

California Department of Corrections and
Rehabilitation
Office of the Ombudsman



Senate Bill 518 Report
2017

Table of Contents

Executive Summary.....	1
Appendix A: Glossary of Terms.....	7
Appendix B: 2017 DJJ Hotline Inquiries by Facility.....	9
Appendix C: 2017 DJJ Hotline Inquiries by Issue and Facility.....	11
Appendix D: 2017 DJJ Hotline Inquiries by Action, Issue, and Facility.....	14

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 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 programming needs of the youth population. The IBTM guides all services provided to youth from arrival at a DJJ facility to community re-entry. The youths participate in a variety of cognitive behavioral intervention groups

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.

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 tenth report issued by the Office of the Ombudsman. This report is a compilation of data captured from January 1, 2017 through December 31, 2017, offering a breakdown of the number of inquiries to the DJJ Hotline by facility, month, issue, and actions taken.

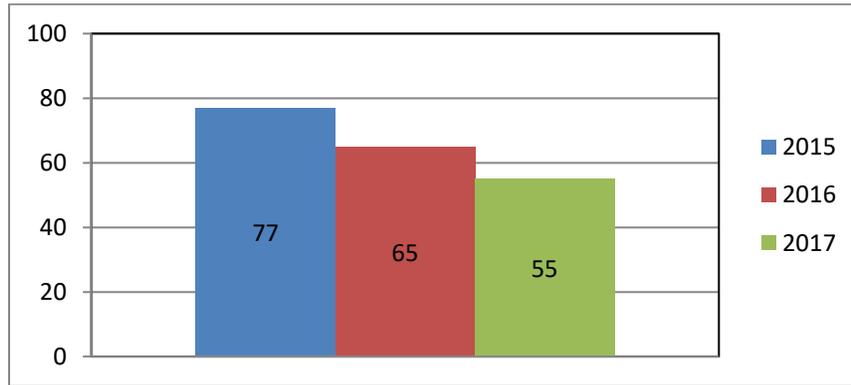
In 2017, the Office of the Ombudsman received via the DJJ Hotline fifty-five (55) inquiries. The Hotline inquiries were received from all DJJ facilities, to include N.A. Chaderjian Youth Correctional Facility (NACYCF)(Chad), O.H. Close Youth Correctional Facility (OHYCF), Ventura Youth Correctional Facility (VYCF), and from the Pine Grove Youth Conservation Camp (PGYCC). Nearly all the inquiries (55 of the 65) received by the Office were resolved or referred. Nine (9) inquiries required no action, which are discussed later in the report.

It should be noted the Office received an additional eight (8) inquiries in 2017 by means other than the DJJ Hotline. These additional inquiries were received via email (2), telephone (5) and United States Mail (1). Two of the inquiries received were submitted by youth via written correspondence received through the mail and a phone call received on the Office of the Ombudsman's main line. The remaining five inquiries were received by family members of the youth. The purpose of the contact by family members was seeking general information, reporting allegations of Use of Force, and seeking assistance with visiting disapprovals

This report offers a comparison of DJJ Hotline inquiries received from 2015 through 2017. 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).

There has been a consistent trend revealing a decrease in the number of Hotline inquiries each year since 2014. The Office received a total of 77 inquiries in 2015, 65 inquiries in 2016, and 55 inquiries in 2017. This Office did not identify any significant cause to explain the decrease in inquiries; however, this may be due to decreased population and increased presence of the Ombudsman at the facilities.

Table A: Number of Hotline Inquiries by Year

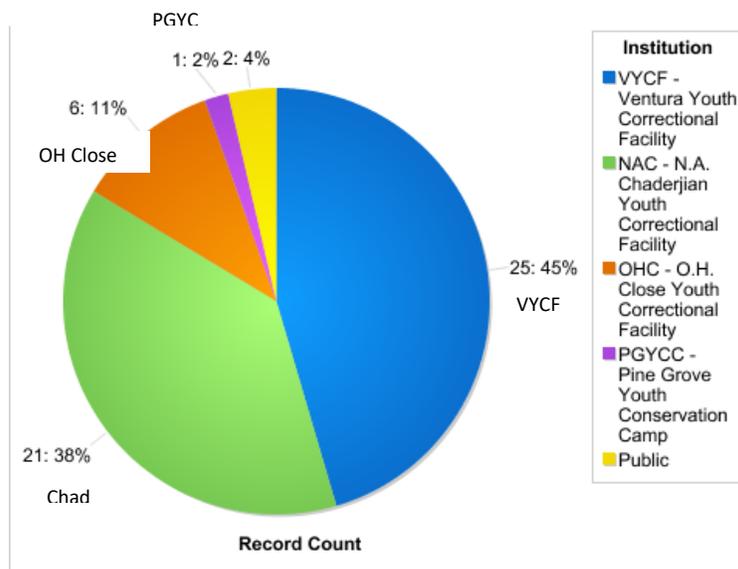


In 2017, Ventura Youth Facility (VYCF) represented 25 of the 55 inquiries, slightly less than half (45%) of the overall inquiries, which is consistent with prior years. N.A. Chaderjian (NACYCF) Youth Correctional Facility represented 21 inquiries, resulting in 38% of the overall inquiries. O.H. Close Correctional Facility and Pine Grove Youth Conservation Camp made up an additional seven (7) inquiries originating from the youth facilities.

Table B: Number of Hotline Inquiries by Facility

VYCF	25
NACYCF	21
OHYCF	6
PGYCC	1
Public	2
Grand Total	55

Table C. Percentage of DJJ Hotline Inquiries by Facility



The average number of inquiries received per month by the Office of the Ombudsman was 4.58. The highest number of inquiries received were in the months of April 2017 and September 2017 reflecting seven (7) inquiries each per month. The month of June 2017 reflected the least number of inquiries, with only one (1) inquiry received that month.

Table D: Hotline Inquiries by Month

Month	Number of Inquiries
Jan-17	3
Feb-17	4
Mar-17	3
Apr-17	7
May-17	5
Jun-17	1
Jul-17	6
Aug-17	3
Sep-17	7
Oct-17	5
Nov-17	6
Dec-17	5
Total number of inquiries	55

The inquiries received in 2017 by the Office are nearly equally split between VYCF (Ventura) and NACYCF (Chad), which has been consistent with prior years. VYCF reflected slightly more inquiries than NACYCF, with VYCF representing 25 inquiries and NACYCF representing 21 of the total inquiries. OHYCF originated six (6) of the inquiries and PGYCC reflected one (1) inquiry, which is consistent with the significant lower populations at both of these facilities. Public inquiries rounded out the grand total, representing two (2) of the overall inquiries.

The majority of the inquiries were resolved or referred (46 of the 55 inquiries, or 84%). A total of nine (9) out of the 55 (16%) resulted in no action. This is due to a variety of reasons, such as the call is a duplicate call, the youth is simply requesting information or advising of their Juvenile Parole Board hearing date, or the issue is outside the jurisdiction of the Office of the Ombudsman (disagrees with sentence issued from courts).

The two most common inquiries received, with seven (7) contacts each, were relative to **Transfers** and **Staff Complaints**. Combined, these fourteen (14) inquiries totaled 25% of the overall 55 contacts.

The **Transfer** inquiries were almost equal between the two largest facilities, with four (4) contacts originating from Chad and three (3) contacts received from youth at VYCF. The most common inquiry was a request for transfer to another facility to be closer to family. Other transfer requests were seeking a move from one living unit to another within the facility or a disagreement with a pending transfer.

The majority of the **Staff Complaints** received via the Hotline originated primarily from VYCF, with four (4) of the seven (7) inquiries. The remaining three (3) complaints received were from Chad (2) and OHC (1). It should be noted two (2) of the seven (7) inquiries were closed without requiring a resolution. One youth refused the Ombudsman request for interview and failed to provide enough information to conduct an inquiry. The Ombudsman referred the complaint to the hiring authority and mailed a letter to the youth advising of the referral. In another case, when interviewed by the Ombudsman, one youth was adamant he had not called the Hotline. It was later determined another youth had made the call in an attempt to harass the youth. It is worth noting it is common for the youth to admit during their interview with the Ombudsman they were simply upset with staff when they called, however, since the call to the Hotline they had an opportunity to discuss their concerns with the involved staff stated and worked out any concerns. Many staff misconduct allegations result from the youth claiming they were 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. Most of the allegations of Staff Misconduct do not result in the youth filing a grievance.

The third most common inquiry received in the Office was regarding **Disciplinary** matters, reflected in five (5) of the 55 inquiries (09%). These contacts are generally a result of the youth receiving a disciplinary write-up and they disagree with being written-up or disagree with the level of the write-up.

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 Diaz, 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 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: 2017 DJJ Hotline Inquiries by Facility

VYCF - Ventura Youth Correctional Facility (25 records)	Initial Date of Contact	Type of Contact	Issue
	9/27/2017	DJJ Hotline	Property
	12/5/2017	DJJ Hotline	Parole - JPB
	10/22/2017	DJJ Hotline	Living Conditions; Living Conditions - Telephones
	10/26/2017	DJJ Hotline	Property; Property - Transfer; Transfer
	10/31/2017	DJJ Hotline	Transfer
	11/4/2017	DJJ Hotline	Disciplinary - Due Process
	12/15/2017	DJJ Hotline	Classification - Prop 57; Education
	12/21/2017	DJJ Hotline	Parole - JPB
	5/4/2017	DJJ Hotline	Disciplinary
	1/13/2017	DJJ Hotline	Programs
	7/16/2017	DJJ Hotline	Transfer
	7/31/2017	DJJ Hotline	Living Conditions - Housing; Programs
	8/23/2017	DJJ Hotline	Other
	3/9/2017	DJJ Hotline	Disciplinary
	5/10/2017	DJJ Hotline	Living Conditions
	4/30/2017	DJJ Hotline	Staff Complaint
	2/27/2017	DJJ Hotline	Staff Complaint
	2/27/2017	DJJ Hotline	Staff Complaint
	4/29/2017	DJJ Hotline	Living Conditions
	7/23/2017	DJJ Hotline	Programs
	4/4/2017	DJJ Hotline	Staff Complaint
	3/2/2017	DJJ Hotline	Disciplinary
	1/5/2017	DJJ Hotline	Transfer
	2/10/2017	DJJ Hotline	Living Conditions - Food Services
	4/18/2017	DJJ Hotline	TBD; Other

NAC - N.A. Chaderjian Youth Correctional Facility (21 records)	Initial Date of Contact	Type of Contact	Issue
	9/26/2017	DJJ Hotline	Living Conditions
	10/7/2017	DJJ Hotline	Classification
	10/16/2017	DJJ Hotline	Transfer
	11/8/2017	DJJ Hotline	Disciplinary - Due Process
	11/13/2017	DJJ Hotline	Safety Concerns
	11/24/2017	DJJ Hotline	Classification - Time Calculation

	12/19/2017	DJJ Hotline	Staff Complaint
	12/30/2017	DJJ Hotline	Classification - Time Calculation
	7/13/2017	DJJ Hotline	Health Care - Medical
	9/5/2017	DJJ Hotline	Staff Complaint
	5/8/2017	DJJ Hotline	Education
NAC - N.A. Chaderjian Youth Correctional Facility (21 records)	Initial Date of Contact	Type of Contact	Issue
	9/18/2017	DJJ Hotline	Legal Services
	6/20/2017	DJJ Hotline	Living Conditions
	9/19/2017	DJJ Hotline	Other
	3/31/2017	DJJ Hotline	Disciplinary
	9/8/2017	DJJ Hotline	Transfer
	2/27/2017	DJJ Hotline	Transfer
	5/18/2017	DJJ Hotline	Health Care - Mental Health
	5/30/2017	DJJ Hotline	Living Conditions - Housing
	8/1/2017	DJJ Hotline	Living Conditions - Housing; Programs
	9/26/2017	DJJ Hotline	Transfer
OHC - O.H. Close Youth Correctional Facility (6 records)	Initial Date of Contact	Type of Contact	Issue
	11/16/2017	DJJ Hotline	Staff Complaint
	11/19/2017	DJJ Hotline	Disciplinary
	7/19/2017	DJJ Hotline	PREA
	4/14/2017	DJJ Hotline	Legal Services
	4/6/2017	DJJ Hotline	Other
	4/13/2017	DJJ Hotline	Legal Services
PGYCC - Pine Grove Youth Conservation Camp (1 record)	Initial Date of Contact	Type of Contact	Issue
	1/20/2017	DJJ Hotline	Visiting - Family
Public (2)	Initial Date of Contact	Type of Contact	Issue
	7/16/2017	DJJ Hotline	Other
	8/29/2017	DJJ Hotline	Classification

Appendix C: 2017 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	PGYCC Pine Grove Youth Conservation Camp	Public	Total
Classification	8/29/2017					1	1
	10/7/2017		1				1
			1			1	2
Classification - Prop 57; Education	12/15/2017	1					1
		1					1
Classification - Time Calculation	11/24/2017		1				1
	12/30/2017		1				1
			2				2
Disciplinary	3/2/2017	1					1
	3/9/2017	1					1
	3/31/2017		1				1
	5/4/2017	1					1
	11/19/2017			1			1
		3	1	1			5
Disciplinary - Due Process	11/4/2017	1					1
	11/8/2017		1				1
		1	1				2
Education	5/8/2017		1				1
			1				1
Health Care - Medical	7/13/2017		1				1
			1				1
Health Care - Mental Health	5/18/2017		1				1
			1				1
Legal Services	4/13/2017			1			1
	4/14/2017			1			1
	9/18/2017		1				1
			1	2			3

Issue	Initial Date of Contact	VYCF Ventura Youth Correctional Facility	NAC N.A. Chaderjian Youth Correctional Facility	OHC O.H. Close Youth Correctional Facility	PGYCC - Pine Grove Youth Conservation Camp	Public	Total
Living Conditions	4/29/2017	1					1
	5/10/2017	1					1
	6/20/2017		1				1
	9/26/2017		1				1
		2	2				4
Living Conditions - Telephones	10/22/2017	1					1
		1					1
Living Conditions - Food Services	2/10/2017	1					1
		1					1
Living Conditions - Housing	5/30/2017		1				1
			1				1
Living Conditions - Housing; Programs	7/31/2017	1					1
	8/1/2017		1				1
		1	1				2
Other	4/6/2017			1			1
	7/16/2017					1	1
	8/23/2017	1					1
	9/19/2017		1				1
		1	1	1		1	4
Parole - JPB	12/5/2017	1					1
	12/21/2017	1					1
		2					2
PREA	7/19/2017			1			1
				1			1
Programs	1/13/2017	1					1
	7/23/2017	1					1
		2					2

Issue	Initial Date of Contact	VYCF Ventura Youth Correctional Facility	NAC N.A. Chaderjian Youth Correctional Facility	OHC O.H. Close Youth Correctional Facility	PGYCC Pine Grove Youth Conservation Camp	Public	Total
Property	9/27/2017	1					1
		1					1
Safety Concerns	11/13/2017		1				1
			1				1
Staff Complaint	2/27/2017	2					2
	4/4/2017	1					1
	4/30/2017	1					1
	9/5/2017		1				1
	11/16/2017			1			1
	12/19/2017		1				1
		4	2	1			7
Other	4/18/2017	1					1
		1					1
Transfer	1/5/2017	1					1
	2/27/2017		1				1
	7/16/2017	1					1
	9/8/2017		1				1
	9/26/2017		1				1
	10/16/2017		1				1
	10/31/2017	1					1
		3	4				7
Visiting - Family	1/20/2017				1		1
					1		1
Grand Total		25	21	6	1	2	55

Appendix D: 2017 Hotline Inquiries by Action, Issue and Facility

Facility	Date Received	Issue	Action	Contact Mode
NAC - N.A. Chaderjian Youth Correctional Facility				
CHAD	2/27/2017	Miscellaneous	Resolved	Hotline
CHAD	3/31/2017	DDMS	Resolved	Hotline
CHAD	5/8/2017	Education	Resolved	Hotline
CHAD	5/18/2017	Miscellaneous	Resolved	Hotline
CHAD	5/30/2017	Safety	Resolved	Hotline
CHAD	6/20/2017	Living Conditions	Resolved	Hotline
CHAD	7/13/2017	Medical	Resolved	Hotline
CHAD	7/19/2017	PREA	Referred	Hotline
CHAD	8/1/2017	Access to Programs	Resolved	Hotline
CHAD	9/5/2017	Staff Misconduct	Resolved	Hotline
CHAD	9/8/2017	Miscellaneous	Resolved	Hotline
CHAD	9/18/2017	Access to Legal Services / Legal Council	Resolved	Hotline
CHAD	9/19/2017	Discrimination	Referred	Hotline
CHAD	9/26/2017	Transfer	Resolved	Hotline
CHAD	9/26/2017	Living Conditions	Resolved	Hotline
CHAD	10/7/2017	Juvenile Parole Board	Referred	Hotline
CHAD	10/7/2017	Classification	Information Provided	Hotline
CHAD	11/8/2017	Disciplinary - Due Process	Resolved	Hotline
CHAD	11/13/2017	Safety Concerns	Referred	Hotline
CHAD	11/24/2017	Classification - Time Calculation	No jurisdiction	Hotline
CHAD	12/19/2017	Staff Complaint	Referred	Hotline
CHAD	10/16/2017	Transfer	Resolved	Hotline
OHC - O.H. Close Youth Correctional Facility				
OHC	4/6/2017	Miscellaneous	Resolved	Hotline
OHC	4/13/2017	Miscellaneous	Resolved	Hotline
OHC	4/14/2017	Miscellaneous	Resolved	Hotline
OHC	11/16/2017	Staff Complaint	N/A	Hotline
OHC	11/19/2017	Disciplinary	Information Provided	Hotline
PGYCC - Pine Grove Youth Conservation Camp				
PGYCC	1/20/2017	Visiting/Family Contact	Resolved	Hotline
VYCF - Ventura Youth Correctional Facility				
VYCF	1/5/2017	Transfer	Referral	Hotline
VYCF	1/13/2017	Access to Programs	Referral	Hotline
VYCF	2/10/2017	Food Services	Resolved	Hotline
VYCF	2/27/2017	Staff Misconduct	Resolved	Hotline
VYCF	2/27/2017	Staff Misconduct	Resolved	Hotline

Appendix D: 2017 Hotline Inquiries by Action, Issue, and Facility

Facility	Date Received	Issue	Action	Contact Mode
VYCF	3/2/2017	DDMS	Resolved	Hotline
VYCF	3/9/2017	DDMS	Resolved	Hotline
VYCF	4/4/2017	Staff Misconduct	Resolved	Hotline
VYCF	4/18/2017	Miscellaneous	Resolved	Hotline
VYCF	4/29/2017	Living Conditions	Resolved	Hotline
VYCF	4/30/2017	Staff Misconduct	Resolved	Hotline
VYCF	5/4/2017	DDMS	Resolved	Hotline
VYCF	5/10/2017	Living Conditions	Resolved	Hotline
VYCF	7/16/2017	Transfer	Resolved	Hotline
VYCF	7/23/2017	Restricted Program	Resolved	Hotline
VYCF	7/31/2017	DDMS	Resolved	Hotline
VYCF	8/23/2017	Juvenile Parole Board	Resolved	Hotline
VYCF	9/27/2017	Property	Resolved	Hotline
VYCF	7/16/2017	No Information Provided	N/A	Hotline
VYCF	10/22/2017	Living Conditions; Living Conditions - Telephones	Resolved	Hotline
VYCF	10/26/2017	Property; Property - Transfer; Transfer	Resolved	Hotline
VYCF	10/31/2017	Transfer	Duplicative	Hotline
VYCF	11/4/2017	Disciplinary - Due Process	Resolved	Hotline
VYCF	12/5/2017	Parole - JPB	N/A	Hotline
VYCF	12/15/2017	Classification - Prop 57; Education	Resolved	Hotline
VYCF	12/21/2017	Parole - JPB	N/A	Hotline
Public				
Public	8/29/2017	None	Withdrawn	Hotline