

California
Department of Corrections and Rehabilitation
Office of the Ombudsman



Senate Bill 518 Report
2019

Table of Contents

Executive Summary 1

Appendix A: Glossary of Terms..... 6

Appendix B: 2019 DJJ Hotline Inquiries by Facility..... 8

Appendix C: 2019 DJJ Hotline Inquiries by Issue and Facility..... 10

Appendix D: 2019 DJJ Hotline Inquiries by Action, Issue, and Facility..... 12

Executive Summary

Governor Arnold Schwarzenegger signed Senate Bill 518 into law on October 13, 2007. This bill created the Youth Bill of Rights and mandated the Division of Juvenile Justice (DJJ) and the Office of the Ombudsman (Office) to create several services related to the Youth Bill of Rights. It required the Office to implement a toll-free number through which youth in DJJ facilities could contact the Office directly. The Office was required to consult with various stakeholders, including youth advocates and support groups, to develop standardized information explaining the Youth Bill of Rights and to disseminate this information to all facilities. The Office was required to post this standardized information, including the toll-free telephone number, in all DJJ facilities by July 1, 2008.¹

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

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

As the result of much reform, the DJJ youths are provided an Integrated Behavior Treatment (IBTM) plan. The IBTM treatment plan is the basis for determining the programing needs of the youth population. The IBTM guides all services provided to youth from arrival at a DJJ facility to 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 twelfth report issued by the Office of the Ombudsman. This report is a compilation of data captured from January 1, 2019 through December 31, 2019, offering a breakdown of the number of inquiries to the DJJ Hotline by facility, month, issue, and actions taken.

In 2019, the Office of the Ombudsman received forty-four (44) inquiries via the DJJ Hotline. The inquiries were received from N.A. Chaderjian Youth Correctional Facility (NACYCF - Chad), O.H. Close Youth Correctional Facility (OHYCF), Ventura Youth Correctional Facility (VYCF), and the Public. There were no inquiries received from the Pine Grove Youth Conservation Camp (PGYCC).

Nearly all inquiries (39 of the 44) received by the Office via the Hotline were resolved or referred. Three (3) inquiries were duplicate calls regarding an issue already pending or under review. The two (2) inquiries received from the Public also did not reflect resolution or referral. One was an inquiry from an outside agency seeking information on how to start an Ombudsman program, and the other call from the Public failed to provide enough information for adequate inquiry and did not respond to our attempts to contact them.

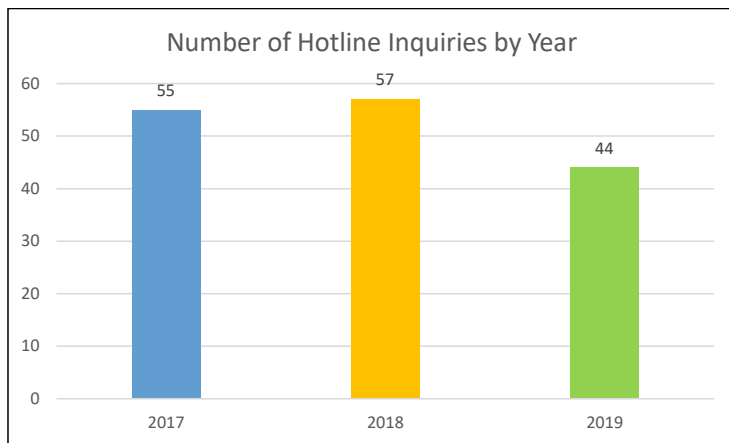
It is noteworthy the Office received an additional thirty-five (35) inquiries in 2019 by means other than the DJJ Hotline. These additional inquiries came via telephone (25), email (7) and United States Postal Service - Mail (3). Only one of the inquiries received via other means originated from a youth, and the remaining thirty-four (34) came from family and friends of youth, advocates, and outside agencies.

This report offers a comparison of DJJ Hotline inquiries received from 2017 through 2019. 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 2017 and 2019. The Office received a total of 55 inquiries in 2017, 57 inquiries in 2018, and 44 inquiries in 2019. The decrease in Hotline inquiries may be attributed to the increase in family inquiries on behalf of youth issues. Additionally, it should be noted site visits and Ombudsman availability to the population was increased during 2019, which allowed for immediate resolution of issues and concerns, reducing the need for youth to contact an Ombudsman via the Hotline.

Commented [JS1]: Same here, not sure if you want to make changes to this part.

Table A: Number of Hotline Inquiries by Year

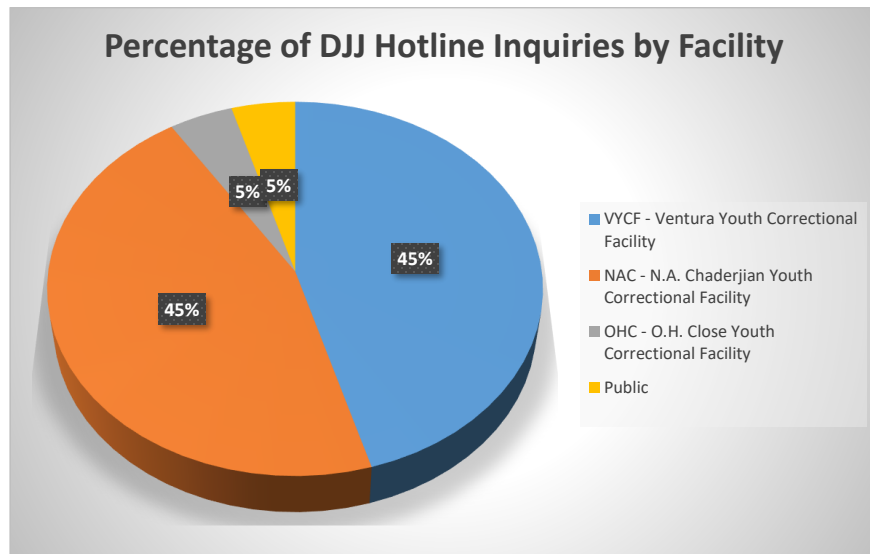


In 2019, there was an equal number of inquiries received from Ventura Youth Facility (VYCF) with 20 of the 44 inquiries received, and the N.A. Chaderjian (NACYCF) Youth Correctional Facility, also with 20 of the 44 inquiries. Each of these facilities accounted for nearly half (45%) of the overall inquiries. The least number of inquiries received were from the O.H. Close Correctional Facility (OHYCF) and the PUBLIC, each resulting in two (2) inquiries.

Table B: Number of Hotline Inquiries by Facility

VYCF - Ventura Youth Correctional Facility	20
NAC - N.A. Chaderjian Youth Correctional Facility	20
OHC - O.H. Close Youth Correctional Facility	2
PGYCC - Pine Grove Youth Conservation Camp	0
Public	2
Grand Total	44

Table C. Percentage of DJJ Hotline Inquiries by Facility



The average number of inquiries received per month from the Office of the Ombudsman was 3.66. The highest number of inquiries was received in the months of February and November with a total of seven (7) inquiries per month. The least number of inquiries was received in the months of August, September, and December with a total of three (2) inquiries per month.

2019 Hotline Inquiries by Month	
Month	Number of Inquires
January	3
February	7
March	3
April	3
May	5
June	3
July	4
August	2
September	2
October	3
November	7
December	2
Total number of Inquiries	44

The inquiries received by the Office were equally split between VYCF (Ventura) and NACYCF (Chad). OHYCF and PUBLIC only originated two (2) each of the inquiries. The lower number of inquiries received from OHYCF is attributed to a significant smaller population.

The majority of the inquiries (23 of the 44 inquiries, or 52%) were resolved or referred. A total of 16 out of the 44 (36%) resulted in process and information provided. The remaining inquiries failed to reflect resolution 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 or response.

The most common inquiries received were regarding Staff Complaints (9) and Health Care (medical, mental health and dental) (9). These inquiries were received equally between the youth and their families, and 12 of the 18 most common inquiries were received from NACYCF. The Staff Complaints were forwarded to the Hiring Authority for review and determination and each complaint was followed up with an Ombudsman speaking with the youth to explain the process and insure their concerns were heard. Health Care related inquiries were referred to the Superintendent and Physician and Ombudsman followed up to insure the issue(s) were reviewed by health care. The next most common inquiry was related to Classification and Transfer (7). 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. In those cases not involving a desire to be closer to family, it was often discovered the catalyst for these issues had some relevance to youth's current or previous participation in gang affiliation.

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 Smith, Chief, Office of the Ombudsman
Paula Sholberg, SSM I, Office of the Ombudsman

(916) 327-8467

(916) 445-1773

Commented [JS2]: Not sure if you want to add a 3rd person. In past reports there were 3

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: 2019 DJJ Hotline Inquiries by Facility

Public: - (2 records)	Initial Date of Contact	Issue	Type of Contact
	6/25/2019	Other	DJJ Hotline
	7/12/2019	TBD	DJJ Hotline

VYCF - Ventura Youth Correctional Facility (20 records)	Initial Date of Contact	Issue	Type of Contact
	5/1/2019	Property - Transfer	DJJ Hotline
	5/16/2019	Staff Complaint	DJJ Hotline
	4/16/2019	Classification	DJJ Hotline
	11/29/2019	Staff Complaint	DJJ Hotline
	6/14/2019	Health Care - Mental Health	DJJ Hotline
	4/17/2019	Staff Complaint	DJJ Hotline
	2/21/2019	Staff Complaint	DJJ Hotline
	2/21/2019	Staff Complaint	DJJ Hotline
	5/9/2019	Staff Complaint	DJJ Hotline
	2/24/2019	Visiting	DJJ Hotline
	11/27/2019	Visiting	DJJ Hotline
	12/4/2019	Property	DJJ Hotline
	11/1/2019	Staff Complaint	DJJ Hotline
	10/7/2019	Staff Complaint	DJJ Hotline
	10/14/2019	Programs; Staff Complaint	DJJ Hotline
	9/19/2019	Programs	DJJ Hotline
	1/11/2019	Health Care - Mental Health	DJJ Hotline
	3/6/2019	Health Care - Mental Health	DJJ Hotline
	3/12/2019	Classification	DJJ Hotline
	5/16/2019	Staff Complaint	DJJ Hotline

NAC - N.A. Chaderjian Youth Correctional Facility (20 records)	Initial Date of Contact	Issue	Type of Contact
	1/29/2019	Living Conditions	DJJ Hotline
	7/15/2019	Classification; NDPF; Programs	DJJ Hotline
	11/19/2019	Health Care - Medical; Living Conditions	DJJ Hotline
	11/13/2019	Transfer	DJJ Hotline

11/11/2019	Health Care - Medical	DJJ Hotline
2/16/2019	Other	DJJ Hotline
12/9/2019	Other	DJJ Hotline
11/13/2019	Transfer	DJJ Hotline
6/4/2019	Health Care - Dental	DJJ Hotline
7/15/2019	Classification; NDPF; Programs	DJJ Hotline
8/10/2019	TBD	DJJ Hotline
2/7/2019	Other	DJJ Hotline
7/18/2019	Other	DJJ Hotline
1/10/2019	Programs	DJJ Hotline
2/15/2019	Health Care - Medical	DJJ Hotline
2/9/2019	Health Care - Medical	DJJ Hotline
9/13/2019	Visiting	DJJ Hotline
8/22/2019	Health Care - Medical	DJJ Hotline
10/17/2019	Classification	DJJ Hotline
3/5/2019	Safety Concerns	DJJ Hotline

OHC - O.H. Close Youth
Correctional Facility (2
records)

Initial Date of Contact	Issue	Type of Contact
5/28/2019	Appeals - Responding; Programs - MCC	DJJ Hotline
4/5/2019	Disciplinary - Due Process	DJJ Hotline

Appendix C: 2019 Hotline Inquiries by Issue and Facility

Issue	Initial Date of Contact	Public	VYCF - Ventura Youth Correctional Facility	NAC - N.A. Chaderjian Youth Correctional Facility	OHC - O.H. Close Youth Correctional Facility	Total
Appeals - Responding; Programs - MCC	5/28/2019				1	1
Classification	3/12/2019		1			1
	4/16/2019		1			1
	10/17/2019			1		1
Classification; NDPF; Programs	7/15/2019			2		2
Disciplinary - Due Process	4/5/2019				1	1
Health Care - Dental	6/4/2019			1		1
Health Care - Medical	2/9/2019			1		1
	2/15/2019			1		1
	8/22/2019			1		1
	11/11/2019			1		1
Health Care - Medical; Living Conditions	11/19/2019			1		1
Health Care - Mental Health	1/11/2019		1			1
	3/6/2019		1			1
	6/14/2019		1			1
Living Conditions	1/29/2019			1		1
Other	2/7/2019			1		1
	2/16/2019			1		1
	6/25/2019	1				1
	7/18/2019			1		1
	12/9/2019			1		1
Programs	1/10/2019			1		1
	9/19/2019		1			1
Programs; Staff Complaint	10/14/2019		1			1
Property	12/4/2019		1			1
Property - Transfer	5/1/2019		1			1
Safety Concerns	3/5/2019			1		1
Staff Complaint	2/21/2019		2			2
	4/17/2019		1			1
	5/9/2019		1			1
	5/16/2019		2			2

	10/7/2019		1			1
	11/1/2019		1			1
	11/29/2019		1			1
TBD	7/12/2019	1				1
	8/10/2019			1		1
Transfer	11/13/2019			2		2
Visiting	2/24/2019		1			1
	9/13/2019			1		1
	11/27/2019		1			1
Grand Total		2	20	20	2	44

Appendix D: 2019 Hotline Inquiries by Action, Issue and Facility

Facility	Date Received	Issue	Action	Contact Mode
NAC	1/10/2019	Programs	Resolved	DJJ Hotline
VYCF	1/11/2019	Health Care - Mental Health	Referred	DJJ Hotline
NAC	1/29/2019	Living Conditions	Resolved	DJJ Hotline
NAC	2/7/2019	Other	Resolved	DJJ Hotline
NAC	2/9/2019	Health Care - Medical	Referred	DJJ Hotline
NAC	2/15/2019	Health Care - Medical	Referred	DJJ Hotline
NAC	2/16/2019	Other	Resolved	DJJ Hotline
VYCF	2/21/2019	Staff Complaint	Resolved	DJJ Hotline
VYCF	2/21/2019	Staff Complaint	Referred	DJJ Hotline
VYCF	2/24/2019	Visiting	Resolved	DJJ Hotline
NAC	3/5/2019	Safety Concerns	Referred	DJJ Hotline
VYCF	3/6/2019	Health Care - Mental Health	Referred	DJJ Hotline
VYCF	3/12/2019	Classification	Resolved	DJJ Hotline
OHC	4/5/2019	Disciplinary - Due Process	Resolved	DJJ Hotline
VYCF	4/16/2019	Classification	Resolved	DJJ Hotline
VYCF	4/17/2019	Staff Complaint	Referred	DJJ Hotline
VYCF	5/1/2019	Property - Transfer	Resolved	DJJ Hotline
VYCF	5/9/2019	Staff Complaint	Referred	DJJ Hotline
VYCF	5/16/2019	Staff Complaint	Referred	DJJ Hotline
VYCF	5/16/2019	Staff Complaint	Resolved	DJJ Hotline
OHC	5/28/2019	Appeals - Responding; Programs - MCC	Resolved	DJJ Hotline
NAC	6/4/2019	Health Care - Dental	Resolved	DJJ Hotline
VYCF	6/14/2019	Health Care - Mental Health	Resolved	DJJ Hotline
PUBLIC	6/25/2019	Other	N/A	DJJ Hotline
PUBLIC	7/12/2019	TBD	Information Provided	DJJ Hotline
NAC	7/15/2019	Classification; NDPF; Programs	Resolved	DJJ Hotline
NAC	7/15/2019	Classification; NDPF; Programs	Resolved	DJJ Hotline
NAC	7/18/2019	Other	Resolved	DJJ Hotline
NAC	8/10/2019	TBD	Duplicate	DJJ Hotline
NAC	8/22/2019	Health Care - Medical	Resolved	DJJ Hotline
NAC	9/13/2019	Visiting	Resolved	DJJ Hotline
VYCF	9/19/2019	Programs	Resolved	DJJ Hotline
VYCF	10/7/2019	Staff Complaint	Resolved	DJJ Hotline
VYCF	10/14/2019	Programs; Staff Complaint	Resolved	DJJ Hotline
NAC	10/17/2019	Classification	Resolved	DJJ Hotline
VYCF	11/1/2019	Staff Complaint	Referred	DJJ Hotline
NAC	11/11/2019	Health Care - Medical	Duplicate	DJJ Hotline
NAC	11/13/2019	Transfer	Duplicate	DJJ Hotline
NAC	11/13/2019	Transfer	Resolved	DJJ Hotline

Facility	Date Received	Issue	Action	Contact Mode
NAC	11/19/2019	Health Care - Medical; Living Conditions	Referred	DJJ Hotline
VYCF	11/27/2019	Visiting	Resolved	DJJ Hotline
VYCF	11/29/2019	Staff Complaint	Referred	DJJ Hotline
VYCF	12/4/2019	Property	Resolved	DJJ Hotline
NAC	12/9/2019	Other	Referred	DJJ Hotline