direct mentorship training in social behavior, emotional intelligence and self-regulation, positive decision-making, and rehabilitation through sustained relationships.

Chaplain is a staff member, including a Native American Spiritual Leader, who provides religious care and counseling to incarcerated persons, affords incarcerated persons reasonable opportunities to practice the religious beliefs of their choice, and organizes, coordinates, and manages various religious group activities.

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Youth Offender Committee means a committee that meets with youth offenders to assess their readiness for a lower security level or placement permitting increased access to programs and to encourage the youth offender to commit to positive change and self-improvement.

Youth Offender Fire Camp Program (YOFCP) is a Youth Offender Program, as defined in section 3000. The YOFCP is a voluntary program established at designated conservation camps designed to train and employ youth offender participants in wildland firefighting and fire activity support roles.

Youth Offender Program means a program designed to provide youth offenders priority when placed into education assignments, program assignments, or both to address their rehabilitative needs.

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NOTE: Authority cited: Sections 243(f)(4), 2717.3, 3000.03, 3411, 3414, 5058, 5058.3, 6252 and 1170.05, Penal Code; Section 10115.3(b), Public Contract Code; and Sections 4525(a), 4526 and 14837, Government Code. Reference: Sections 186.22, 243, 314, 530, 532, 600, 646.9, 653, 832.5, 1170.05, 1203.8, 1389, 2080, 2081.5, 2084, 2600, 2601, 2700, 2717.1, 2717.6, 2932.5, 2905, 3003.5(a), 3007.05, 3020, 3450, 3550, 4570, 4576, 5005, 5009, 5050, 5054, 5068, 6250, 6250.5, 6258.1, 7000 et seq., 7286.5, 11180 and 11191, Penal Code; Sections 1132.4 and 1132.8, Labor Code; Sections 10106, 10108, 10108.5, 10115, 10115.1, 10115.2, 10115.3 and 10127, Public Contract Code; Section 999, Military and Veterans Code; Section 391, Code of Civil Procedure; Section 297.5, Family Code; Sections 8550, 8567, 12838 and 12838.7, Government Code; Sections 11007, 11351, 11352, 11378 and 11379, Health and Safety Code; Governor's Prison Overcrowding State of Emergency Proclamation dated October 4, 2006; *In re Bittaker*, 55 Cal.App. 4th 1004, 64 Cal. Rptr. 2d 679; *Madrid v. Cate* (USDC ND Cal. C90-3094 TEH); *Sassman v. Brown* (E.D. Cal. 2015) 99 F.Supp.3d 1223; *Mitchell v. Cate*, USDC ED 2:08-CV-01196-TLN-EFB; *In re Garcia* (2012) 202 Cal.App.4th 892; and *Quine v. Beard*, No. C 14-02726 JST.

Article 3. Work and Education

New section 3040.5 is adopted to read:

3040.5 Youth Offender Fire Camp Program.

(a) Youth Offender Fire Camp Program (YOFCP)

(1) The YOFCP is a voluntary program for youth offenders (YO) under 26 years of age who meet the following criteria:

(A) A placement score of 19-35 (Level II) and a Violence (VIO) Administrative Determinant (AD).

(B) A placement score of 36-59 (Level III), with or without a VIO AD.

(2) The Secretary of the California Department of Corrections and Rehabilitation (CDCR) shall determine the locations of the youth offender fire camps. Locations shall be based on the ease and ability of the camp to provide youth offender participants access to rehabilitative programs.

(b) Youth Offender Fire Camp Program Criteria

(1) The Youth Offender shall meet the following criteria:

(A) Voluntarily agree to participate in the YOFCP.

(B) The YO shall be under 26 years of age at the time of the Unit Classification Committee (UCC) review.

(C) Eight years or less remaining to serve on their sentence.

(D) A placement score of 59 or below.

(E) Have a minimum of 12-months of incarceration history or a cumulative history of housing in the Youth Offender Rehabilitative Community (YORC), or Non-Designated Programming Facility (NDPF), or Youth Offender Program (YOP). Placement in the Restrictive Housing Unit for non-disciplinary reasons, shall count towards the 12-month cumulative history.

(F) Possess a High School Diploma (HSD) or High School Equivalency (HSE) certificate. If the YO does not possess a HSD or HSE certificate, participation in a HSD or General Education Development course while serving in the YOFCP is mandatory.

(c) Youth Offender Fire Camp Program Exclusionary Factors

(1) The YO shall not be approved to participate in the YOFCP if any of the following factors exist:

(A) Age 26 or older at the time of the UCC review.

- (B) Placement score of 60 or above.
- (C) More than 8 years remaining to serve on their sentence at the time of UCC.
- (D) Serving a sentence of life with or without the possibility of parole or a condemned sentence.
- (E) A guilty finding, pending or postponed Serious Rule Violation Report for a Division A1, A2 or B offense within the past 12 months of the UCC review.
- (F) Deemed a program failure, as defined in section 3000, and placed on Work Group (WG) C by a classification committee within the past 12 months of the UCC review.
- (G) History of escape or attempted escape as defined in section 3000, from any correctional facilities, including non-secure correctional facilities.
- (H) AD or pending AD review pursuant to subsections 3375.2(b)(2), (b)(7), (b)(9), (b)(11), (b)(12), (b)(13), (b)(17), (b)(21), or (b)(22).

(d) Youth Offender Fire Camp Program Classification Committee Process

- (1) During the YO annual UCC, the UCC shall determine whether the YO meets YOFCP placement pursuant to subsections 3040.5(b) and 3040.5(c). UCC's YOFCP determination shall be articulated on the automated Classification Committee Chrono (Rev. 05/19), which is incorporated by reference. If determined eligible for YOFCP, UCC shall refer the YO to a Classification Staff Representative (CSR) for endorsement to a designated YOFCP, pursuant to subsection 3040.5(a)(2), and request the AGE AD pursuant to subsection 3375.2(b)(1).
- (2) Upon being transferred to a designated YOFCP, the YO shall be reviewed by Institution Classification Committee (ICC) for YOFCP placement pursuant to subsections 3040.5(b) and 3040.5(c). If deemed eligible for YOFCP placement, ICC shall grant the YO minimum custody and refer the YO to the institutional Classification and Parole Representative (C&PR) for a CAM AD pursuant to subsection 3375.2(b)(4). ICC's YOFCP determination shall be articulated on the automated Classification Committee Chrono (Rev.05/19).
- (3) If the YO has an imposed VIO AD pursuant to subsection 3375.2(b)(28), the circumstances of the convicted offense that resulted in the VIO AD shall be reviewed by both UCC and ICC, to determine whether the circumstances of the offense that resulted in the VIO AD are commensurate with a minimum supervised custodial setting. In reviewing the circumstances, the classification committee shall take into consideration:
 - (A) Extent of any injury to the victim(s).
 - (B) Safety of the public, staff, and incarcerated persons if housed in a minimum supervised custodial setting.

(e) Youth Offender Fire Camp Program Placement

- (1) Upon being granted minimum custody by the ICC the YO shall successfully complete the requisite physical fitness training and firefighting training, pursuant to subsections 3044(b)(7)(A) and 3044(b)(7)(B).
- (2) Upon successful completion of the requisite physical fitness and firefighting training, the YO shall be assigned to YOFCP and WG F Good Conduct Credit pursuant to subsections 3043.2(b)(4)(B), 3043.2(b)(4)(C), 3043.2(b)(5)(A) through 3043.2(b)(5)(D).
- (3) Notwithstanding subsection 3375.2(b)(28)(J)(8.), the YO with a VIO AD shall have their VIO AD automatically removed after the YO has reached 26 years of age with a minimum cumulative period of twelve months assigned to YOFCP and WG F, and during the YO's annual UCC.

(f) Youth Offender Fire Camp Program Removal

- (1) The YO shall be removed from the program if any of the following factors exist:
 - (A) The YO no longer wants or fails to participate in the YOFCP.
 - (B) The YO has a placement score of 60 or above.

(C) The YO has a guilty finding, pending or postponed serious Rule Violation Report for a Division A1, A2 or B offense.

(D) When a classification committee determines the YO is a program failure, as defined in section 3000, and is placed on WG C.

(E) When a classification committee determines the YO is assigned to another WG pursuant to subsection 3044(b)(7)(C).

(2) If the YO is removed from the YOFCP pursuant to (A)-(E) of this subsection, the YO shall be re-assigned to appropriate custody, WG, and housing commensurate with placement score and case factor(s).

(g) Certified Youth Offender Program Peer Mentor

(1) The incarcerated person shall complete the following to become a Certified Youth Offender Program Peer Mentor (CYOPPM):

(A) Peer mentor curriculum, as assigned by Every Student Succeeds Act teacher, or designee.

(B) Completion of a 500-hour peer mentorship training in social behavior, emotional intelligence and self-regulation, positive decision-making, and rehabilitation through sustained relationships.

(2) A YO 25 years of age or older may participate in the CYOPPM curriculum and mentorship.

(h) Certified Youth Offender Program Peer Mentor Youth Offender Fire Camp Program Additional Criteria

(1) The CYOPPM shall complete the following criteria in addition to the mandatory requirements in section 3040.5(g):

(A) Volunteer for YOFCP.

(B) Age 26 or older at the time of the UCC.

(C) Placement score of 35 or below, with a VIO AD.

(D) Eight or less years remaining to serve on their sentence.

(E) Have a minimum of 12-months of incarceration history or a cumulative history of housing in the YORC, or NDPF, or YOP, or YOFCP. Placement in the Restricted Housing Unit for Non-disciplinary reasons shall count towards the 12-month cumulative history.

(i) Certified Youth Offender Program Peer Mentor Youth Offender Fire Camp Program Exclusionary Criteria

(1) The CYOPPM shall not participate in the YOFCP if any of the following factors exist:

(A) Under age 26 at the time of the UCC review.

(B) Placement score of 36 or above.

(C) Serving a sentence of life with or without the possibility of parole or a condemned sentence.

(D) A guilty finding, pending or postponed serious Rule Violation Report for a Division A1, A2 or B offense in the past 12 months of the UCC.

(E) Deemed a program failure, as defined in section 3000, and placed on WG C by a classification committee in the past 12 months of the UCC.

(F) A history of escape or attempted escape as defined in section 3000, from any correctional facilities, including non-secure correctional facilities.

(G) AD or pending AD review pursuant to subsections 3375.2(b)(2), (b)(7), (b)(9), (b)(11), (b)(12), (b)(13), (b)(17), (b)(21), or (b)(22).

(j) Certified Youth Offender Program Peer Mentor Youth Offender Classification Committee

(1) During the CYOPPM's annual UCC, the UCC shall determine whether the CYOPPM meets YOFCP placement pursuant to subsections 3040.5(h) and 3040.5(i). UCC's YOFCP determination shall be articulated on the automated Classification Committee Chrono

(Rev. 05/19). If determined eligible for YOFCP, UCC shall refer the CYOPPM to a CSR for endorsement to a designated YOFCP and request the YOC AD pursuant to subsection 3375.2(b)(31).

(2) Upon being transferred to a designated institution, the CYOPPM shall be reviewed by ICC for YOFCP placement pursuant to subsection 3040.5(h) and 3040.5(i). If deemed eligible for YOFCP placement, ICC shall grant the CYOPPM minimum custody and refer the CYOPPM to the institutional Classification and Parole Representative (C&PR) for a CAM AD pursuant to subsection 3375.2(b)(4). ICC's YOFCP determination shall be articulated on the automated Classification Committee Chrono (Rev. 05/19).

(3) If the CYOPPM has an imposed VIO AD pursuant to subsection 3375.2(b)(28), the circumstance of the convicted offense that resulted in the VIO AD shall be reviewed by both UCC and ICC, to determine whether the circumstances of the offense that resulted in the VIO AD are commensurate with a minimum supervised custodial setting. In reviewing the circumstances, the classification committee shall take into consideration:

(A) Extent of any injury to the victim(s)

(B) Safety of the public, staff, and incarcerated persons if housed in a minimum supervised custodial setting.

(k) Certified Youth Offender Program Peer Mentor Youth Offender Fire Camp Program Placement

(1) Upon being granted Minimum Custody by the ICC, the CYOPPM shall successfully complete the requisite physical fitness training and firefighting training, pursuant to subsections 3044(b)(7)(A) and 3044(b)(7)(B).

(2) The CYOPPM may also participate at YOFCP as a non-firefighter pursuant to subsection 3044(b)(7)(B).

(3) Upon successful completion of the requisite physical fitness and firefighting training, the CYOPPM shall be assigned to YOFCP and WG F Good Conduct Credit pursuant to subsections 3043.2(b)(4)(B), 3043.2(b)(4)(C), 3043.2(b)(5)(A) through 3043.2(b)(5)(D).

(l) Certified Youth Offender Program Peer Mentor Youth Offender Fire Camp Program Removal

(1) The CYOPPM shall be removed from the program if any of the following factors exist:

(A) No longer wants or fails to participate in the YOFCP.

(B) A placement score of 36 or above.

(C) A guilty finding, pending or postponed serious Rule Violation Report for a Division A1, A2 or B offense.

(D) When a classification committee determines the certified CYOPPM is a program failure, as defined in section 3000, and is placed on WG C.

(E) When a classification committee determines the CYOPPM is assigned to another work group pursuant to subsection 3044(b)(7)(C).

(2) If the CYOPPM is removed from the YOFCP pursuant to (A)-(E) of this subsection, the CYOPPM shall be re-assigned to an appropriate custody, WG, and housing commensurate with placement score and case factor(s).

Note: Authority cited: Sections 2905 and 5058.3, Penal Code. Reference: Section 5054, Penal Code.

Article 10. Classification

Section 3375.2 Administrative Determinants

Subsections 3375.2(a) through 3375.2 (b)(30) remain unchanged.

Subsection 3375.2(b)(31) is adopted to read:

(31) YOC. Incarcerated person who has fulfilled the requirements of Certified Youth Offender Program Peer Mentor as defined in section 3000.

Note: Authority cited: Sections 3600, 5058 and 5058.3, Penal Code. Reference: Sections 3450, 5054 and 5068, Penal Code; *Sandin v. Connor* (1995) 515 U.S. 472; *Madrid v. Gomez* (N.D. Cal. 1995) 889 F.Supp. 1146; *Wright v. Enomoto* (N.D. Cal. 1976) 462 F.Supp. 397; and *Stoneham v. Rushen* (1984) 156 Cal.App.3d 302.

SAMPLE - ADOPT (05/19)



CLASSIFICATION COMMITTEE CHRONO

Inmate Name: XXXX, XXXX	Date: 09/25/2023
CDC#: XXXXX	Date of Birth: XX/XX/XXXX
Control Date: XX/XX/XXXX	Control Date Type: Earliest Possible Release Date

Hearing Date: 09/27/2023	Hearing Type: Determinate SHU Term
Committee Type: Institution Cls. Committee (ASU/SHU/THU/PSU-ICC/DPU)	Correctional Counselor: T. CCIII

STATIC CASE FACTORS

Offender Characteristics			
Date of Birth:	XX/XX/XXXX	Citizenship:	Native Born
Ethnicity:	XXXXX	County of Residence:	XXXX
Education Level:	Unknown	Reading Level:	07.0

Drug/Alcohol Use Assessment			
Date Interviewed	Primary Addiction	Secondary Addiction	Tertiary Addiction
11/30/2017			

Admission Summary	
Incarceration Begin Date: XX/XX/XXXX	Admission Type: XXXX
Latest PV Returned Date: XX/XX/XXXX	PV Reason: XXXXXXXX
Parole Violation	
Charges:	
Termer:	
	Committing County: XXXXX

Current Offenses

Crime (Statute)	Offense	Time Imposed	Release Date	Release Type
PC192(a)[01]	Voluntary Manslaughter	22y 0m 0d	03/01/2045	Determinate Sentence Law (DSL)

Summary

Critical Case Arrest History

Arrest Date	Arresting Agency	State	Case Number	Charge	Result
None					

Comments

Arson History

Arrest Date	Arresting Agency	State	Case Number	Source	Charge	Result
None						

Comments

Computer Crimes

Arrest Date	Arresting Agency	State	Case Number	Source	Charge	Result
None						

Comments

Escape History

Date	Time	Facility	Custody	Duration (in days)	Source
None					

Comments

Sex Offender History

Arrest Date	Arresting Agency	State	Case Number	Source	Charge	Result
None						

Comments

Violent Offense History

Arrest Date	Arresting Agency	State	Case Number	Source	Charge	Result
XX/XX/XXXX	XXXXXXX	CA		Probation Officer Report	1. Robbery 2nd	1. Unknown
XX/XX/XXXX	XXXXXX	CA		CI&I	1. Robbery 2nd	1. Convicted
XX/XX/XXXX	XXXXXXX	CA		CI&I	1. Voluntary Manslaughter	1. Convicted

Comments

Pending Detainer Investigations

Initiated Date	Type	Source	Agency Name	Charges
None				

Active Detainers

Placed Date	Agency Name	Reason	Expiration Date	Charges
None				

Inmate Precautions

Date	Type	Institution Placed By
XX/XX/XXXX	Administrative Segregation	Centinela State Prison

Offender Separation Alerts

Separation Alerts	☐ Clear	☐ Noted
Confidential	☐ Clear	☒ Noted

STG Activity

STG Name	STG Set	Affiliation Level	Affiliation Status	Validation Status
II - XXXXX	XXXXXX	Suspect	Active	Suspected

Integrated Housing Review

Review Date	IHC Type (Inmate/Staff)	Ethnic Restrictions	Race Related Incident
XX/XX/XXXX	Racially Eligible		No

Serious Disciplinary History

Inmate Characteristics

Security Level:	Last Review Date: XX/XX/XXXX
Housing Area/Bed: UNK - UNK	Single Cell Since Date:
Prior Facility: XXXXXXX	Reason for Transfer: Bed Assignment (between Facilities)
Risk:	
INMATE_CSRA_SCORE: 1	Time to Serve: 37y 0m 0d
Needs (from COMPAS):	
Substance Abuse: L	Anger: M
Criminal Personality: L	Employment Problems: L
Educational Problems: L	Support from Family: H

Health Care Factors

Communicable Disease:	As of Date:
Transport Precaution Code: 92-OK to Transport - No Precautions Needed	As of Date: 10/20/2022
Pregnancy:	As of Date:
DPP Codes:	As of Date:
Medical Level of Care: CTC	As of Date: 10/20/2022
Proximity to Consult: Infrequent Basic Consultation	As of Date: 10/20/2022
Functional Capacity: Vigorous Activity	As of Date: 10/20/2022
Medical Risk: Low Risk	As of Date: 10/20/2022
Nursing Care Acuity: Basic Nursing	As of Date: 10/20/2022
Current MH LOC: GP - General Population	As of Date: 04/10/2009
Current DDP Status: NCF-Adequate Cognitive Functioning	As of Date: 04/09/2009
Dental Priority Cls: 4 - No Dental Care Needed	As of Date: 05/12/2022

Physical Limitations

Physical Limitations	Qualifier	Duration	Expiration
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Lifting Restriction- Unable to Lift more than 19 Pounds					Permanent	No
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Classification Scoresheet					
Action Date	Scoresheet Type	Facility	Preliminary Score	Placement Score	Security Score
10/20/2022	Reclassification	XXXXX	30	30	II
10/25/2021	Reclassification	XXXXX	42	42	III
10/14/2020	Reclassification	XXXXX	52	52	III
10/18/2019	Reclassification	XXXXX	54	54	III
11/01/2018	Reclassification	XXXXX	56	56	III
11/29/2017	Initial	XXXXX	66	66	IV

Special Programs Screening			
Screening Date	Special Program	Eligibility Result	Exclusionary Factors
10/20/2022	Alternative Custody Placement	Ineligible	1. Long Time to Serve(Primary) 2. Violent Offense Conviction(Secondary)
10/20/2022	Conservation Camp Program	Ineligible	1. Classification Score >= 36 Pts.(Secondary) 2. Long Time until Release(Secondary) 3. Violent Offense Conviction(Primary)
10/20/2022	Community Correctional Facility	Ineligible	1. Classification Score >= 36 Pts.(Secondary) 2. Violent Offense Conviction(Primary) 3. Long Time until Release(Secondary)
10/20/2022	CA Out-of-State Correctional Facility	Eligible	
10/20/2022	Comm. Prisoner Mother Program	Ineligible	1. Gender (Male)(Primary)
10/20/2022	Female Rehab. Community Corr. Center	Ineligible	1. Gender (Male)(Primary)
10/20/2022	Folsom Women's Facility	Ineligible	1. Gender (Male)(Primary)
10/20/2022	Institutional Hearing Program	Ineligible	1. No Active ICE Detainer/Hold(Primary)
10/20/2022	In-Custody Sex Offender Management Program	Unknown	
10/20/2022	Modified Community Correctional Facility	Ineligible	1. Classification Score >= 36 Pts.(Primary) 2. Long Time until Release(Secondary)
10/20/2022	Minimum Support Facility	Ineligible	1. Long Time until Release(Secondary) 2. Classification Score >= 36 Pts.(Secondary) 3. Violent Offense Conviction(Primary)
10/20/2022	Permanent Work Crew	Ineligible	1. Classification Score >= 36 Pts.(Primary)
10/20/2022	Reentry Program	Ineligible	1. CSRA Score = 1 (Low)(Secondary) 2. Long Time until Release(Primary)
10/20/2022	Substance Abuse Treatment	Ineligible	1. COMPAS Score(Secondary) 2. CSRA Score = 1 (Low)(Secondary) 3. REEP Excluded(Primary)

Administrative Determinants			
Determinant Date	Type	Source	Status
11/29/2017	Violent History Noted	Correctional Counselor	Affixed

Inmate Visitation Restrictions				
Effective Date	Type	Status	Expiration Date	Comments
None				

Movement Warnings			
Placed Date	Institution	Warning Type	Expiration Date
None			

CRITICAL CASE FACTORS			
Critical Case Factors			
Factor	Current	Committee Decision	
Security Level	NA-Not Applicable	UNKN-Unknown	
Custody Designation	Maximum	Maximum	
Custody Suffix - 1st			
Custody Suffix - 2nd			
Custody Suffix - 3rd			
Custody Suffix - 4th			
Housing Placement - 1st	GP-General Population	UNK-N/A	
Housing Placement - 2nd	UNK-N/A	UNK-N/A	
Institution (Primary)	Centinela State Prison	UNKNOWN	
Security Level/Program (Primary)	NA	/	
Institution (Alternate)		UNKNOWN	
Security Level/Program (Alternate)	NA	/	
Transfer Override	ZZZ-None	ZZZ-None	
Exceptional Placement	Z-None	Z-None	
Custody Upon Transfer	Unknown	Unknown	
Detention Procession Unit	0-N/A	0-N/A	
Housing Configuration	NA-Not Applicable	NA-Not Applicable	
Work Change Clearance	No	No	
Back Dock Clearance	No	No	
Gate Pass Clearance	No	No	
Access to Computer Clearance	No	No	
ORWD Clearance	No	No	
SVP Status Considered		No	
OMHD Status Considered		No	
Annual IHR Conducted		No	
Work Group/Privilege Group Changes			
Work Group	Privilege Group	Begin Date	End Date
A1-Full Time Assignment		04/11/2018	
	A-Full Time Assignment		
Credit Time Restoration			
Days	Violation Date	RVR Log #	
None			
Related RVRs			
Violation Date	Log Number	Guilty Charge	
None			
Offender Work Skills			

Job Title		Work Skill		Years		Level				
Porter		Skilled		1 yrs		Moderate				
Current Assignments										
Assigned Date	Facility	Location Code	Position #	Assignment Title	Status	Retain	Removal Reason			
None										
Waiting List										
Priority	Date Identified	Waiting List Type		Referral Status		Comments				
None										
Related RHU Term Computations										
Violation Date	Specific Offense	STG Nexus	RHU Term Type	RHU Term Start Date	RHU Term	RHU MRD	RHU Term Status			
None										
Related SHU Term Computations										
Violation Date	SHU Term Type	Att./ Consp.	Specific Offense	SHU Term Start Date	SHU Term	How Served	Time Forfeited	Any Pending?	MERD	SHU Term Status
None										

CLINICIAN COMMENTS

COMMITTEE ACTION SUMMARY

COMMITTEE COMMENTS

INMATE INVOLVEMENT IN HEARING

Attendance: xxxxx

72 Hour Notice Waiver: No

Interpreter Name:

Staff Assistant Name:

S/A Discharged Date:

Agrees with Recommendations: No

Informed of Appeal Rights: No

Inmate Comments

OUTCOME

Actual Hearing Date:

Actual Hearing Time:

Continue Present Program:	No	Implement Changes:	No
RHU Extension Request:	No	RHU Extension Days:	0 days
RHU Extension Reason:			
Review Status:	Hearing Scheduled	As of:	09/25/2023
Refer to:	N/A	Reason:	N/A
Next Review Date:		Next Hearing Type:	

RECORDER	
	Date

INITIAL STATEMENT OF REASONS

The California Department of Corrections and Rehabilitation (CDCR or the department), proposes to amend the California Code of Regulations (CCR), Title 15, Division 3, sections 3000 and 3375.2 and adopt section 3040.5 regarding the Youth Offender Fire Camp Program (YOFCP).

The department is proposing to adopt regulations pursuant to Assembly Bill 1276 which enacted California Penal Code (PC) section 2905, requiring the department to afford special classification consideration for every youth offender. PC section 2905 defines a youth offender as an individual under 22 years of age. However, the department has made a determination to define a youth offender as an individual committed to the department who is under the age of 26. This provision is consistent with existing section 3040.4 to extend the opportunity for participation in the Youth Offender Program (YOP) to offenders between the ages of 22-25. The expanded age range affords these youth offenders the opportunity to house at a lower security level for greater access to programs with the goal of increasing the likelihood of rehabilitation, during critical developmental stages in their life.

The proposed regulations establish a Youth Offender Fire Camp Program (YOFCP) to encourage youth offenders to commit to positive change and self-improvement with the goal of being law-abiding members of society upon release. By participating in the YOFCP, youth offenders will receive valuable wildland firefighting training, which enhances their opportunities for future firefighting careers. In addition, pursuant to PC section 1203.4(b), an incarcerated person who successfully participated in the California Conservation Camp program as a firefighter and has been released from custody may petition the court to withdraw a guilty plea or set aside a plea of guilty and dismiss the accusations or information against the offender. The offender shall thereafter be released from all penalties and disabilities resulting from the offense of which they have been convicted, with some exceptions.

The Certified YOP Peer Mentor role is a transformative position within CDCR, designed to foster rehabilitation and personal growth among incarcerated youth under the age of 26. The Certified YOP Peer Mentor plays a vital role in transforming correctional environments into rehabilitative environments. Their presence assists in bridging the gap between institutional authority and youth offenders by offering guidance rooted in shared experience and empathy. These mentors are required to meet stringent eligibility criteria and are trained to guide youth away from prison politics and violence, helping them build constructive habits early in their incarceration. After completion of a certified curriculum and 500 hours of peer mentorship, the Certified YOP Peer Mentor receives their certification.

CONSIDERATION OF ALTERNATIVES:

The department is required to determine that no other reasonable alternatives considered, or otherwise identified and brought to the attention of the department, would be more effective in carrying out the purpose for which this action is proposed, would be

as effective and less burdensome to affected private persons than the action proposed, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. Currently, no alternatives have been brought to the attention of the department that would alter the department's initial determination.

ECONOMIC IMPACT ASSESSMENT:

In accordance with Government Code Section 11346.3(b), the department has made the following assessments regarding the proposed regulations:

Significant Adverse Economic Impact on Business

The department has made an initial determination that the proposed regulatory action will not have a significant adverse economic impact on business. Additionally, there have been no facts, evidence, documents, testimony, or other evidence provided that would alter the department's initial determination.

Creation of New or Elimination of Existing Jobs within the State of California

The department has determined that the proposed regulations will not have an impact on the elimination of existing jobs within California, but may potentially create new jobs, as incarcerated individuals are provided with job skills that will assist them in securing jobs once they are released from prison.

Creation of New, Expansion or the Elimination of Existing Businesses Currently Doing Business within the State of California

The department has determined that the proposed regulations will not have an impact on the creation of new, expansion, or the elimination of existing businesses currently doing business within California, as the proposed regulations affect the internal management of prisons within California.

Benefits to the Health and Welfare of California Residents, Worker Safety, and the State's Environment

The proposed regulations will benefit the health and welfare of California residents by increasing public safety due to more successful reintegration and reduced recidivism of incarcerated individuals upon their release into their communities. The State's environment will benefit by CDCR securing Special Skills workers for the crucial and necessary functions related to firefighting. The proposed regulations will have no effect on worker safety other than those related to specific job functions of fire camp firefighters.

BENEFITS OF THE REGULATIONS

YOFCP provides youth offenders with the opportunity to house at a lower security level

for greater access to the department's rehabilitative programs, with the goal of increasing the likelihood of rehabilitation during critical development stages in their lives. YOFCP encourages youth offenders to commit to positive change and self-improvement with the goal of being law-abiding members of society upon release. The program provides participants with valuable wildland firefighting training, which enhances their opportunities for future firefighting careers. The program will help the state of California's firefighting efforts by training and deploying more incarcerated person firefighters. Additionally, camp firefighters are eligible for felony expungement which helps remove barriers for employment and will result in more productive citizens being released into the community and make the community safer as a whole.

The Certified YOP Peer Mentor is a transformative position within CDCR, designed to foster rehabilitation and personal growth among youth offenders. The Certified YOP Peer Mentor plays a vital role in transforming correctional environments into rehabilitative environments. Their presence assists in bridging the gap between correctional authority and youth offenders by offering guidance rooted in shared experience and empathy.

DOCUMENTS RELIED UPON:

The department, in proposing amendments to these regulations, has not identified nor has it relied upon any technical, theoretical, or empirical study, report, or similar document.

SPECIFIC PURPOSE AND RATIONALE FOR EACH SECTION, PER GOVERNMENT CODE 11346.2(b)(1):

Section 3000 is amended to adopt definitions for the terms "Certified Youth Offender Program Peer Mentor" and the "Youth Offender Fire Camp Program" because it is necessary to create standardized definitions for terms used throughout these proposed regulations for consistency and clarity.

New Section 3040.5 is adopted to establish provisions for the creation of the YOFCP and the Certified YOP Peer Mentor programs. New subsections (a) through (c) are necessary to establish eligibility and exclusionary criteria to ensure that participants are likely to succeed in the program and benefit from the opportunities it provides. Subsection (d) is necessary to establish processes for the vetting and transfer of potential YOFCP participants and to allow for making any necessary changes to the participant's custody level or classification. Subsection (e) is necessary to establish the steps for a youth offender who has been vetted and ready for placement. Subsection (f) is necessary to allow for the removal of YOFCP participants who no longer wish to participate in the voluntary program, or whose behavior merits removal from the program. Subsections (g) through (k) pertain to the Certified YOP Peer Mentor program and are necessary to establish eligibility criteria, exclusionary criteria, the process for vetting and placement to ensure a positive benefit to the youth offenders and successful participation as a peer mentor. Subsection (l) is necessary to allow for the removal of a Peer Mentor who no

longer wishes to participate in the voluntary program, or whose behavior merits removal from the program.

The department established that during the YOFCP or Certified YOP Peer Mentor Youth Offender Classification Committee Process, the Unit Classification Committee, and Institution Classification Committee will record their determination on the automated Classification Committee Chrono (Rev. 05/19). The automated Classification Committee Chrono (Rev. 05/19) is an automated version of the CDC Form 128-G Classification Committee Chrono (Rev.10/89). The automated form has already been incorporated by reference in a previous rulemaking and is unchanged in these proposed regulations. A copy of the automated Classification Committee Chrono (Rev. 05/19) is included in this rulemaking for reference purposes only.

Section 3375.2 is amended to create the new Administrative Determinant “youth offender committee (YOC).” An incarcerated person meeting one or more administrative or irregular placement conditions, known as administrative determinants, may be housed in a facility with a security level which is not consistent with the incarcerated person's placement score. This new administrative determinant is necessary to ensure appropriate housing for incarcerated persons who have fulfilled the requirements of the Certified YOP Peer Mentorship.