

**Twenty-second Special Master Report (Filed July 5, 2012)**

Area	Compliance	Source	Page
<b>INTEGRATED BEHAVIOR TREATMENT MODEL (IBTM)</b>			
Curriculum	-	<p>“Current CBT [Cognitive Behavior Therapy] programs include Counter Point and Aggression Interruption Training that are the foundation programs planned for all units. The Sex Behavior Treatment Program also has an excellent evidenced-based cognitive behavioral curriculum for sex offenders. There is also a Healthy Living Curriculum now used only in the Sex Behavior Treatment Program that could be adopted to all units. Finally, a substance abuse curriculum [UCCI, University of Cincinnati] is in the adoption process.”</p>	3
		<p>“The implementation of evidence-based curricula and support components at OHCYF in all high and low core units are nearly complete....there must remain coaching support and quality assurance mechanism at OHCYCF to ensure continued progress.”</p>	4
Case Management System	Substantial	<p>“The unified case management system [CA-YASI] was implemented May 1, 2012 for the entire O.H. Close Youth Correctional Facility [OHCYCF]... Having a unified case plan that is based on valid risk and need factors allows the relevant staff engaged with youth to better define and develop behavior targets...”</p> <p>“Defendant will need to continue to focus on supporting staff to understand the assessment information and how to develop concrete behavior change that youth can understand and engage in.”</p>	4
Staffing	-	<p>“...by no means is the current staffing adequate to ensure true understanding and full implementation of the IBTM in OHCYCF, let alone provide support for the other two facilities.”</p>	6
Next Implementation Sites	-	<p>“N.A. Chaderjian Youth Correction Facility (NACYCF) has been chosen as the next site for implementation” in Aug 1, 2012-Oct 2013. Ventura Youth Correctional Facility (VYCF) will be following site for implementation in Dec 2012 - March 2014. Some IBTM components have been implemented at these facilities.</p>	6-7
Unstructured Time	Partial	<p>“Defendant has also taken steps to begin to address the unacceptable level of time that youth spend in unstructured activities like watching television.”</p> <p>“As of April 15, 2012,... all youth who are high school graduates and/or who have a GED have either an educational, vocational, or work assignment.” (Youth with high school diploma or GED are: 49% NACYCF, 16% OHCYCF, 25% at VYCF.)</p> <p>“Long-term options to reduce the idleness of youth include the development of free venture programs at more facilities... and college programs for youth at VYCF.”</p>	9

<b>EDUCATION</b>			
Absenteeism	Non	<p>“The Education Experts and the OACC auditors found there continues to be high rates of absence among students at all three schools... all three schools were found to be non-compliant for the current round of audits as well as during previous audits.”</p>	12
		<p>An “overwhelming portion of the absences was not attributable to education related matters (ie: no substitute teachers, etc.)” but for non-education related matters such as “lockdowns, program change protocol (PCP) and youth refusal to attend classes.”</p> <p>- To address barriers older youth at NACYCF and VYCF face as a result of their “histories of negative associations with school and little social support for attending school,...both education experts have indicated that assisting older students to get a GED and vocational skills is a more realistic option.”</p>	14
		<p>“The Special Master encourages the Education Experts and Defendant to identify a realistic absence rate and strategies to maintain the absence rate at JBHS [at VYCF] and reduce the absence rate at NACHS [at NACYCF] and at MBPHS [at OHCYCF]. As a vast majority of the absences are not directly related to provision of education programs, participation by the Safety and Welfare Expert in this task may be beneficial.”</p>	15 (foot-note)
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Program Service Day (PSD)	Partial	<p>“Full implementation of the “Program Service Day” continues to be an issue at each site...developed to ensure mandatory 240 minutes of school day is not infringed upon...Students continue to be pulled out for non-emergency medical, mental health, and/or safety and security reasons.”</p>	16
Self-Monitoring	Partial & Substantial	<p>Brief summation of achievements identified by Education Experts Comprehensive Report:</p> <ul style="list-style-type: none"> <li>• Schools accredited by Western Association of Colleges and Schools</li> <li>• High school graduation plans for all students</li> <li>• All staff hold valid California Department of Education Credentials and teach in their field</li> <li>• Meet California Department of Education and Individuals with Disabilities Education Act (IDEA) standards</li> <li>• Increased enrollment in vocational classes</li> <li>• Training to special education and regular education staff on topics such as IEP development and referral and adaptation of instruction</li> </ul>	19
		<p>“The Special Master believes Defendant is ready to assume full monitoring of the Education Service Remedial Plan subject to successful resolution of the key outstanding issues [absenteeism, mandated 240 minutes of education].”</p>	21
<b>WARDS WITH DISABILITIES (WDP)</b>			
Identification of Youth with Disabilities	Partial	<p>“The Special Master and the Medical and Mental Health Experts do not support the Disability Expert’s recommendation that additional guidelines for medical and mental health practitioners are needed.”</p>	32
		<p>“The Disability Expert has not presented evidence of a systemic failure of the current process to properly identify youth who are entitled under law to services rendered by the ADA....modifying</p>	35

		current practices to attempt to create an even better identification process.”	
Use-of-force for Youth with Disabilities	Non	“...there is virtually no indication or acknowledgment in the current use-of-force reports or in the review process that this requirement has been met.”	36
		“...for every force incident that involves a non-compliant youth, staff under the new policy is required to review the youth’s crisis intervention plan and seek approval before force is applied.”	37
		“While the new policy is sound, there is a need for continuous monitoring to ensure proper implementation.”	38
Disability Related Grievances and Due Process for Youth with Disabilities	Partial	“Defendant indicated that it is updating the grievance policy and process and will consider the Disability Expert’s recommendations... revised grievance policy and process must include procedures to provide disabled youth with appropriate staff assistance, accommodation and representation throughout the grievance process...”	41
Education for Youth with Disabilities	-	“The Special Master has identified a myriad of issues and problems. However, she has not found any evidence in any of the reports or in her observations to suggest that youth in restricted programs were denied education services because of a disability...believes monitoring responsibility should rest with the Education Expert.”	42
Monitoring of Psychotropic Medications	Partial	“...monitoring timelines for youth prescribed with certain psychotropic medications were routinely missed and ...counseling was sporadic...” “Some youth interviewed were confused about the reason and nature of their prescriptions.”	43
Self-Monitoring	Partial	“...the Special Master believes Defendant is near overall substantial compliance with the WDP plan.”	24
		“There are systemic issues in a few of the areas that cross over remedial plans such as use-of-force or providing appropriate education for youth in restricted programs that can be monitored by other <i>Farrell</i> Experts.” “Defendant should assume full monitoring of WDP plan starting with the next round of audits.”	46-47
<b>VENTURA YOUTH CORRECTIONAL FACILITY</b>			
Overall	-	“The positive relaxed atmosphere in the BTP [Behavior Treatment Program] was a marked improvement from previous visits [from January 2012- April 2012]. The mood and morale among both staff and youth have improved exponentially.”	48
Restraints	Substantial	“BTP units no longer place youth in restraints during youth movements. Instead use of restraint is based on individualized behavior of youth with frequent re-evaluation to assess whether restraints could be removed.”	48
Education	Partial	“...VYCF continues to fail to deliver 240 minutes of mandated education services to youth in the BTP units.”	50
Structured Activities and	Non	In BTP units, “little meaningful and structured activities for youth... ‘program’ activities still mainly consisted of watching television	50

Out-of-room Time		while the staff congregated in the UCC station with virtually no interaction with youth.”	
Positive Reinforcement	Non	<p>“There is little positive reinforcement of youth in the BTP units.”</p> <p>“There is an urgent need for revisions to the level and incentive systems in the BTPs. Current systems are inadequate and not designed to achieve the objective of reduction in violent behavior.”</p>	50
Facility	Partial	<p>“VYCF has developed a renovation plan for improvements and repairs at all living units. The estimated costs for the two BTPs is approximately \$1.3 million for each unit.”</p> <p>Construction to begin summer and fall 201 and “... efforts are being made to improve the appearance and functionality of the living units such as painting, planting flowers, and adding ping pong tables in dayrooms. However,... more urgent repair needs at the high core units.”</p>	50
		<p>“...most of the high core rooms are damaged or in poor condition...We are working on some rooms that been damaged (holes in the wall, the metal plate pulled off of the wall, etc.) for approximately four months.”</p>	53
<b>USE-OF-FORCE</b>			
Policies	Partial	<p>“The Special Master believes the revised [Crisis Prevention and Management] policy, which incorporates the principles of the IBTM, encourages prevention and promotes increased application of positive incentives throughout the DJJ system, representing a vast improvement over the former policy.”</p> <p>Force review process is undergoing revision (final may be complete however was not at time of this review).</p>	55
Ensuring Reform	-	<p>“...the Special Master cautions that meaningful reform will not take place without full commitment from senior management at the headquarters office and at the facilities. Senior managers need to demonstrate, by word and by actions, they clearly understand and fully embrace the purpose and intent of the Crisis Intervention and Management Policy and actively engage in the force review process.”</p> <p>“...there remains a need for a quality assurance system to ascertain if management policies and directives are being followed and to ensure meaningful and productive outcomes.”</p>	56
<b>CONCLUSION</b>			
Overall	-	<p>“Defendant has made progress in all areas discussed in this report. This is the first time in her tenure that the Special Master has been able to make such a statement....Progress in so many areas is commendable.”</p>	57
Self-Monitoring	-	<p>“The Special Master concludes if the outstanding issues [as identified above] are addressed satisfactorily that it is time to transfer monitoring in full to Defendant in both the education and disability areas.</p>	58