

California Department of Corrections and
Rehabilitation
Office of the Ombudsman



Senate Bill 518 Report
2016

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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 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. The Office of the Ombudsman's DJJ Hotline (Hotline) was implemented on July 1, 2008.² On that date, the posters were displayed in all DJJ Facility living units, visiting halls, school areas, libraries, the administration buildings and any other areas deemed appropriate. On July 1, 2008 the Office of the Ombudsman began to track all phone calls to the Hotline.

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 were used in a lawsuit against the State in 2003 and 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

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.

to 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 ninth report issued by the Office of the Ombudsman. This report is a compilation of data captured from January 1, 2016 through December 31, 2016, offering a breakdown of the number of inquiries to the DJJ Hotline by facility, month, issue, and actions taken.

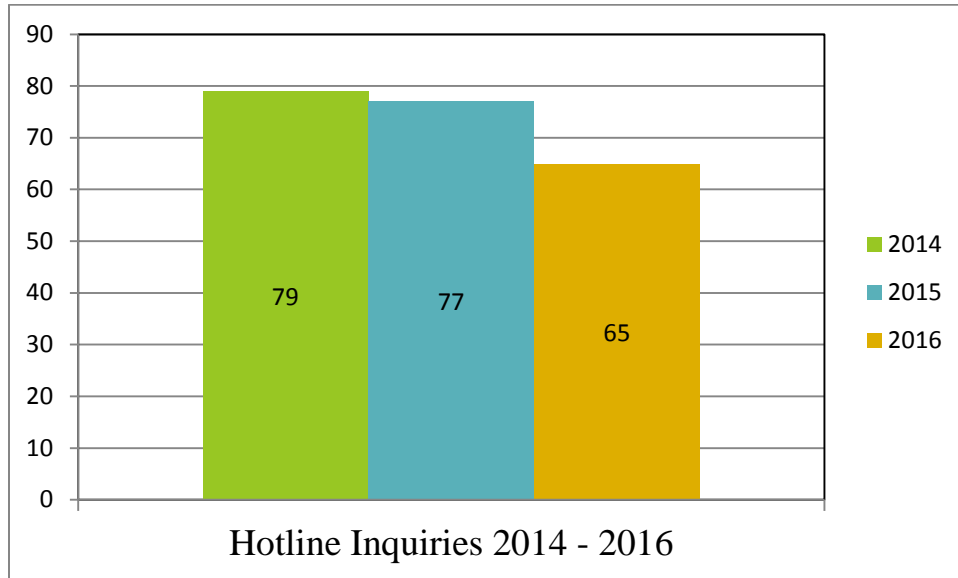
In 2016, the Office of the Ombudsman received via the DJJ Hotline a total of sixty-five (65) inquiries. The inquiries were received from N.A. Chaderjian Youth Correctional Facility (NACYCF), O.H. Close Youth Correctional Facility (OHYCF) and Ventura Youth Correctional Facility (VYCF). This Office did not receive any inquiries from Pine Grove Youth Conservation Camp (PGYCC). Nearly all the inquiries (55 of the 65) received by the Office were resolved or referred. There were a total of ten (10) unresolved inquiries, which were a result of the youth being released from DJJ prior to resolution of the issue and/or the call originating by a family member who failed to provide a working telephone number or enough information to conduct an inquiry.

It should be noted the Office received an additional seven (7) inquiries in 2016 by means other than the DJJ Hotline. These additional inquiries were received via email (4), telephone (1), United States Mail (1) and fax (1). Two of the inquiries (phone, mail) were received by youth and the remaining five were received by youths' family members. The purpose of the contact by family members was seeking general information (1 email), reporting allegations of Use of Force (1 email) and three (3) were seeking assistance with visiting disapprovals (email, fax).

This report offers a comparison of DJJ Hotline inquiries received from 2014 through 2016. This comparison offers a breakdown of the number of DJJ inquiries received by 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 2014 and 2016. The Office received a total of 79 inquiries in 2014, 77 inquiries in 2015, and 65 inquiries in 2016. This Office did not identify any trends to explain the decrease in inquiries received.

Table A: Number of Hotline Inquiries by Year

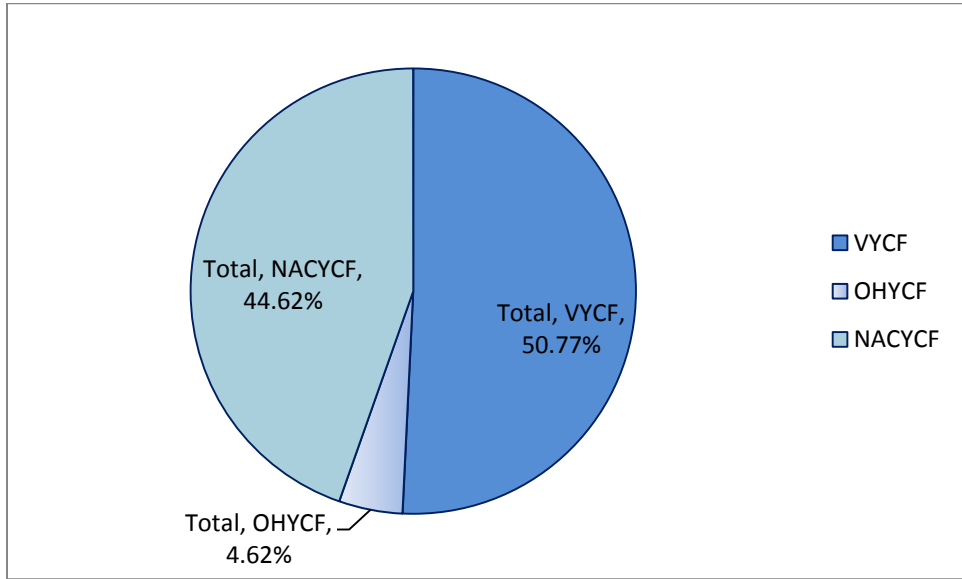


In 2016, nearly half (51%) of the overall inquiries were received from the Ventura Youth Facility (VYCF), with a total of 33 of the 65 inquiries, followed by the N.A. Chaderjian (NACYCF) Youth Correctional Facility with a total of 29 inquiries, resulting in 45% of the overall inquiries. The least number of inquiries were received from the O.H. Close Correctional Facility (OHYCF), with a total of 3 inquiries.

Table B: Number of Hotline Inquiries by Facility

VYCF	33
NACYCF	29
OHYCF	3
Grand Total	65

Table C. 2016 Percentage of DJJ Hotline Inquiries by Facility



The average number of inquiries received per month from the Office of the Ombudsman was five (5). The highest number of inquiries was received in the months of June 2016 and August 2016 with a total of nine (9) inquiries per month. The least number of inquiries was received in the months of February, March, July and December 2016, with a total of three (3) inquiries per month.

Table D: Hotline Inquiries by Month

<i>Month</i>	<i>Total Number of Inquiries</i>
January	6
February	3
March	3
April	8
May	4
June	9
July	3
August	9
September	4
October	8
November	5
December	3
Total Number of Inquiries	65

The inquiries received by the Office were almost equally split between VYCF (Ventura) and NACYCF (Chad), with slightly more inquiries originating from VYCF (33 inquiries) than NACYCF (29 inquiries). OHYCF only originated 3 of the inquiries; however, the lower number of inquiries is attributed to a significant smaller population.

The majority of the inquiries (55 of the 65 inquiries, or 85%) were resolved or referred. A total of 10 out of the 65 (15%) resulted in no action or remained unresolved. This is due to a variety of reasons, such as the youth's release from DJJ prior to resolution of the issue, the information received did not support an issue in need of resolution, or contact from family members who failed to provide enough information to conduct an inquiry and/or left a message without a return phone number or a phone number that is no longer in service or is incorrect/incomplete.

The most common inquiries received were regarding Transfers, with a total of 13 out of the 65 contacts (20%). The inquiries were received equally between youth and their families, with 7 contacts originating from youth and 6 inquiries being received from family members. Additionally, the inquiries were received equally between NACYCF and VYCF. The transfer requests ranged from requests to move from one living unit to another within a facility, disagreement with transfer and desire to remain at current facility, and the most common request was for the youth to be moved to another facility closer to family. Staff Misconduct allegations was the second most common inquiry received via the Hotline, with a total of 10 of the 65 inquiries (15%). It should be noted 3 of the 10 inquiries were made by youth family members, with 2 calls received from the same individual regarding the same issue. Almost all staff misconduct allegations resulted from the youth claiming they were being treated inappropriately. These allegations generally arose after a youth received a Disciplinary write-up or was involved in an incident resulting in use of force. Only one of the allegations of Staff Misconduct resulted in the youth filing a grievance. These inquiries were reflective of the overall inquiries, in that 5 were received from NACYCF, 4 received from VYCF, and 1 received from OHYCF. The third most common inquiry received in the Office was regarding Religious Services, with 7 of the 65 inquiries (11%). It should be noted these 7 inquiries were made by three youth. One individual contacted the Office 4 times to discuss various requests relative to religious services and books, and another of the youth contacted the Office on two occasions regarding his request for services and for a religious diet.

The DJJ Ombudsman continues to visit all DJJ facilities. 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:

Sara Malone, Chief, Office of the Ombudsman	(916) 327-8467
Sara Smith, Ombudsman for the Division of Juvenile Justice	(916) 324-5458
Debra Moreno, SSM I, Office of the Ombudsman	(916) 324-3540

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: 2016 Hotline Inquiries by Facility, Date & Issue

Facility	Date Received	Issue	Contact Mode
CHAD	1/21/2016	Transfer	Hotline
CHAD	1/23/2016	Miscellaneous	Hotline
CHAD	2/16/2016	DDMS	Hotline
CHAD	2/22/2016	Staff Misconduct	Hotline
CHAD	3/8/2016	Delivery of Mandated Services	Hotline
CHAD	3/22/2016	Miscellaneous	Hotline
CHAD	4/3/2016	Medical	Hotline
CHAD	4/22/2016	Medical	Hotline
CHAD	4/23/2016	Mail	Hotline
CHAD	4/23/2016	Mail	Hotline
CHAD	6/3/2016	Living Conditions	Hotline
CHAD	6/17/2016	Visiting/Family Contact	Hotline
CHAD	6/23/2016	Transfer	Hotline
CHAD	8/12/2016	Visiting/Family Contact	Hotline
CHAD	8/17/2016	Religious Services	Hotline
CHAD	8/19/2016	Religious services	Hotline
CHAD	8/20/2016	Staff Misconduct	Hotline
CHAD	8/22/2016	Use of Force	Hotline
CHAD	8/23/2016	Religious services	Hotline
CHAD	8/23/2016	Staff Misconduct	Hotline
CHAD	9/21/2016	Transfer	Hotline
CHAD	9/28/2016	Transfer	Hotline
CHAD	10/5/2016	Staff Misconduct	Hotline
CHAD	10/21/2016	Religious services	Hotline
CHAD	10/31/2016	Transfer	Hotline
CHAD	10/31/2016	Transfer	Hotline
CHAD	11/3/2016	Transfer	Hotline
CHAD	11/8/2016	Transfer	Hotline
CHAD	12/12/2016	Staff Misconduct	Hotline
OHCLOSE	6/29/2016	Staff Misconduct	Hotline
OHCLOSE	8/31/2016	Safety	Hotline
OHCLOSE	9/20/2016	Religious Services	Hotline
VENTURA	1/5/2016	Grievance	Hotline

Facility	Date Received	Issue	Contact Mode
VENTURA	1/14/2016	DDMS	Hotline
VENTURA	1/15/2016	Policies/Procedures	Hotline
VENTURA	1/15/2016	Safety	Hotline
VENTURA	2/22/2016	Staff Misconduct	Hotline
VENTURA	3/23/2016	Staff Misconduct	Hotline
VENTURA	4/13/2016	Visiting/Family Contact	Hotline
VENTURA	4/26/2016	Miscellaneous	Hotline
VENTURA	4/28/2016	Medical	Hotline
VENTURA	4/29/2016	Miscellaneous	Hotline
VENTURA	5/17/2016	Access to Telephones	Hotline
VENTURA	5/24/2016	Visiting/Family Contact	Hotline
VENTURA	5/25/2016	Access to Telephones	Hotline
VENTURA	5/25/2016	DDMS	Hotline
VENTURA	6/16/2016	Miscellaneous	Hotline
VENTURA	6/17/2016	DDMS	Hotline
VENTURA	6/21/2016	Juvenile Parole Board	Hotline
VENTURA	6/21/2016	Religious services	Hotline
VENTURA	6/30/2016	Living Conditions	Hotline
VENTURA	7/8/2016	Religious Services	Hotline
VENTURA	7/26/2016	Education	Hotline
VENTURA	7/26/2016	Safety	Hotline
VENTURA	8/9/2016	Safety	Hotline
VENTURA	9/23/2016	Miscellaneous	Hotline
VENTURA	10/10/2016	Medical	Hotline
VENTURA	10/10/2016	Transfer	Hotline
VENTURA	10/12/2016	Transfer	Hotline
VENTURA	10/21/2016	Staff Misconduct	Hotline
VENTURA	11/18/2016	Staff Misconduct	Hotline
VENTURA	11/18/2016	Transfer	Hotline
VENTURA	11/26/2016	Medical	Hotline
VENTURA	12/2/2016	Transfer	Hotline
VENTURA	12/5/2016	Transfer	Hotline

Appendix C: 2016 Hotline Inquiries by Facility

ISSUE	CHAD	OHCLOSE	VENTURA	Grand Total
Access to Telephones			2	2
DDMS	1		3	4
Delivery of Mandated Services	1			1
Education			1	1
Grievance			1	1
Juvenile Parole Board			1	1
Living Conditions	1		1	2
Mail	2			2
Medical	2		3	5
Miscellaneous	2		4	6
Policies/Procedures			1	1
Religious Services	4	1	2	7
Safety		1	3	4
Staff Misconduct	5	1	4	10
Transfer	8		5	13
Use of Force	1			1
Visiting/Family Contact	2		2	4
Grand Total	29	3	33	65

Appendix D: 2016 Hotline Inquiries by Facility, Date, Issue and Action

Facility	Date Received	Issue	Action	Contact Mode
CHAD	1/21/2016	Transfer	Resolved	Hotline
CHAD	1/23/2016	Miscellaneous	Resolved	Hotline
CHAD	2/16/2016	DDMS	Resolved	Hotline
CHAD	2/22/2016	Staff Misconduct	Resolved	Hotline
CHAD	3/8/2016	Delivery of Mandated Services	Resolved	Hotline
CHAD	3/22/2016	Miscellaneous	Resolved	Hotline
CHAD	4/3/2016	Medical	Resolved	Hotline
CHAD	4/22/2016	Medical	Resolved	Hotline
CHAD	4/23/2016	Mail	Resolved	Hotline
CHAD	4/23/2016	Mail	Resolved	Hotline
CHAD	6/3/2016	Living Conditions	Resolved	Hotline
CHAD	6/17/2016	Visiting/Family Contact	Resolved	Hotline
CHAD	6/23/2016	Transfer	Resolved	Hotline
CHAD	8/12/2016	Visiting/Family Contact	None	Hotline
CHAD	8/17/2016	Religious Services	Resolved	Hotline
CHAD	8/19/2016	Religious services	Resolved	Hotline
CHAD	8/20/2016	Staff Misconduct	Resolved	Hotline
CHAD	8/22/2016	Use of Force	Resolved	Hotline
CHAD	8/23/2016	Religious services	Resolved	Hotline
CHAD	8/23/2016	Staff Misconduct	Referral	Hotline
CHAD	9/21/2016	Transfer	Resolved	Hotline
CHAD	9/28/2016	Transfer	Resolved	Hotline
CHAD	10/5/2016	Staff Misconduct	Resolved	Hotline
CHAD	10/21/2016	Religious services	Resolved	Hotline
CHAD	10/31/2016	Transfer	Resolved	Hotline
CHAD	10/31/2016	Transfer	Resolved	Hotline
CHAD	11/3/2016	Transfer	Resolved	Hotline
CHAD	11/8/2016	Transfer	Resolved	Hotline
CHAD	12/12/2016	Staff Misconduct	Resolved	Hotline
OHCLOSE	6/29/2016	Staff Misconduct	Resolved	Hotline
OHCLOSE	8/31/2016	Safety	Referral	Hotline
OHCLOSE	9/20/2016	Religious Services	Resolved	Hotline

Facility	Date Received	Issue	Action	Contact Mode
VENTURA	1/5/2016	Grievance	Resolved	Hotline
VENTURA	1/14/2016	DDMS	Resolved	Hotline
VENTURA	1/15/2016	Policies/Procedures	Resolved	Hotline
VENTURA	1/15/2016	Safety	Resolved	Hotline
VENTURA	2/22/2016	Staff Misconduct	Resolved	Hotline
VENTURA	3/23/2016	Staff Misconduct	Resolved	Hotline
VENTURA	4/13/2016	Visiting/Family Contact	Resolved	Hotline
VENTURA	4/26/2016	Miscellaneous	None	Hotline
VENTURA	4/28/2016	Medical	Resolved	Hotline
VENTURA	4/29/2016	Miscellaneous	Resolved	Hotline
VENTURA	5/17/2016	Access to Telephones	Resolved	Hotline
VENTURA	5/24/2016	Visiting/Family Contact	Resolved	Hotline
VENTURA	5/25/2016	Access to Telephones	Resolved	Hotline
VENTURA	5/25/2016	DDMS	Resolved	Hotline
VENTURA	6/16/2016	Miscellaneous	None	Hotline
VENTURA	6/17/2016	DDMS	None	Hotline
VENTURA	6/21/2016	Juvenile Parole Board	Resolved	Hotline
VENTURA	6/21/2016	Religious services	None	Hotline
VENTURA	6/30/2016	Living Conditions	None	Hotline
VENTURA	7/8/2016	Religious Services	None	Hotline
VENTURA	7/26/2016	Education	Resolved	Hotline
VENTURA	7/26/2016	Safety	Resolved	Hotline
VENTURA	8/9/2016	Safety	Resolved	Hotline
VENTURA	9/23/2016	Miscellaneous	None	Hotline
VENTURA	10/10/2016	Medical	None	Hotline
VENTURA	10/10/2016	Transfer	Resolved	Hotline
VENTURA	10/12/2016	Transfer	Resolved	Hotline
VENTURA	10/21/2016	Staff Misconduct	None	Hotline
VENTURA	11/18/2016	Staff Misconduct	Resolved	Hotline
VENTURA	11/18/2016	Transfer	Resolved	Hotline
VENTURA	11/26/2016	Medical	Resolved	Hotline
VENTURA	12/2/2016	Transfer	Resolved	Hotline
VENTURA	12/5/2016	Transfer	Resolved	Hotline