

Donna Brorby, State Bar #75936
Aubra Fletcher, State Bar #259780
Zack Schwartz
Office of the Special Master
605 Market Street, Ninth Floor
San Francisco, CA 94105-3211
(415) 348-0853
(415) 495-7204 (facs.)
dbrorby@brorbylaw.com

SUPERIOR COURT OF CALIFORNIA
CITY AND COUNTY OF ALAMEDA

MARGARET FARRELL,)	Case No.: RGO3079344
)	
Plaintiff,)	THIRTEENTH REPORT OF SPECIAL
)	MASTER
vs.)	
)	
MATTHEW CATE,)	
)	
Defendant.)	

Pursuant to paragraph 28 of the November 2004 Consent Decree, the special master submits for filing the attached report. The special master's report and its appendices were circulated to the parties in draft form. This final version reflects consideration of the parties' comments.

Dated: February 9, 2010

Donna Brorby
Special Master

SUPERIOR COURT OF CALIFORNIA
CITY AND COUNTY OF ALAMEDA

MARGARET FARRELL,)
) CASE NO. RG03079344
 Plaintiff,)
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 vs.)
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 Defendant.)
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THIRTEENTH REPORT OF SPECIAL MASTER

Donna Brorby, Special Master
Aubra Fletcher, Monitor
Zack Schwartz, Monitor
605 Market Street, Ninth Floor
San Francisco, California 94105
(415) 348-0853
(415) 495-7204 (facs.)
dbrorby@brorbylaw.com

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I. INTRODUCTION

This report reviews the 2009 report of the safety and welfare expert and summarizes the status of compliance with certain provisions of the Safety and Welfare Remedial Plan.¹ OSM submits this final report after consideration of the parties' comments on a prior draft version.

II. SAFETY AND WELFARE

The safety and welfare expert, Dr. Barry Krisberg, conducted a full round of site visits between January and June 2009. He provided the office of the special master ("OSM") and the parties with a draft formal report in late September 2009 and provided the final version after reviewing OSM's and the parties' comments in late October.² The report is attached as Appendix A. A table depicting Dr. Krisberg's compliance ratings for the 2008-2009 audit round is attached as Appendix B. Dr. Krisberg provided the ratings in his informal facility site visit reports and in communications with OSM.³

Appendix A is the expert's second formal report on the status of compliance across the system since the filing of the Safety and Welfare Standards and Criteria on October 31, 2006. Dr. Krisberg's first report, filed in October 2007, was based on audits at three of eight facilities and DJJ's central office.⁴ Dr. Krisberg visited all DJJ facilities in 2008 but provided only informal site visit reports; he did not prepare a formal report for filing with the court.

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¹ OSM summarized compliance with many other aspects of the remedial plan in June 2009. *See* Ninth Report of the Special Master (June 2009), Appendix D (Schwartz and Fletcher Report).

² *See* e-mail of Barry Krisberg to Donna Brorby, et al., September 25, 2009 (attaching draft report); e-mail of Barry Krisberg to Donna Brorby, et al., Oct. 23, 2009 (attaching final formal report).

³ *See* memorandum of Donna Brorby to counsel, Barry Krisberg, October 22, 2009. The expert revised some ratings but declined to review all of the ratings about which the OSM had questions. *See* memorandum of Donna Brorby to Counsel, Barry Krisberg, October 22, 2009; statements of Barry Krisberg to Aubra Fletcher during teleconference, February 8, 2010; e-mail of Barry Krisberg to Donna Brorby, September 10, 2009; e-mail of Barry Krisberg to Donna Brorby, September 14, 2009; Consent Decree at ¶ 28(c) (special master shall "[i]dentify inconsistencies in the expert reports").

⁴ *See* Fifth Report of the Special Master (October 2007), Appendix A (Krisberg Report), p. 1 [hereinafter Krisberg, 2007 Formal Report].

A. Measures to Reduce Youth Violence

The safety and welfare plan labels “[r]educing violence and fear in DJJ facilities [as] the first step to reform.”⁵ The plan requires DJJ to take various steps to prevent violence.⁶ Among these steps, the plan required DJJ to: 1) continue to reduce the size of living units, having begun these reductions prior to filing the remedial plan;⁷ 2) employ a custody classification system, beginning in mid-2006;⁸ 3) create violence reduction committees at all facilities by early 2007;⁹ 4) create conflict resolution teams at certain facilities between January 2007 and July 2009;¹⁰ 5) consult with a national expert on gang/race integration by mid-2007 and develop integration strategies by early 2008;¹¹ 6) replace its most restrictive units with Behavior Treatment Programs (BTPs) in the third quarter of 2008;¹² and 7) by November 2008 develop an integrated behavioral treatment model encompassing all DJJ systems, programs, and techniques for influencing youth behavior.¹³ Each of these requirements is discussed in turn below.

1. Reduced Population Density

In 2005, when DJJ’s population exceeded 3,300 youth, facility living units commonly housed over 40 youth each, and many living units had populations in the 50s, 60s, and 70s.¹⁴ A few units housed over 90 youth.¹⁵ The 3,200-plus youth housed in “institutions” and not “camps” were spread out over 67 housing units, yielding a mean density of approximately 48

⁵ See Safety and Welfare Remedial Plan, p. 23.

⁶ *Id.*, pp. 23-32; see generally Safety and Welfare Remedial Plan Standards and Criteria.

⁷ See Safety and Welfare Remedial Plan, pp. 27, 45-46, 50; Safety and Welfare Remedial Plan Standards and Criteria, item 6.1b.

⁸ See *id.*, items 3.1a-k.

⁹ See *id.*, item 3.3b.

¹⁰ See *id.*, item 6.4c.

¹¹ See *id.*, items 3.8a-c.

¹² See *id.*, items 3.9a, 6.5.

¹³ See Safety and Welfare Remedial Plan Standards and Criteria, item 4.3 (“[p]roduce written description and manual”); Safety and Welfare Remedial Plan, p. 39 (IBTM to make aggressive behavior a high-priority treatment target).

¹⁴ See Appendix C, CYA, “Institutions and Camps Branch, Living Unit Status – Based on Fall Population,” May 10, 2005.

¹⁵ *Id.*

youth per housing unit.¹⁶ Pursuant to safety and welfare and mental health remedial plan requirements, DJJ has reduced living unit populations to a maximum of 36-38 youth for most units and of 20-24 youth on residential mental health treatment units.¹⁷ Total populations per facility have also decreased except at Ventura.¹⁸ In mid-2009, approximately 1,475 youth lived in non-camp institutions¹⁹ distributed among 54 housing units,²⁰ resulting in an average living unit density of approximately 27 youth. As discussed below, the reduction in population density means that youth are exposed to fewer incidents of violence and use of force.²¹

2. Custody Classification System

The expert finds that DJJ has “substantially implemented” the required custody classification system.²² DJJ is using an evidence-based screening tool to identify youth at risk of harming others and to separate high-risk from low-risk youth.²³ DJJ has also implemented a routine reclassification system based on youth behavior. The expert found earlier this year that the system was “working effectively” and that central office was managing the classification

¹⁶ *Id.*

¹⁷ See Safety and Welfare Remedial Plan, p. 45 (core units limited to 36-38), 50 (BTP limited to 24); Safety and Welfare Remedial Plan Standards and Criteria, items 6.1a and b; Mental Health Remedial Plan, p. 28; Mental Health Remedial Plan Standards and Criteria, items 5.14, 5.15 (limiting mental health units to 20-24 youth); Fifth Report of the Special Master (October 2007), Appendix B (Beltz Report) pp. 5-7, 23-24; Sixth Report of the Special Master (January 2008), Appendix A (Lee and Trupin Report), Attachment B, p. 3, item 5.14.

¹⁸ The average population for the first half of 2005 was 544 at Chaderjian, 280 at O.H. Close, 459 at Preston, 781 at Stark, 276 at SYCRCC, and 153 at Ventura. Third Report of the Special Master (November 2006), Appendix A (Beltz Report), p. 12. The average population for the first half of 2009 was 220 at Chaderjian, 176 at O.H. Close, 333 at Preston, 392 at Stark, 206 at SYCRCC, and 175 at Ventura. See CompStat QSR, 2nd Quarter 2009. Ventura’s population increased because it converted from an all-female to a co-ed facility. The population density for youth is the same at Ventura as other facilities.

¹⁹ CompStat QSR, 2nd Quarter 2009.

²⁰ DJJ, “Comparison of Current Population Distribution and Proposed Population Plans as of September 3, 2009.”

²¹ See subsection 7, *infra*.

²² Appendix A, Barry Krisberg, *Farrell v. Cate: Update on Safety and Welfare Remedial Plan Progress*, September 25, 2009, p. 5 [hereinafter Krisberg, 2009 Formal Report]; see also Safety and Welfare Remedial Plan, p. 29. At the time of Dr. Krisberg’s last report, DJJ had completed an “interim” separation of high and low-risk youth but had not developed the policies or information technology support necessary for a permanent risk classification system. See Fifth Report of the Special Master (October 2007), pp. 19-20.

²³ See Appendix D, Krisberg, *Informal Report: Central Office (summary)*, p. 6. The information contained in the remainder of this paragraph is based on this source.

process well. The expert lauded the “excellent two-way communication between the institutions and [central office] [that] has made progress possible.”

DJJ has reduced but not eliminated the use of dormitory housing for youth classified as posing a high-risk to commit violence.²⁴ In early 2009, Dr. Krisberg recommended that DJJ study conditions at high-risk dormitories and, if necessary, replace them with alternative risk management strategies.²⁵ DJJ analyzed data for the second half of 2008 and found a higher incidence of violence in high-risk dorms than in high-risk units with individual cells or in low-risk dorms.²⁶ Since that study, DJJ closed the high-risk dorm at Preston, as it opened two behavior treatment program (“BTP”) units there. Currently, DJJ’s only dormitory that houses high-risk youth is at O.H. Close. DJJ expects that the planned opening of a BTP unit at the facility may minimize, but not eliminate, the placement of high-risk youth in this dorm.²⁷ At Dr. Krisberg’s suggestion, DJJ has assigned a part-time conflict resolution team member to the high-risk dorm in the meantime.²⁸ The expert and DJJ staff will re-evaluate the situation after O.H. Close opens its BTP unit.

The expert has recommended that DJJ examine the need for custody classification screening for DJJ’s youngest residents, females, and youth in specialized housing such as mental health and SBTP units.²⁹ DJJ is planning a classification project that will encompass these

²⁴ The remedial plan requires that housing of high-risk youth in dormitories be temporary. *See* Safety and Welfare Remedial Plan, p. 29 (“These dormitories will operate only until such time as they are replaced by new construction or the opening of other suitable single-room living units.”).

²⁵ Ninth Report of the Special Master (June 2009), Appendix A (Experts’ Priorities for Fiscal Year 2008-2009), p. 3; *see also* Safety and Welfare Remedial Plan Standards and Criteria, item 3.1k.

²⁶ *See* memorandum of Michael Brady to Barry Krisberg, September 28, 2009, p. 1 (provided as PoP #518, September 29, 2009). The information contained in the remainder of this paragraph is based on this source, unless otherwise noted.

²⁷ *Id.*; *see also* memorandum of William Kwong to Barry Krisberg, October 22, 2009 (comments on expert’s draft formal report).

²⁸ Statements of Craig Watson during OSM site visit, November 5, 2009; memorandum of Michael Brady to Barry Krisberg, September 28, 2009. According to DJJ staff, there are only five high-risk youth at O.H. Close. E-mail of Barry Krisberg to special master, January 13, 2010.

²⁹ *See* Appendix D, Barry Krisberg, Informal Report: Central Office (summary), April 10, 2009, p. 6.

issues.³⁰ Dr. Krisberg has further recommended that DJJ provide guidance and training for staff regarding “best methods of managing the high-risk living units” and that staffing levels be higher in high-risk units than in low-risk living units.³¹ DJJ’s current plans to enhance its classification system do not appear to address this issue.³²

DJJ and the safety and welfare expert will need to work together on other aspects of the classification system. One issue is the consolidation of security classification screening and risk/needs assessment.³³ As of March 2009, DJJ had taken initial steps to consolidate its security classification and the CA-YASI risk/needs assessment processes.³⁴ At this time, the expert team developing the Integrated Behavior Treatment Model (“IBTM”) is reconsidering the CA-YASI,³⁵ the issue of consolidation should be pursued once the experts and DJJ determine the future role of risk/needs assessment in DJJ.

3. Violence Reduction Committees

The safety and welfare plan requires violence reduction committees (VRCs) at each facility.³⁶ The violence reduction committees are to review, map, and evaluate all incidents of

³⁰ See DJJ, Draft Project Charter: Comprehensive Classification System, February 25, 2009 (provided as PoP #362, March 12, 2009), p. 2.

³¹ See Appendix D, Barry Krisberg, Informal Report: Central Office (summary), April 10, 2009, p. 6. Dr. Krisberg made the same observations and recommendations in 2007. See Krisberg, 2007 Formal Report, p. 14. There are, in fact, minor differences between the low-risk and high-risk living units’ staffing. YCCs and senior YCCs on high-risk living units were given priority to receive training in safe crisis management. Ninth Report of the Special Master, Appendix D (Schwartz and Fletcher Report), p. 24. DJJ’s staffing model provides for identical staff at high-risk and low-risk core treatment units, but caps high-risk units at 36 youth and low-risk units at 38 youth. Order Re: Modification of Remedial Plan In Accord With division of Juvenile Justice Staffing Model and Business Rules And Sealing Of Staffing Model and Business Rules, Exhibit A, July 31, 2009.

³² See generally DJJ, Draft Project Charter: Comprehensive Classification System, February 25, 2009 (provided as PoP #362, March 12, 2009).

³³ See Appendix D, Barry Krisberg, Informal Report: Central Office (summary), April 10, 2009, p. 6; Safety and Welfare Remedial Plan, p. 30 (“DJJ may replace its interim custody risk classification/reclassification process and instruments with an integrated risk/needs assessment process when it demonstrates that the instruments are equal or superior to those being replaced.”).

³⁴ See DJJ, Draft Project Charter: Comprehensive Classification System, February 25, 2009 (provided as PoP #362, March 12, 2009); e-mail of Amy Seidlitz to Doug Ugarkovich, March 5, 2009 (provided as PoP #362, March 12, 2009) (describing project charter as draft).

³⁵ See e-mail of Eric Trupin to Michael Brady *et al.*, November 4, 2009.

³⁶ See Safety and Welfare Remedial Plan, p. 24. The remainder of this paragraph is based on this source.

violence quarterly,” to use the information to develop violence reduction plans, to measure and report the impact of violence reduction efforts by living unit and by facility, and to report to DJJ’s Chief of Security –for review, monitoring and sharing of the most effective practices with other facilities.”

All DJJ facilities have violence reduction committees that generally meet once a month.³⁷ Some facilities include youth on their committees for at least a part of the meetings, which the expert supports.³⁸ The VRCs review violence trend data, but most do not use it systematically to inform decision-making.³⁹ As of November 2009, central office was not coordinating the sharing of best violence reduction practices among the facilities, though some facility managers share information with other facilities’ managers.⁴⁰ In response to this report, DJJ stated that central office began efforts to share violence reduction practices on January 5, 2010.⁴¹ It appears that VRCs could be more strategic in identifying causes of violence and devising ways to address them.

The safety and welfare expert found five out of six facilities to be in substantial compliance with the VRC requirement; he found Stark to be in partial compliance.⁴²

4. Conflict Resolution Teams

In addition to violence reduction committees, all facilities have conflict resolution teams (CRTs).⁴³ Their activities and procedures are not uniform across facilities,⁴⁴ but they are

³⁷ See Ninth Report of the Special Master (June 2009), Appendix D (Schwartz and Fletcher Report), p. 22.

³⁸ See Barry Krisberg, Informal Report: O.H. Close, May 2009, p. 7; Krisberg, Informal Report: Chaderjian, June 2009, p. 7.

³⁹ Ninth Report of the Special Master (June 2009), Appendix D (Schwartz and Fletcher Report), p. 22.

⁴⁰ See statements of Jeff Plunkett during central office site visit, November 2-3, 2009; statements of Mike Minor during Chaderjian site visit, November 12-13, 2009; Ninth Report of the Special Master (June 2009), Appendix D (Schwartz and Fletcher Report), pp. 22-23.

⁴¹ Letter of Van Kamberian to special master, January 27, 2010, p. 1 (providing comments on a draft of this report).

⁴² See Appendix B (Krisberg compliance ratings), item 3.3b. Dr. Krisberg notes that DJJ devised violence reduction committees as one response to the level of violence in its facilities, and that there are no national standards against which such committees may be assessed. See e-mail of Barry Krisberg to special master, January 13, 2010. He supports the violence reduction committees for being a vehicle for staff to analyze patterns and data and suggest strategies for reducing violence. See *id.*

working to prevent violence.⁴⁵ DJJ prioritized CRT members for training in motivational interviewing and safe crisis management, which includes conflict resolution.⁴⁶ Youth interviews suggest that the CRTs are skillful, constructively engaged with youth, and helpful in addressing conflict and violence.⁴⁷

5. Gang/Race Integration Strategies and Procedures

The negative peer culture embodied in youth gangs and youth racism causes most of the violence and fear of violence in DJJ.⁴⁸ The remedial plan requires DJJ to “consult with nationally recognized experts to assist in the design, development and implementation of strategies and procedures to integrate gangs and racial groups and to reduce gang and racial violence.”⁴⁹ The safety and welfare expert is working with the DJJ group responsible for developing a comprehensive gang strategy.⁵⁰ He has offered to serve as DJJ’s nationally recognized expert in gang interventions and recommended that DJJ also consult with “community resource people who run very effective community gang intervention programs.” DJJ staff have met with representatives of two Northern California community groups and with a UC Irvine criminologist with expertise in gangs.⁵¹

⁴³ The OSM found that all facilities except SYCRCC had formal CRTs, and SYCRCC has conflict resolution point-persons. See Ninth Report of the Special Master (June 2009), Appendix D (Schwartz and Fletcher Report), pp. 21-22. The remedial plan only requires DJJ to implement CRTs “where appropriate.” See Safety and Welfare Remedial Plan, Standards and Criteria item 6.4c.

⁴⁴ Ninth Report of the Special Master (June 2009), Appendix D (Schwartz and Fletcher Report), p.21.

⁴⁵ Krisberg, 2009 Formal Report, p. 6.

⁴⁶ Ninth Report of the Special Master (June 2009), Appendix D (Schwartz and Fletcher Report), p. 21.

⁴⁷ *Id.*; see also Krisberg, 2009 Formal Report, pp. 18 and 22 (CRTs return youth from restricted to regular program and youth see CRTs as listening to them and constructive); memorandum of Donna Brorby to education experts, May 11, 2009 (Stark CRT engaged with youth to improve school safety while giving youth in restricted programs an opportunity to choose integration in the core program).

⁴⁸ See Safety and Welfare Remedial Plan, p. 27 (“The primary driver of youth initiated violence in DJJ facilities is gang culture and racial animosity.”); Krisberg, 2009 Formal Report, p. 9 (“major contributor to group disturbances, individual assaults”).

⁴⁹ See Safety and Welfare Remedial Plan, p. 27.

⁵⁰ Krisberg, 2009 Formal Report, pp. 10-11. The following sentence is also based on this source.

⁵¹ Letter of Van Kamberian to the special master, January 27, 2010, p. 2 (providing comments on a draft of this report).

In the meantime, SYCRCC has employed a “Peace and Unity Campaign” to reduce gang and race-related violence.⁵² This campaign has impressed Dr. Krisberg and the OSM as a potential model for other facilities.⁵³ The campaign, spearheaded by the superintendent, has generated a positive peer culture that values non-violence and respect for others.⁵⁴ It encourages youth to commit to the “peace and unity lifestyle,” marked by a detailed pledge of non-violence and reinforced via incentives, mentors, and quarterly events.⁵⁵ Various staff, as well as the chief deputy secretary, described the moving speeches given by SYCRCC youth at the March 12, 2009 Peace and Unity Anniversary Celebration. The event was attended by an aide to Senator Feinstein, youths’ families, community members, central office staff, and other DJJ facility staff. Youth told their stories and declared their commitments to non-violence and diversity. A program booklet for the celebration lists 57 youth who had refrained from violence for periods from six months to two years. In OSM interviews, some youth spontaneously mentioned their own commitments to peace and unity and noted how long they had been violence-free.

6. Replacing SMPs with BTPs

Dr. Krisberg recommended early this year that DJJ prioritize the phasing in of BTPs to replace its special management programs (SMPs).⁵⁶ SMPs have been lock-up units, isolating youth who have behaved violently or disruptively, consigning them to inactivity and deprivation.⁵⁷ Under the safety and welfare remedial plan, BTPs will provide an intensive

⁵² OSM, Safety and Welfare Remedial Plan: OSM Report for SYCRCC, May 19, 2009, pp. 18-19.

⁵³ *See id.*; Barry Krisberg, Informal Report: SYCRCC, July 2009, p. 1 (“The use of positive peer culture via the Peace and Unity Campaign is fantastic.”).

⁵⁴ Krisberg, 2009 Formal Report, p. 6; Barry Krisberg, Informal Report: SYCRCC, July 2009, p. 1.

⁵⁵ OSM, Safety and Welfare Remedial Plan: OSM Report for SYCRCC, May 19, 2009, pp. 18-19. This is the source for the remainder of the paragraph.

⁵⁶ Ninth Report of the Special Master (June 2009), Appendix A (Experts’ Priorities for Fiscal Year 2008-2009), p. 3; *see also* Safety and Welfare Remedial Plan Standards and Criteria, items 6.5-6.5b.

⁵⁷ *See, e.g.*, Krisberg, 2009 Formal Report, p. 18 (SMP youth receive 3 hours a day out-of-cell time, an improvement over 1 hour per day in the past); First Report of the Special Master (March 2005), pp. 36-38 (some youth receiving 2

behavior treatment intervention for youth exhibiting violently disruptive behavior who do not meet the criteria for [residential mental health care].”⁵⁸ Placement in a BTP is not to be a punishment; instead, the program must center primarily on skills-training and positive reinforcement for improvements in behavior.⁵⁹ Program components should emphasize cognitive and behavioral skill acquisition in anger control, emotional regulation, conflict resolution, effective communication, and behavior analysis related to the [youth’s] maladaptive behavior.”⁶⁰

A central office work group completed a set of recommended program guidelines in August 2008.⁶¹ By December 2008, central office staff had produced a plan (“charter”) for further development of the BTP.⁶² DJJ provided OSM and Dr. Krisberg with a draft BTP program guide in April 2009,⁶³ and Dr. Krisberg supplied extensive feedback in May.⁶⁴ Within two months DJJ provided a revised document, entitled “BTP Charter Workgroup Recommendations.”⁶⁵ The revisions were largely responsive to Dr. Krisberg’s earlier feedback, and Dr. Krisberg has approved it as a draft plan with which to begin BTP implementation.⁶⁶ Dr. Krisberg cautions that only youth who truly require the restricted setting be placed in BTP

or 3 hours a day out of their cells, some only 1 hour); Krisberg, 2007 Formal Report), p. 20 (SMP youth spend at least 20 hours/day in their cells).

⁵⁸ See Safety and Welfare Remedial Plan Standards and Criteria, item 6.5; see also Safety and Welfare Remedial Plan, p. 49.

⁵⁹ Safety and Welfare Remedial Plan, pp. 49, 52.

⁶⁰ *Id.*, p. 52.

⁶¹ Ninth Report of the Special Master (June 2009), Appendix D (Schwartz and Fletcher Report), p. 38.

⁶² See DJJ, Project Charter: Behavior Treatment Program, December 5, 2008 (provided as PoP #362, March 12, 2009).

⁶³ See DJJ, Draft Behavior Treatment Program Guide, April 7, 2009 (provided as PoP #390, April 21, 2009).

⁶⁴ See Ninth Report of the Special Master (June 2009), Appendix D (Schwartz and Fletcher Report), Attachment 18 (E-mail of Barry Krisberg to various, May 7, 2009).

⁶⁵ See DJJ, “BTP Charter Workgroup Recommendations,” July 15, 2009 (provided as PoP #468, July 21, 2009). The document’s title suggests that it is not fully binding on staff assigned to the BTPs.

⁶⁶ See e-mail of Barry Krisberg to Aubra Fletcher, et al., July 23, 2009. The revised BTP description does not appear to address the issue of gangs as specifically or comprehensively as Dr. Krisberg recommended. It also does not reference dialectical behavior treatment or restorative justice, despite Dr. Krisberg’s recommendations that it do so. Compare DJJ, “BTP Charter Workgroup Recommendations,” July 15, 2009 (provided as PoP #468, July 21, 2009) with Ninth Report of the Special Master (June 2009), Appendix D (Schwartz and Fletcher Report), Attachment 18 (E-mail of Barry Krisberg to various, May 7, 2009).

units.⁶⁷ He further urges DJJ to implement the model in ~~a~~ deliberate and phased way so that the difficulties in implementation can be assessed and adjustments to the model can be made.”⁶⁸ DJJ and the experts will need to ensure that the BTP model aligns with the IBTM once it is more firmly settled.⁶⁹

DJJ currently has SMPs only at Stark. Those units are scheduled to close by the end of February 2010.⁷⁰ DJJ previously had SMPs at Chaderjian and Preston. A July 2009 central office memorandum scheduled the opening of BTPs at Stark in September 2009, at Preston and Chaderjian in October 2009, and at Ventura and O.H. Close in November 2009.⁷¹ DJJ later pushed back the BTP implementation dates at its remaining facilities, a decision that is perhaps related to the decision to convert Stark to an adult prison; central office scheduled staff training in the BTP model for September through October at Preston, for October at Ventura, for November at Chaderjian, and for December at O.H. Close.⁷²

Demonstrating admirable initiative, the leadership at Preston replaced that facility’s SMP unit in November 2008 with two ~~interim~~ BTP” units which served as an informal pilot site for the behavior treatment program.⁷³ Though he found that the units were ~~not~~ true BTPs and not

⁶⁷ See Krisberg, 2009 Formal Report, pp. 6, 18.

⁶⁸ See *ibid.*

⁶⁹ See e-mail of Eric Trupin to various, November 30, 2009; Angela Wolf and Henry Schmidt, et al., The Integrated Behavior Treatment Model Report, November 2009, p. 48 (placeholder for sections entitled ~~Integrating the model with current DJJ practices~~” and ~~Addressing the model with larger system reform issues outlined in the S&W plan~~”); statements of Eric Trupin during teleconference, December 2, 2009 (confirming that placeholder sections yet to be written would cover all DJJ systems/programs, especially those related to controlling youth behavior).

⁷⁰ DJJ, ~~Status of Heman G. Stark Transition Timeline~~,” undated (provided November 23, 2009).

⁷¹ See memorandum of Sandra Youngen to superintendents, July 16, 2009 (provided as PoP #468, July 21, 2009).

⁷² See memorandum of Tami McKee-Sani to superintendents, et al., September 21, 2009 (provided as PoP #511, September 24, 2009).

⁷³ See OSM, Informal Report: Preston, pp. 1, 14-15; statements of Superintendent Tim Mahoney during Preston site visit, February 11, 2009. Central office then began communicating with Preston staff about lessons learned in the operation of the new units. *Id.*

guided by the approved design,”⁷⁴ Dr. Krisberg also found Preston in substantial compliance with the safety and welfare criteria item requiring the elimination of SMPs.⁷⁵

The activity level and amount of time that youth spend interacting with other youth and with staff at the Preston interim BTPs is a remarkable improvement over what the SMPs characteristically have offered. Youth with school attendance requirements are assigned to, and generally attend, five school periods per school day.⁷⁶ Most youth are out of their rooms for more than ten hours per day. The program is directed at engaging youth in activities in integrated groups without racial violence, and youth interact in small groups and in handcuffs in their first activities on the unit. Psychologists are assigned to each of the interim BTP units and work closely with staff and youth, including in treatment groups, as a part of the treatment program. Disappointingly, a few youth assigned to these units were consigned to “special program” or “solo” status because of conflict between them and other gang-involved youth that staff were unable to address effectively.⁷⁷ These youth were essentially on an SMP program, permitted two hours out of their cells each day.⁷⁸

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⁷⁴ E-mail of Barry Krisberg to special master, January 13, 2010.

⁷⁵ See Appendix B (Krisberg compliance ratings), item 6.5.

⁷⁶ Statements of two psychologists, one senior YCC and 3 youth at the Redwood and Oak BTP units, October 26 and 27, 2009. Donna Brorby also observed a group co-led by facility staff and a psychologist, as well as approximately ten youth having recreation time together in a dayroom, none of whom were handcuffed. The remainder of this paragraph is based on these sources. See also Tom O’Rourke and Robert Gordon, Informal Report Preston, March 2009, pp. 10, 13-14 (19 BTP students of 22 assigned to school were in school as assigned, all BTP youth assigned to at least 240 minutes/day of class; 3 youth held back from school because they were making treatment progress and staff did not want them to be influenced by negative peers).

⁷⁷ There were four youth on special program status on one or both interim BTP units on October 26 and 27, 2009. Donna Brorby interviewed one of the youth and a senior YCC on his living unit. The youth stated that there were four special program status youth for both interim BTP units, and the senior YCC indicated that there were 3 or 4 special program status youth on each of BTP unit. Both the youth and the staff member stated that a gang had the youth on “gen-light” status because of the youth’s previous behavior. This meant that other BTP youth would attack him if he were permitted to be in the same space with them. If youth must be locked up because they “gen-lighted,” staff are failing to control the negative youth gang culture.

⁷⁸ Statements of the youth and senior YCC referred to in the previous note.

7. Reduction in Number of Violent Incidents but Not in Violence Rates

The Safety and Welfare Remedial Plan required DJJ to develop and use an adequate database to track all incidents of violence by January 2007.⁷⁹ Before that time, DJJ did not systematically track the number of violent incidents.⁸⁰ Former OSM Monitor Cathleen Beltz counted incidents of violence for twelve months in 2005 and 2006 from notations in manually kept, mostly handwritten, daily operations reports.”⁸¹ These are the best numbers that exist for the incidence of violence in DJJ in 2005 and 2006, but they likely represent an undercount of incidents compared to data in and after 2007.⁸²

In the second half of 2006, central office directed facilities to report all violent incidents and the number of participants in those incidents for CompStat Quarterly Statistical Reports.”⁸³ DJJ discovered problems in the counting for the second half of 2006 and reported that it resolved

⁷⁹ See Safety and Welfare Remedial Plan, pp. 31-32; Safety and Welfare Remedial Plan Standards and Criteria, item 3.5.

⁸⁰ See First Report of the Special Master (March 2005), pp. 17-18; Third Report of the Special Master (November 2006), p. 4. DJJ did have data on the number of disciplinary cases for violent conduct, which was a count of the number of youth disciplined but not of the number of incidents. Letter of Van Kamberian to the special master, January 27, 2010, p. 2 (providing comments on a draft of this report); Third Report of the Special Master (November 2006), Appendix A (Beltz Report), p. 1.

⁸¹ See Third Report of the Special Master (November 2006), Appendix A (Beltz Report), pp. 1-3.

⁸² Monitor Beltz counted use of force incidents as well as incidents of violence recorded in the 2005-2006 daily operations reports. *Id.* Her purpose was to depict the proportion of uses of force used in various circumstances, such as group disturbances, fights, not following instructions, and disruptive behavior. *Id.* For 2005, she counted 1,493 uses of force in the daily operations reports. See *id.*, p. 20. For the same period, DJJ’s use of force reports showed 2,244, approximately 50% more than the 1,493 uses of force reflected in the daily operations reports. See First Report of the Special Master (March 2005), p. 29 (DJJ’s count from use of force reports relatively accurate), Appendix U (2,244 UOFs during the first half of 2005); Third Report of the Special Master (November 2006), Appendix A (Beltz Report), pp. 18-19 (DJJ’s count from use of force reports more accurate than the OSM’s count from daily operations reports). It makes sense that the use of force data would be more comprehensive than Monitor Beltz’s count from the daily operations reports, because DJJ was using the use of force report data to track use of force. At the time, DJJ did not have a system to track incidents of violence, but there is no reason to believe that the daily operations reports were any more comprehensive for incidents of violence than they were for uses of force.

⁸³ See, DJJ, CompStat Quarterly Statistical Report, Third and Fourth Quarter 2006 (July 2006 was DJJ’s first data collection for CompStat, and there were several growing pains around the definitions of the data and the proper sources for retrieving it.”). At the same time, DJJ took steps to standardize its daily operations reports by making them a part of the WIN system. See memorandum of Ed Wilder to superintendents, August 17, 2006. Delays in implementation of the WIN Exchange delayed implementation of the WIN daily operations report until April 2008. See Seventh Report of the Special Master, p. 35.

these issues by the end of 2006.⁸⁴ The quality of violence data likely has improved over time because of greater staff experience, central office guidance, and facility violence reduction committees.⁸⁵ Data-gathering problems remain, however; staff tracking incidents of violence must refer to multiple sources of information, and DJJ has not adopted a prescribed methodology for cross-checking them.⁸⁶ Additionally, the system is manual, which makes it susceptible to manipulation and error.⁸⁷ For example, in July 2009, DJJ discovered and informed the Court that Stark’s data were inaccurate.⁸⁸ Though it has generally been positively impressed by the work of staff responsible for the data-gathering on the facilities, OSM continues to urge DJJ to standardize violence data-collection practices for CompStat and PbS reports. Dr. Krisberg recommends the formation of a work group including independent researchers to devise a system to collect more accurate violence data and to make better use of the data to identify causes of violence and devise strategies to reduce violence.⁸⁹

Table 2 shows absolute and per capita numbers of violent incidents from January 2007 through the first half of 2009, taken from CompStat Quarterly Statistical Reports.

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⁸⁴ See DJJ, CompStat Quarterly Statistical Report, Third and Fourth Quarter 2006. The report itself shows difficulties in data collection, with many “—m” (not applicable) notes where data should be.

⁸⁵ PbS Coordinator Sue Easterwood has worked with facilities to eliminate discrepancies between QSR (formerly CompStat) and PbS violence data. See, e.g., statements of staff during Ventura site visit, November 16-17, 2009. The OSM has communicated with Ms. Easterwood about discrepancies in the data on several occasions, and her responses show that she is engaged with facility staff to improve reporting. See Safety and Welfare Remedial Plan, p. 24 (VRCs require more than a count of incidents and are to review, map, and evaluate all incidents of violence quarterly).

⁸⁶ As Dr. Krisberg notes, “—ore work needs to be done to establish more uniformity in the definitions of key terms, data collection methods, and the consistency of these data across sites.” See Krisberg, 2009 Formal Report, p. 3; Ninth Report of the Special Master (June 2009), Appendix D (Schwartz and Fletcher Report), pp. 25-27 (multiple and overlapping sources of information, variously used by facility staff).

⁸⁷ See Ninth Report of the Special Master (June 2009), Appendix D (Schwartz and Fletcher Report), pp. 25-27.

⁸⁸ Statements of Michael Brady during Case Management Conference, July 30, 2009 (Stark was underreporting PbS violence data).

⁸⁹ E-mail of Barry Krisberg to Donna Brorby, January 27, 2010.

Table 2: Number and Rate of Violent Incidents, 2007-2009

Time	Average Population	Violent Incidents	
		Number	Rate per 100 Youth
Q1 & 2 2007	2468	2747	111
Q3 & 4 2007	2273	1971	87
Q1 & 2 2008	1929	1786	93
Q3 & 4 2008	1616	1584	98
Q1 & 2 2009	1501	1349	90

Source: CompStat/QSR ("Batteries on Staff w/o Weapon," "Batteries on Staff w/ Weapon," "Gassings," "Batteries on Youth," "Group Disturbances," "Forced Sexual Acts," "Physical Altercations (Mutual Combat)," "Average Daily Population").

These data reflect a dramatic decline in the *number* of incidents of youth violence from 2007 to mid-2009. They do not, however, show any sustained or substantial decline in the *rate* of violence;⁹⁰ the rate decreases by 19% between the first and second half of 2007 then bounces between 87 and 98.⁹¹ As discussed above, there are questions about the accuracy of the data which counsels against parsing it too closely.

Though the rate of violence has not decreased in a sustained way, the dramatic decrease in DJJ's population density⁹² translates into an atmosphere characterized by fewer incidents of violence and force. Fewer youth are exposed to each incident and each youth is exposed to fewer incidents. A hypothetical makes the point. A rate of 90 violent incidents in six months per 100 youth, at a facility populated by 270 youth across 10 units (averaging 27 youth per unit as

⁹⁰ As Dr. Krisberg puts it: "While DJJ staff may have perceived a real drop in the number of violent incidents, the steadily declining DJJ population meant the rates of violence were almost unchanged." See Krisberg, 2009 Formal Report, p. 4.

⁹¹ See Table 2, *supra*; Krisberg, 2009 Formal Report, p. 24. The special master knows of no source that indicates what DJJ's rate of youth violence should be. Cross-system comparisons are fraught with difficulty because of population differences in various systems. For example, DJJ's youth are older than youth in other systems. Murray et al., Safety and Welfare Plan: Implementing Reform in California, March 31, 2006, p. 2. California places a small and shrinking percentage of young offenders in DJJ, and the offenses for which youth are committed to DJJ are limited to certain violent and serious offenses. *Id.*, p. 2-3. The most recent average for the 200-plus juvenile facilities that participate in PbS is approximately 0.4 incidents per hundred youth days. See DJJ Quarterly Report (July 30, 2009), CompStat/PbS section, p. 2 (Youth on Youth Violence Per 100 Days Youth Confinement). This converts to approximately 73 incidents per hundred youth per six months, compared to DJJ's system rate of between 87 and 98 since July 1, 2009 (0.4 times 183, the number of days in six months).

⁹² See subsection A.1, *supra*.

DJJ does now⁹³), would mean 243 violent incidents per month in living units and common areas. At a facility of 480 youth across 10 units (averaging 48 youth per unit as DJJ did in 2005⁹⁴), a rate of 90 incidents per 100 youth would translate into 432 incidents in the same living units and common areas. Fifty-six percent fewer violent incidents would occur in a facility that is 56% less densely populated, if the rate of violence remains constant.⁹⁵

One trend does emerge from recent violence data: a rise in the rate of violence at Preston in late 2008, followed by a decline in 2009. Table 3 shows the absolute and per capita numbers of violent incidents at the facility from July 2008 to September 2009. The number and rate of violent incidents rose each month from September to December 2008, then declined in 2009. The number of group disturbances at Preston also increased each month from June to November 2008.⁹⁶

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⁹³ *Id.*

⁹⁴ *Id.*

⁹⁵ For many reasons, it is not possible to quantify the number of violent incidents to which youth and staff have been exposed over time. Both the population and the number of living units have shifted multiple times since 2005, which is why the hypothetical is very much a hypothetical. But, one may reasonably conclude that youth and staff see and hear about fewer violent incidents when the populations and total number of incidents have decreased.

⁹⁶ See DJJ, “Facility Safety Data, April 2008 to March 2009,” chart on “Group Disturbances;” e-mail of Barry Krisberg to parties, May 18, 2009 (noting concentration of group disturbances at Preston).

Table 3: Rate of Violence at Preston, July 2008 to September 2009

Time	Average Population	Violent Incidents	
		Number	Rate per 100 Youth
Jul-08	386	117	30
Aug-08	387	119	31
Sep-08	356	97	27
Oct-08	366	110	30
Nov-08	359	138	38
Dec-08	340	185	54
Jan-09	339	145	43
Feb-09	333	102	31
Mar-09	332	83	25
Apr-09	323	79	24
May-09	308	48	16
Jun-09	303	49	16
Jul-09	306	39	13
Aug-09	308	52	17
Sep-09	298	37	12

Source: CompStat/QSR ("Batteries on Staff w/o Weapon," "Batteries on Staff w/ Weapon," "Gassings," "Batteries on Youth," "Group Disturbances," "Forced Sexual Acts," "Physical Altercations (Mutual Combat)," "Average Daily Population").

There are no corresponding trends at other DJJ facilities during this time.⁹⁷ DJJ staff attribute the “spike” at Preston either to the arrival of youth from DeWitt Nelson in mid-2008 or to the closure of the SMPs and the opening of “interim BTPs” in late 2008.⁹⁸ The OSM declines to speculate, but the data underline a point that Dr. Krisberg has made repeatedly: it is important that DJJ use its violence data to try to determine causes of violence and develop strategies to reduce it.⁹⁹ Also, the Preston data show that overall DJJ trend data can mask trends on individual facilities.

⁹⁷ See, e.g., DJJ, “Facility Safety Data, April 2008 to March 2009,” charts on “Youth-on-Youth Violence” and “Group Disturbances.”

⁹⁸ See, e.g., DJJ, “Facility Safety Data, April 2008 to March 2009”; Preston violence reduction committee quarterly report, October 27, 2008.

⁹⁹ See Krisberg, 2009 Formal Report, p. 2.

The expert depicts data showing rates of serious disciplinary cases from the third quarter of 2006 through the first half of 2009. There is no clear trend. Rather, the rate fluctuates. As of mid-2009, the rate of level 3 DDMS was at approximately the same level as it was in late 2007.¹⁰⁰ This is consistent with the lack of a clear upward or downward trend in reported incidents of violence.

B. Use of Force

The safety and welfare plan requires DJJ to adopt a “continuum of prevention, intervention, and use of force methods” by revising its use of force policy, training staff, and implementing a use of force review model.¹⁰¹ Since the experts’ previous report, DJJ has revised its use of force policy and begun to train staff on crisis management.¹⁰² Further revisions to the use of force policy will likely be necessary to align it with the IBTM.¹⁰³ Although the number of use of force incidents within DJJ has dropped, there has been no sustained trend in the rate of such incidents.

1. Revised Use of Force Policy

DJJ revised its policy to conform more closely to the safety and welfare and mental health remedial plans in early 2009.¹⁰⁴ The policy contains new language encouraging skillful interventions to avoid use of force, and such language is not consistently found in prison force policies.¹⁰⁵ Drs. Krisberg, Lee, and Trupin find the revised policy to be an improvement over the

¹⁰⁰ See *id.*, p. 24.

¹⁰¹ See Safety and Welfare Remedial Plan, pp. 23-27, 31.

¹⁰² See, e.g., Appendix E, DJJ, Institutions and Camps Manual Section 2080 (Crisis Prevention and Management: Use of Force [policy]), February 6, 2009.

¹⁰³ Terry Lee and Eric Trupin, 2008-2009 Site Visit Summary, December 16, 2009 [draft], p. 6.

¹⁰⁴ See Appendix D, DJJ, Institutions and Camps Manual Section 2080 (Crisis Prevention and Management: Use of Force [policy]), February 6, 2009 (PoP #388, April 20, 2009).

¹⁰⁵ See *id.*, pp. 12, 14-18. The special master bases this conclusion on her knowledge of the Texas and California adult prisons’ use of force policies and her work with experts developing, revising, and evaluating use of force policy in Texas, between 1978 and 1999.

prior one, though not yet consistent with contemporary standards.¹⁰⁶ The use of force policy –still concentrates on administrative and logistical steps for using force, without emphasizing preventative or less intrusive measures.”¹⁰⁷ The experts developing the IBTM will work with DJJ to revise the policy further and align it with the IBTM.¹⁰⁸

2. Staff Training

The safety and welfare plan requires that DJJ train all direct care staff in crisis management.¹⁰⁹ DJJ has provided staff with training in “safe crisis management” by JKM Training, Inc. and “crisis intervention and conflict resolution” by LETRA, Inc.¹¹⁰ DJJ has more than the 18 certified trainers required by the plan.¹¹¹ DJJ has prioritized conflict resolution staff and staff working in high-risk living units for crisis intervention training; it is far from having trained all direct care staff.¹¹² The safety and welfare expert has not yet reported his views concerning the safe crisis management and crisis intervention and conflict resolution trainings.¹¹³

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¹⁰⁶ Eleventh Report of the Special Master (November 2009), Appendix B (Fletcher Report), p. 4.

¹⁰⁷ *Id.* (quoting mental health experts).

¹⁰⁸ See e-mail of Eric Trupin to various, November 30, 2009; The Integrated Behavior Treatment Model Report, November 2009, p. 48 (placeholder for sections entitled “Integrating the model with current DJJ practices” and “Addressing the model with larger system reform issues outlined in the S&W plan”); statements of Eric Trupin during teleconference, December 2, 2009 (confirming that disciplinary and use of force systems were among the issues to be addressed in sections yet to be written).

¹⁰⁹ See Safety and Welfare Remedial Plan, pp. 27, 31; Safety and Welfare Remedial Plan Standards and Criteria, item 3.4.

¹¹⁰ See, e.g., PoP #339, January 29, 2009 (list of CI/CR trainers); PoP #354, February 23, 2009 (training logs include CI/CR and SCM trainings); PoP #365, March 16, 2009 (summary of foundational trainings including CI/CR and SCM); PoP #395, May 11, 2009 (memorandum concerning recertification of JKM SCM trainers). The JKM training is the crisis management training to which plaintiff’s counsel agreed for DJJ to provide a crisis management training approved by plaintiff. See, e.g., Safety and Welfare Remedial Plan, pp. 27, 31. As of January 2010, DJJ reports it has “temporarily placed” the LETRA training “on hold” in order to prioritize trainings it specifically committed to in the Safety and Welfare remedial plan. Letter of Van Kamberian to the special master, January 27, 2010, p. 3 (providing comments on a draft of this report).

¹¹¹ See, e.g., Ninth Report of the Special Master (June 2009), Appendix D (Schwartz and Fletcher Report), p. 23 (24 trainers trained).

¹¹² *Id.* Central office has provided data on three facilities, which shows that between 27 % and 49% of direct care staff have been trained at each facility. Aubra Fletcher and Donna Brorby, “Compliance with Safety and Welfare Requirements: Central Office Site Visit Report,” January 28, 2010, p. 7 (filed January 29, 2010).

¹¹³ The expert has commented without detail that DJJ has thrown a lot of training at staff without any proof of positive results. See Krisberg, 2009 Formal Report, p. 21.

3. Use of Force Review Model

DJJ revised its policy to implement a use of force review model years ago.¹¹⁴ Pursuant to plan requirements, the facilities regularly convene Institutional Force Review Committees, and a Departmental Force Review Committee regularly reviews at least ten percent of use of force incidents.¹¹⁵ In 2007, Dr. Krisberg found that “the reviews are usually completed in a thoughtful and serious manner” but also that “they tend to focus on the amount and extent of force that was used as opposed to an analysis of what actions could have been taken to prevent the use of chemical or mechanical restraints.”¹¹⁶ In 2009, he found that “progress [had been] made to encourage greater use of non-force responses to institutional conflicts,” and that “UOF review policies ha[d] been somewhat improved.”¹¹⁷ However, he continues to observe that DJJ generally limits its use of force reviews to examining whether staff actions conformed to policy, rather than exploring ways staff could have handled situations differently. He adds, however, that O.H. Close and SYCRCC do a better job of reviewing use of force incidents than do other DJJ facilities.¹¹⁸

The plan requires DJJ’s compliance unit to conduct regular audits of use of force practices.¹¹⁹ The *Farrell* Compliance Unit has conducted only one audit of use of force, at Ventura in June 2008.¹²⁰ This audit followed Dr. Krisberg’s 2008 review of a sample of 24 uses

¹¹⁴ See First Report of the Special Master (March 2005), pp. 27-28 (new policy provided for review, though committees not meeting regularly), Appendix Y (DJJ Temporary Departmental Order: TDO # 05-36 Use of Force), Appendix Z (DJJ, Policies: Suicide Watch and Wards Requiring Acute Psychiatric Care); Krisberg, 2007 Formal Report, p. 21 (review system functioning).

¹¹⁵ Appendix B (Krisberg compliance ratings), item 3.3a.

¹¹⁶ Krisberg, 2007 Formal Report, p. 21.

¹¹⁷ Appendix D, Barry Krisberg, Informal Report: Central Office (summary), April 2009, p. 6.

¹¹⁸ See e-mail of Barry Krisberg to Aubra Fletcher, December 8, 2009.

¹¹⁹ See Safety and Welfare Remedial Plan Standards and Criteria, item 3.3a.

¹²⁰ Statements of John Blackwell during site visit, November 2, 2009. The information in the remainder of this paragraph is based on this source.

of force on young women in response to their “non-compliance” with staff instructions.¹²¹ Dr. Krisberg found that staff generally warned youth that they would use force (usually chemical agents) before using it, but that staff did not pursue all appropriate efforts to de-escalate situations by skillful behavior management.¹²² DJJ’s *Farrell* Compliance Unit then reviewed the same 24 cases.¹²³ While its report commended Ventura for compliance with DJJ policies and procedures in some respects, it also recommended corrective action so that staff more readily utilized interventions, de-escalation techniques, and mental health staff to control behavior without force when possible.¹²⁴ Central office did not provide the report to administrators at Ventura until about one year later, though facility administrators had taken corrective action based on the auditors’ exit interview.¹²⁵ The *Farrell* Compliance Unit has not conducted a follow-up audit of Ventura’s corrective action,¹²⁶ though this is required by the remedial plan.¹²⁷ The conclusions that Dr. Krisberg and DJJ’s Compliance Unit draw from the 24 cases of use of force illustrate the need for regular observations and recommendations such as the Compliance Unit made in its Ventura report. *Farrell* Compliance now plans to review use of force incidents at other DJJ facilities.¹²⁸

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¹²¹ See, e.g., e-mail of Barry Krisberg to Sandra Youngen, et al., May 22, 2008.

¹²² See *id.*

¹²³ See Farrell Compliance Unit, Confidential Ventura YCF Assessment of Identified Use of Force Incidents, June 23, 2008, p. 4 (PoP #157, June 25, 2008).

¹²⁴ *Id.*, pp. 5-8.

¹²⁵ Statements of Tammy McGuire during teleconference, January 28, 2010; see also Krisberg, Informal Report: Ventura, item 3.3a.

¹²⁶ Statements of John Blackwell during central office site visit, November 2, 2009.

¹²⁷ See Safety and Welfare Remedial Plan Standards and Criteria, item 3.3a.

¹²⁸ Statements of Tammy McGuire during teleconference, January 28, 2010.

4. Reduction in Number of Uses of Force but Not in Rates

Table 3 depicts the numbers and rate of use of force incidents for 2005 and for 2007 through mid-2009. The OSM does not have comparable data for 2006.¹²⁹

Table 3: Number and Rate of Uses of Force, 2005, 2007-2009

Time	Average Population	Uses of Force	
		Number	Rate per 100 Youth
Q1 & 2 2005	3169	2244	71
Q1 & 2 2007	2468	1939	79
Q3 & 4 2007	2273	1691	52
Q1 & 2 2008	1929	1393	72
Q3 & 4 2008	1616	1076	67
Q1 & 2 2009	1501	818	54

Source for 2005 population data: Third Report of the Special Master (November 2006), Appendix A (Beltz report), p. 12. Source for 2005 UOF number: California Youth Authority Institutions and Camps Branch Use of Force Review.¹³⁰ Source for all other data: QSR/CompStat (“Total Use of Force Incidents,” “Average Daily Population”).

As with incidents of violence, the total number of use of force incidents has decreased dramatically in recent years, yet no sustained change in the rate of these incidents since 2005 or 2007 is discernible. For the same reasons that apply to the incidence of violence, the decrease in the number of use of force incidents means that DJJ youth and staff are exposed to fewer such incidents than when facilities were more densely populated.¹³¹

¹²⁹ Neither Dr. Krisberg nor the OSM asked DJJ for 2006 use of force data for purposes of their 2009 reports. The OSM happened to report the 2005 use of force data in the First Report of the Special Master (March 2005), Appendix U (Office of the Special Master, Use of Force Summaries, Fiscal Year 2003/2004 and 2004/2005), p. 1 and so is able to report it again here. The 2005 and 2006 data that Dr. Krisberg uses in his report is taken from the OSM’s count of uses of force reported in daily operations reports. *See* Krisberg, 2009 Formal Report, pp. 28-29. This, however, represents an undercount of uses of force in 2005 and 2006. *See* note 82, *supra*. The OSM and Dr. Krisberg determined that this more accurate data existed only after Dr. Krisberg finalized his report. The OSM’s and Dr. Krisberg’s conclusion remains the same: there has been no sustained decrease in the rate of use of force. *See* Krisberg, 2009 Formal Report, p. 4.

¹³⁰ *See* First Report of the Special Master (March 2005), Appendix U, p. 1.

¹³¹ In contrast to DJJ’s youth violence data, force data from 2005 appears comparable to later force data and is sufficiently accurate, as far as the special master knows. DJJ consistently has required staff to report every use of force in which they are involved or which they observe, and there has never been any indication that staff use force without reporting it. *See* First Report of the Special Master (March 2005), Appendix W (DJJ, California Youth Authority Institutions & Camps Branch Use of Force Overview July, 2003 – June, 2005). The special master does not have complete technical information related to these counts from 2005 through the present, but indications long

As the OSM recently reported, the experts continue to find that DJJ staff use force that should have been avoided.¹³² The safety and welfare expert has called on DJJ to reduce the use of force in response to failure to follow instructions and in “controlled” situations. The mental health experts have reported that youth on the mental health caseload are disproportionately involved in use of force incidents,¹³³ and the disabilities expert also has reported that use of force remains “excessive.”

In July 2009, plaintiff’s counsel formally requested that these four experts examine use of force practices involving youth with mental health needs and certain disabilities.¹³⁴ DJJ has provided the experts with copies of all 228 reports of uses of force on youth in residential mental health units during the first half of 2009, and each of the four experts is reviewing a sample of the reports.¹³⁵ Like Dr. Krisberg’s 2008 review of Ventura incidents, this review should provide DJJ with an important perspective on the extent to which they have progressed towards skillful behavior management practices.

C. Restricted Housing/Programs

In January and December 2005, DJJ agreed to an order requiring it to take steps to reduce use of lock-up units and lockdowns to manage youth behavior.¹³⁶ DJJ was required to

have been that the counts are relatively accurate. *See id.*, p. 29; Third Report of the Special Master (November 2006), Appendix A (Beltz Report), pp. 18-19.

¹³² *See* Eleventh Report of the Special Master (November 2009), Appendix B (Fletcher Report), pp. 3-4 (noting expert statements). The remainder of this paragraph is also based on this source.

¹³³ For example, in the third quarter of 2009, 34% of DJJ’s uses of force as involved youth on mental health programs. During the same period, only 14% of DJJ’s population was on such programs. Quarterly Statistical Report, Third Quarter 2009.

¹³⁴ *See* memorandum of Sara Norman to Donna Brorby, et al., July 24, 2009. *See also* e-mail of Aubra Fletcher to Eric Trupin, et al., November 10, 2008; e-mail of Aubra Fletcher to Barry Krisberg, February 3, 2009; e-mail of Aubra Fletcher to Eric Trupin, et al., July 13, 2009.

¹³⁵ *See, e.g.*, e-mail of Zack Schwartz to Logan Hopper, et al., November 24, 2009. At the direction of the experts, the OSM identified locations of use of force incidents and selected a sample of 80 incidents for review by taking a proportionate number from each location.

¹³⁶ *See* Stipulation/Order Regarding California Youth Authority Remedial Efforts, January 2005, ¶¶ 2.a, d-e, g; Stipulation/Order Regarding Safety and Welfare Remedial Plan and Mental Health Remedial Plan, December 2005, ¶¶ 5g, 9-11.

implement interim plans prepared by a former CDCR warden consultant,¹³⁷ and the requirements of the interim plans were imported into the safety and welfare standards and criteria.¹³⁸ DJJ has nearly achieved substantial compliance with these requirements.¹³⁹

DJJ has made substantial progress in the reduction of the use of restricted housing and programs, especially in reductions in lengths of stay.¹⁴⁰ DJJ has operated housing units and individual housing assignments as restricted or modified (lockdown) housing arrangements without labeling them as such in the past, and this continued in 2009.¹⁴¹ DJJ should ensure that all housing units that are operated as restricted or modified program units are identified and tracked as such.

As reflected in the discussion of BTPs and SMPs, above, DJJ is in the process of replacing some lock-down units with structured treatment programs in secure settings. Some facilities have replaced the old temporary detention (TD) status with a “Temporary Intervention Program” (TIP).¹⁴² The expert refers approvingly to O.H. Close’s temporary intervention program, where “youth are isolated for very short time frames and then quickly returned to regular programming.”¹⁴³

¹³⁷ Stipulation Regarding Safety and Welfare Remedial Plan and Mental Health Remedial Plan; Order, December 2005, ¶¶ 9-11.

¹³⁸ See Safety and Welfare Remedial Plan Standards and Criteria, §§ 9-10.

¹³⁹ See Appendix B (Krisberg compliance ratings), items 9.1-9.2.

¹⁴⁰ See Krisberg, 2009 Formal Report, pp. 17-18.

¹⁴¹ See, e.g., First Report of the Special Master (May 2005), p. 21 (some “general population” youth at Stark locked up 22 hours per day, fed in cells), OSM, Informal Report: Stark, January 2009 (high risk units E&F and W&X schedule/activities resemble SMP). Also, it is not clear whether DJJ is monitoring length of stay in the BTP and TIP units that are replacing SMP and TD units. See CompStat QSR for the second quarter of 2009 (TD population count seems to include TIP at Preston but not at OH Close; BTP is included with SMP in heading “restricted programs”) and Special Management Report for August 2009 (length of stay reported for SMP units but not BTP units); Tom O’Rourke and Robert Gordon, Informal Report: Preston, pp. 13-14 (temporary intervention program (TIP) replaced TD; it is a 72-hour restricted program housed with the BTP); OSM, Informal Report: O.H. Close, November 2008, p. 2 (TIP replaced TD, using Inyo unit).

¹⁴² See Tom O’Rourke and Robert Gordon, Informal Report: Preston, February 2009, pp. 13-14 (TIP replaced TD; it is a 72-hour restricted program housed with the BTP); OSM, Informal Report O.H. Close, November 2008, p. 2 (TIP replaced TD, using Inyo unit).

¹⁴³ See Krisberg, 2009 Formal Report, p. 18.

As noted above, DJJ has replaced its SMP at Preston with two BTP units where most youth are out of their rooms for more than ten hours a day. Chaderjian has recently replaced its SMP program with a BTP.¹⁴⁴ In the months leading up to the transition, the facility increased out of room time and activities at the SMP by increasing education hours and “incentive” activity time in the evenings. Only Stark still has a traditional SMP unit,¹⁴⁵ and Stark is closing. The environment in the SMP units at Stark is much like that of an adult prison, with staff in anti-stab vests and youth usually handcuffed during the few hours spent out of their rooms.¹⁴⁶ Even at the Preston interim BTP, the expert observed youth in handcuffs in their classrooms in May 2009.¹⁴⁷ The “rooms are often barren with nothing for a slab bed and a toilet and a sink” and in many cases are decrepit.¹⁴⁸ Progress toward providing SMP youth with a full educational program has been very slow.¹⁴⁹

D. Services for Young Women¹⁵⁰

The remedial plan requires DJJ to provide female youth with services that are responsive to young women’s needs and equal to the services provided to DJJ males.¹⁵¹ Dr. Krisberg cited

¹⁴⁴ Statements of staff during OSM site visit to Chaderjian, November 12-13, 2009.

¹⁴⁵ Barry Krisberg, Informal Report: Stark, April 2009, p. 15 ; *see also* PbS Report, April 2009 (PoP #445, June 22, 2009) (average idle hours in rooms at Stark and Chaderjian are above PbS average, while average idle hours at other DJJ facilities are below PbS average).

¹⁴⁶ *See, e.g.*, Barry Krisberg, Informal Report: Chad, June 2009, p. 15 (SMP youth clothed in prison-type orange jumpsuits); Barry Krisberg, Informal Report: Stark, April 2009, p. 15.

¹⁴⁷ Barry Krisberg, Informal Report: Preston, May 2009, p. 1.

¹⁴⁸ *See* Krisberg, 2009 Formal Report, p. 19. As the safety and welfare plan acknowledges, DJJ’s facilities are beyond repair and renovation and need to be replaced. *See id.*, pp. 14-15; Safety and Welfare Remedial Plan, pp.46, 50, 68-69.

¹⁴⁹ *See* Tenth Report of the Special Master (September 2009), pp. 4, 17-22; Tom O’Rourke and Robert Gordon, Informal Report: Chaderjian, October 2008, items 3.37-3.39 (classrooms available but limited class offerings for SMP and IBTP youth at Chad); Tom O’Rourke and Robert Gordon, Informal Report: Stark, February 2009, items 3.37-3.39 (inadequate classrooms and average of 19 minutes of school/day for SMP youth). Stark was completing classroom construction and expanding school hours when the decision was made to close it as youth facility and use it for adult prisoners. Statements of Susan Harrower during central office visit, September 23, 2009; *see also* memorandum of Donna Brorby to education experts, May 11, 2009 (six new classrooms for restricted program youth due to open in June 2009).

¹⁵⁰ OSM consciously avoids using the word “girls” in reference to DJJ’s female wards; this term is not accurate given the age of many members of this population. OSM also avoids use of the term “gender-responsive” to refer to programs for female youth, since gender refers to all genders. It is hoped that all DJJ programs will be appropriately responsive to gender, as well as other aspects of youths’ identities.

this as a priority this year.¹⁵² DJJ attempted three times to secure contractors to provide residential services for females outside of DJJ, as required by the remedial plan.¹⁵³ Those attempts were unsuccessful, and DJJ and Dr. Krisberg see no reason to believe that further attempts would be successful at this time.¹⁵⁴ They agree that DJJ should now focus its efforts on building an appropriate program for young women at Ventura.¹⁵⁵

As an initial step, in about May 2009, DJJ hired Karen Heintschel as administrator for female programs, a position required by the remedial plan.¹⁵⁶ Dr. Krisberg reports that Dr. Heintschel will “focus exclusively on [young women’s] programming.”¹⁵⁷ Dr. Heintschel is stationed at DJJ’s central office in Sacramento.¹⁵⁸

The remedial plan requires DJJ to “consult with one or more female offender experts to assist with gender specific programs for adolescent and young adult females.”¹⁵⁹ Dr. Krisberg has recommended that DJJ consult closely with Barbara Bloom, Stephanie Covington, Barbara Owen, and Lawanda Ravoira.¹⁶⁰ DJJ has already consulted with at least one of these experts and has drafted a plan to develop an appropriate young women’s program with consultant assistance.¹⁶¹ Pursuant to this plan, national experts would analyze DJJ’s current program for

¹⁵¹ See Safety and Welfare Remedial Plan, p. 58.

¹⁵² See Ninth Report of the Special Master (June 2009), Appendix A (Experts’ Priorities for Fiscal Year 2008-2009), p. 4; Eleventh Report of the Special Master (November 2009), Appendix I (Experts’ Priorities for Fiscal Year 2009-2010), p. 3.

¹⁵³ See Krisberg, 2009 Formal Report, pp. 12-13.

¹⁵⁴ See *id.*, p. 13; statements of Barry Krisberg during Case Management Conference, December 3, 2009.

¹⁵⁵ See, e.g., statements of Barry Krisberg during Case Management Conference, December 3, 2009; Krisberg, 2009 Formal Report, p. 13.

¹⁵⁶ See statements of Michael Brady during Case Management Conference, July 30, 2009; Safety and Welfare Remedial Plan, p. 59; statements of Tammy McGuire to Aubra Fletcher, July 30, 2009.

¹⁵⁷ See Krisberg, 2009 Formal Report, p. 13.

¹⁵⁸ See statements of Michael Brady during Case Management Conference, July 30, 2009; statements of Tammy McGuire to Aubra Fletcher, July 30, 2009.

¹⁵⁹ See Safety and Welfare Remedial Plan, p. 58.

¹⁶⁰ See Krisberg, 2009 Formal Report, p. 12.

¹⁶¹ Statements of Barry Krisberg and Karen Heintschel during Case Management Conference, December 3, 2009; DJJ, Juvenile Female Program Critical Steps: Juvenile Female Offender Program and Treatment Proposal [draft], November 25, 2009 (PoP #572, November 25, 2009); e-mail of Michael Brady to Aubra Fletcher, January 19, 2010 (DJJ directors approved the proposal).

young women, make recommendations, and help to develop a program and staff training package.¹⁶² The plan is contingent on funding that may not be available due to budget problems.¹⁶³

E. Disciplinary and Incentive Systems

In early 2009, Dr. Krisberg urged DJJ to prioritize the implementation of a disciplinary system and a youth incentive program that conform to the Safety and Welfare Remedial Plan.¹⁶⁴ DJJ implemented revised disciplinary (DDMS) and program credits (time cut) policies in April 2009, near the end of the 2008-2009 audit round.¹⁶⁵ OSM, Dr. Krisberg, and the mental health experts will monitor statewide implementation of the policies in the coming round, but the policies represent significant steps forward compared to previous policies.¹⁶⁶ The policies meet many of the specific remedial requirements;¹⁶⁷ still, DJJ's disciplinary policy continues to rely heavily on rules enforced by negative sanctions, an approach reminiscent of an adult prison rather than a juvenile treatment facility.¹⁶⁸ DJJ has not met the remedial plan requirement to –establish a team of internal and external experts to develop a broader array of graduated

¹⁶² See DJJ, Juvenile Female Program Critical Steps: Juvenile Female Offender Program and Treatment Proposal [draft], November 25, 2009 (PoP #572, November 25, 2009); statements of Karen Heintschel during Case Management Conference, December 3, 2009. The special master hopes that the experts charged with developing the IBTM will also evaluate current women's programs for alignment with the new model.

¹⁶³ See statements of Bernard Warner and Michael Brady during Case Management Conference, December 3, 2009.

¹⁶⁴ See Ninth Report of the Special Master (June 2009), Appendix A (Experts' Priorities for Fiscal Year 2008-2009), p. 4.

¹⁶⁵ Ninth Report of the Special Master (June 2009), Appendix D (Schwartz and Fletcher Report), p. 5.

¹⁶⁶ See Krisberg, 2009 Formal Report, pp. 19 (significant steps forward), 21 (initial observations are positive); Terry Lee and Eric Trupin, *Farrell Mental Health Experts' 2008-2009 Site Visit Summary*, January 9, 2010 [draft] p. 7 (improvement over prior policy); see also Ninth Report of the Special Master (June 2009), Appendix D (Schwartz and Fletcher Report), pp. 5, 40-43, 45-49 (reporting status of DJJ's compliance with specific requirements related to discipline and program credits); Eleventh Report of the Special Master (November 2009), Appendix B (Fletcher Report), pp. 5-10 (same).

¹⁶⁷ See Ninth Report of the Special Master (June 2009), Appendix D (Schwartz and Fletcher Report), pp. 5, 40-43, 45-49; Eleventh Report of the Special Master (November 2009), Appendix B (Fletcher Report), pp. 5-10; Appendix D, Krisberg, Informal Report: Central Office (summary), p. 13; memorandum of Aubra Fletcher to Barry Krisberg, et al., September 5, 2008.

¹⁶⁸ See, e.g., Terry Lee and Eric Trupin, *Farrell Mental Health Experts' 2008-2009 Site Visit Summary*, January 9, 2010 [draft], pp. 6-7.

sanctions and to propose additional positive incentives”¹⁶⁹ and needs to do so. Dr. Krisberg has also recommended that DJJ integrate and simplify its overlapping procedures that affect time served.¹⁷⁰

Time adds and restorations are an important component of the disciplinary policy, and disciplinary time adds remain frequent in DJJ. During the 2008-9 fiscal year, an average of 112 youth *per month* received disciplinary time adds, each of which added an average of two months to the youth’s sentence.¹⁷¹ During the same year-long period, a *total* of 33 youth had disciplinary time restored. Program time adds and program credits, which add or subtract time based on general behavior rather than specific disciplinary infractions, were not as frequent as disciplinary time adds,¹⁷² and did not affect sentences as strongly.¹⁷³

In spring 2009, DJJ implemented new DDMS and program credits policies that include many of the plans’ specific time-add and time-cut requirements.¹⁷⁴ These measures should reduce net time adds this fiscal year.¹⁷⁵ They are not, however, a sufficient response to the

¹⁶⁹ See Appendix D, Barry Krisberg, Informal Report: Central Office (summary), pp. 13-14; Appendix B (Krisberg ratings), item 8.4.8; *see also* Safety and Welfare Remedial Plan, p. 71 Standards and Criteria, item 8.4.8.

¹⁷⁰ See e-mail of Barry Krisberg to special master, January 13, 2010; statements of Barry Krisberg to Aubra Fletcher during teleconference, February 9, 2010.

¹⁷¹ See Appendix F, CDCR Office of Research and Juvenile Research Branch, —**Reprt** on Monthly Tracking of Disciplinary Decision Making System (DDMS)” (November 2009) [hereinafter Appendix F (DJJ Report on Time Adds)], section I, p. 1. This is also the source of the next two sentences.

¹⁷² During the 2008-2009 fiscal year, an average of 42 youth per month received program time adds, and 38 youth per month received program credits. See Appendix F (excerpted DJJ Report on Time Adds), section I, p. 7.

¹⁷³ During the 2008-2009 fiscal year, a total of 2,880 months were added due to disciplinary time adds; 1,974 months were added due to program time adds; and 998 months were subtracted due to program credits. *Id.*

¹⁷⁴ Ninth Report of the Special Master (June 2009), Appendix D (Schwartz and Fletcher Report), pp. 5, 40-43, 45-49 (reporting status of DJJ’s compliance with specific requirements related to discipline and program credits); Eleventh Report of the Special Master (November 2009), Appendix B (Fletcher Report), pp. 5-10 (same). The measures include offering youth the opportunity to execute and complete a behavior contract to earn-back a disciplinary time add, mandated regular review of youth records for time restorations, reducing the waiting period for restorations from twelve to six months, rounding odd numbers of months restored up rather than down, central office monitoring to enforce requirement that youth not have time credit eligibility limited by availability of programs to them. *Id.*

¹⁷⁵ The net time added per youth was 2.6 months/youth in DJJ as a whole. There was considerable variation between facilities, ranging from 0.6 months/ youth at Chaderjian to 1.6 at Preston, 1.8 at SYCRCC, 2.4 at O.H. Close, 3.1 at Ventura, and 4.5 at Stark. OSM calculated net time added per youth by dividing time added by the average population of facilities and the system as a whole. The figure of 2.6 months/youth does not imply that the

experts' observations that DJJ's use of disciplinary time-adds is ~~in~~consistent with a model treatment approach¹⁷⁶ and without rehabilitative purposes,¹⁷⁷ especially when DJJ's management agrees with the experts' evaluation.¹⁷⁸ DJJ should convene the group of internal and external experts to review DJJ's disciplinary and positive sanctions, and charge it to work with the IBTM experts to propose revisions to DJJ's system of sanctions that is consistent with the IBTM.

Other aspects of the DDMS policy will require substantial revision to conform to the IBTM once it is developed; DJJ must integrate positive and negative sanctions to be an effective part of behavior treatment and management.¹⁷⁹ In the meantime, staff at various facilities have found creative ways to enhance the positive youth incentive program. O.H. Close, Ventura, SYCRCC, and Chaderjian have converted vacant living units into activity centers. O.H. Close's Butte Hall was especially impressive.¹⁸⁰ Butte was intricately painted; equipped with couches, pillows, and coffee tables; and featured video game consoles, Wiis, and arts-and-crafts activities.¹⁸¹ A-Level youth had regular access to the incentive lodge, and facility leadership provided for B- and even C-Level youth to enjoy occasional visits there, to encourage their progress to a higher incentive level.¹⁸² Butte has been converted to a regular living unit due to population increases following Stark's closure,¹⁸³ but as an incentive unit it was a model for

~~typical~~ DJJ youth only had 2.6 months added to his or her sentence, since it is unknown how evenly distributed time adds were in the population.

¹⁷⁶ See Appendix D, Krisberg, Informal Report: Central Office (summary), p. 14.

¹⁷⁷ Statements of Eric Trupin in testimony before the California State Senate Public Safety Committee, November 30, 2009.

¹⁷⁸ See statements of Bernard Warner, Edward Morales, and Michael Brady in testimony before the California State Senate Public Safety Committee, November 30, 2009.

¹⁷⁹ Eleventh Report of the Special Master (November 2009), p. 10 n.58; see also Krisberg, 2009 Formal Report, pp. 19; Terry Lee and Eric Trupin, Farrell Mental Health Experts' 2008-2009 Site Visit Summary, January 9, 2010 [draft], pp. 6-7.

¹⁸⁰ OSM, Informal Report: O.H. Close, November 2008, p. 10.

¹⁸¹ *Id.*

¹⁸² *Id.*, p. 2; see also statements of Yvette Marc-Aurele during O.H. Close site visit, March 10, 2009.

¹⁸³ Statements of Brenda Jackson and Tony Lucero during O.H. Close site visit, November 5-6, 2009.

other facilities to follow. O.H. Close staff hope to have a dedicated incentive unit again after receiving expected modular buildings.¹⁸⁴

Each DJJ facility also organizes a number of “incentive program” events each year. O.H. Close holds multiple events each month, including pool parties, video game tournaments, special dinners, movie nights, art projects, casino night, and sports events.¹⁸⁵ Chaderjian holds a facility-wide Olympics,¹⁸⁶ outdoor movie nights,¹⁸⁷ casino nights,¹⁸⁸ a “Day on the Green,”¹⁸⁹ and special dinners with the superintendent.¹⁹⁰ Ventura organizes periodic “Diva Night” slumber parties for A-Level women,¹⁹¹ movie nights which sometimes include youths’ parents,¹⁹² a co-ed “Dinner at the Ritz” event for certain A-Level youth,¹⁹³ and Olympics.¹⁹⁴ Stark events include a movie and pizza night, craft night, and a Super Bowl party.¹⁹⁵ Stark recently held a “Concert Under the Stars” for 80 youth and their families, which included live outdoor music and barbecue.¹⁹⁶ Preston organizes monthly sports tournaments, living unit decorating contests, and various parties.¹⁹⁷ Preston also holds Olympics events for certain living units.¹⁹⁸

¹⁸⁴ Statements of Brenda Jackson and Tony Lucero during O.H. Close site visit, November 5-6, 2009.

¹⁸⁵ OSM, Informal Report: O.H. Close, November 2008, pp. 10-11.

¹⁸⁶ Statements of Mike Minor during Court Compliance Task Force meeting, July 23, 2009; DJJ Today Newsletter, vol. 1, issue 4, August 2009, p. 3, *available at* http://www.cdcr.ca.gov/Juvenile_Justice/DJJ_Today_Newsletter.html (feature article).

¹⁸⁷ Statements of Erin Brock during Court Compliance Task Force meeting, October 8, 2009; *see also* DJJ Today Newsletter, vol. 1, issue 2, June 2009, p. 6, *available at* http://www.cdcr.ca.gov/Juvenile_Justice/DJJ_Today_Newsletter.html.

¹⁸⁸ DJJ Today Newsletter, vol. 1, issue 1, June 2009, p. 6, *available at* http://www.cdcr.ca.gov/Juvenile_Justice/DJJ_Today_Newsletter.html.

¹⁸⁹ *Id.*

¹⁹⁰ Statements of Chaderjian staff member during Court Compliance Task Force meeting, September 3, 2009; DJJ Today Newsletter, vol. 1, issue 5, September 2009, p. 2 (article describing most recent event).

¹⁹¹ OSM, Informal Report: Ventura, January 2009, p. 11.

¹⁹² Statements of David Finley during Court Compliance Task Force meetings, July 23, 2009, September 10, 2009, October 8, 2009.

¹⁹³ OSM, Informal Report: Ventura, January 2009, p. 1.

¹⁹⁴ DJJ Today Newsletter, vol. 1, issue 4, August 2009, p. 3, *available at* http://www.cdcr.ca.gov/Juvenile_Justice/DJJ_Today_Newsletter.html (feature article).

¹⁹⁵ OSM, Informal Report: Stark, April 2009, p. 27.

¹⁹⁶ Statements of Elverta Mock during Court Compliance Task Force meeting, September 3, 2009.

¹⁹⁷ OSM, Informal Report: Preston, March 2009, p. 27.

SYCRCC devotes a remarkable amount of time and resources to incentive events. The facility holds quarterly Peace and Unity events to encourage youth to remain violence-free.¹⁹⁹ Political figures, CDCR management, community members, and families participate in these events, along with SYCRCC staff. Activities include carnival booths, musical performances, and speeches by resident youth who have demonstrated a commitment to non-violence. Other events at SYCRCC include sports tournaments, camp outs,²⁰⁰ a “Hip Hop Poetry and Talking Drums Show,”²⁰¹ and a Hispanic Heritage Month assembly featuring youth art and poetry.²⁰² Staff also take certain A-Level youth off-site to play golf at a local course, to enjoy a shopping spree at Wal-Mart, and to dine in a restaurant with facility leadership.²⁰³ This provides staff and youth a chance to interact socially together and gives youth some normalizing young adult activities to help enhance their pro-social skills.

Prior to Stark’s closure, SYCRCC and Stark both enjoyed dog training programs for youth who had demonstrated a certain level of responsibility. Working with an outside agency, youth trained abused and abandoned dogs to increase their adoptability.²⁰⁴ The dogs live on the unit with their youth trainers, who undergo dog training classes. Youth are obviously engaged by the pets and the tasks of caring for them and training them.²⁰⁵ They appear to be honing

¹⁹⁸ DJJ Today Newsletter, vol. 1, issue 4, August 2009, p. 3, *available at* http://www.cdcr.ca.gov/Juvenile_Justice/DJJ_Today_Newsletter.html (feature article).

¹⁹⁹ OSM, Informal Report: SYCRCC, May 2009, p. 18. The information contained in the remainder of this paragraph is based on this source, unless otherwise noted.

²⁰⁰ Statements of Cassandra Stansberry during Court Compliance Task Force meeting, September 24, 2009.

²⁰¹ DJJ Today Newsletter, vol. 1, issue 3, July 2009, p. 6, *available at* http://www.cdcr.ca.gov/Juvenile_Justice/DJJ_Today_Newsletter.html.

²⁰² Statements of Laura Sheffel during Court Compliance Task Force meeting, September 10, 2009.

²⁰³ OSM, Informal Report: SYCRCC, May 2009, p. 30.

²⁰⁴ CDCR has produced a short video about Stark’s dog training program, available on YouTube (via CDCR’s website) at http://www.youtube.com/watch?v=JwQXA_Crm7A&feature=channel_page. Additional information is available in the DJJ Today Newsletter, vol. 1, issue 2, June 2009, p. 2.

²⁰⁵ Observations of Donna Brorby, Aubra Fletcher and Zack Schwartz during site visits in 2008 and 2009.

interpersonal skills by collaborating with staff for the dogs' care and training, and by working with other youth to share supervision responsibilities.²⁰⁶

F. Physical Plant Improvements and Master Planning

1. Replacing Obsolete and Decrepit Facilities

California and CDCR thus far have failed to address DJJ's pressing need to replace facilities. In mid-2006, the state forthrightly committed to build new facilities in the Safety and Welfare Remedial Plan.²⁰⁷ Except Chaderjian, DJJ's facilities are 40-plus and 50-plus years old and have exceeded their useful life.²⁰⁸ They need to be replaced in the short term because of their design and their age and condition.²⁰⁹ DJJ needs very different facilities, designed to accommodate and support effective juvenile treatment programming for the difficult juveniles and young adults that DJJ now serves.²¹⁰ This means smaller living units and a variety of kinds of living units and facilities to meet the diverse needs of youth and their different stages of treatment and progress toward and readiness for community reentry.²¹¹ Because of the age and condition of DJJ's existing facilities, retrofitting and maintaining them for continued use may well be more expensive than replacing them.²¹² In any case, serious and concerted planning to

²⁰⁶ *Id.*

²⁰⁷ Safety and Welfare Remedial Plan, pp. 46, 50, and 68-69; *see also*, Krisberg, 2009 Formal Report, pp. 14-15.

²⁰⁸ DJJ, Quarterly Report: Safety and Welfare 8.9.1 Physical Plant Improvement, June 2009, pp. 11-14 (ages of facilities); Safety and Welfare Remedial Plan, p. 68 (exceeded their useful life). By comparison, most of CDCR's adult facilities are relatively modern in construction. See photographs of all DAI (Division of Adult Institutions) facilities at <http://www.cdcr.ca.gov/Visitors/Facilities/> (last reviewed October 21, 2009).

²⁰⁹ *See* Safety and Welfare Remedial Plan, pp. 46, 50, 68-69; *see also*, Krisberg, 2009 Formal Report, pp. 14-15.

²¹⁰ *See* Safety and Welfare Remedial Plan, pp. 68-69 (Facilities planning to be based on a projection of future demand, demographics, projected program needs, and the geographical distribution of commitments" and coordinated with operational planning that will likely expand the facilities requirements of DJJ by highlighting the need for community based transitional facilities for parolees.").

²¹¹ Krisberg, 2009 Formal Report, pp. 14-15. The safety and welfare expert has referred to the need for smaller facilities for women, located closer to their communities, rather than treating northern California women in southern California. *See* Krisberg, 2009 Formal Report, p. 13.

²¹² DJJ, Quarterly Report: Safety and Welfare 8.9.1 Physical Plant Improvement, June 2009, p. 6.

replace antiquated DJJ facilities needs to start now” because “[m]aking do with grossly substandard facilities is not a viable option for DJJ.”²¹³

The safety and welfare plan requires DJJ to prepare a Facilities Master Plan and a California Juvenile Justice Operational Master Plan by July 2008 and July 2007, respectively.²¹⁴ It participated in the development of the operational master plan that the State Commission on Juvenile Justice completed in January 2009.²¹⁵ The commission’s term ended in January 2009, and the operational master plan has no official status; effectively, there is no operational master plan. The safety and welfare expert has not seen a sufficient facilities master plan yet.²¹⁶

By April 2009, CDCR completed the “value-engineering” of its prototype youth facility design, reducing the per-bed cost to \$873,917.²¹⁷ Dr. Krisberg has not yet rendered an opinion on the adequacy of the design.²¹⁸ CDCR does not yet have plans in place to build the prototype or begin to replace youth facilities.²¹⁹ As a result of budgetary constraints, CDCR is delaying

²¹³ Krisberg, 2009 Formal Report, pp. 15, 17.

²¹⁴ See Safety and Welfare Remedial Plan Standards and Criteria, items 8.10.1-8.10.2.

²¹⁵ See http://www.cdcr.ca.gov/Divisions_Boards/State_Commission_on_Juvenile_Justice/Commissioners.html (last visited December 21, 2009). The Juvenile Justice Operational Master Plan: Blueprint for an Outcome Oriented Juvenile Justice System, submitted by the State Commission on Juvenile Justice, may be found at http://www.cdcr.ca.gov/Divisions_Boards/State_Commission_on_Juvenile_Justice/Reports.html. The safety and welfare expert reported in early 2009 that DJJ is considering whether to adopt this as the operational master plan required by Standards and Criteria item 8.10.2. See Barry Krisberg, Informal Report: Central Office (grid), January 2009.

²¹⁶ Statements of Barry Krisberg to special master during teleconference, December 18, 2009.

²¹⁷ Memorandum of William Kwong to Barry Krisberg, October 22, 2009 (comments on expert’s draft report); DJJ, “Programming & Conceptual Design Document for the Northern California Core Treatment Facility, Northern California Youth Correctional Center, Stockton, California” (PoP #550, November 2, 2009).

²¹⁸ In December 2009, Dr. Krisberg informed the OSM that CDCR did not consult him on the facility design and that he “would need a detailed briefing from them before [he] could render a professional judgement [sic] of the adequacy of the design.” E-mail of Barry Krisberg to Aubra Fletcher, December 4, 2009. DJJ responds that it sent the prototypical design to Dr. Krisberg for his review on November 2, 2009. Letter of Van Kamberian to the special master, January 27, 2010, p. 4 (comments on a draft of this report).

²¹⁹ See Krisberg, 2009 Formal Report, p. 17 (no allocated funds, no commitments to raise bond money). DJJ’s June 2009 quarterly report lists two building projects: the construction of two buildings at SYCRCC, with the capacity to hold a total of 132 beds, and the construction of four buildings at Ventura, with the capacity to hold 276 beds. DJJ, Quarterly Report: Safety and Welfare 8.9.1 Physical Plant Improvement, June 2009, Section 7; DJJ, Facility Projects Status Report, p. 16; letter of Van Kamberian to the special master, January 27, 2010, p. 4. The “funding request intake [is] complete” for these projects. DJJ, Quarterly Report: Safety and Welfare 8.9.1 Physical Plant Improvement, June 2009, Section 7; Facility Projects Status Report, p. 16.

previously planned adult prison construction.²²⁰ It will be important that CDCR give DJJ at least equal priority with its adult system for new construction, when the budgetary constraints loosen.

2. Renovations and Maintenance

The safety and welfare expert reports that all DJJ facilities are now substantially compliant with requirements that they identify and request needed repairs and renovations.²²¹ He describes —substantial improvement” in central office’s tracking of facility repair and renovation issues.²²² In 2008, DJJ established its Institution Standardized Inspection Taskforce Committee, which created standardized inspection procedures.²²³ Since then, all DJJ facilities have undergone DJJ’s quarterly inspection process.²²⁴ DJJ develops corrective action plans each quarter based on the inspections.²²⁵ DJJ’s first quarterly report on physical plant issues, issued in June 2009, documents the results of the inspections of all facilities.²²⁶ It details 181 necessary repair and renovation projects, distinguishing repair/maintenance, minor capital and major capital projects, showing that DJJ has a ten million dollar (\$10,000,000) budget against a 217 million dollar (\$217,000,000) need for capital improvements (not including any new facilities), and a five million dollar (\$5,000,000) budget against a 48 million dollar (\$48,000,000) need for maintenance and repairs.²²⁷ The funding is from prior fiscal years,²²⁸ CDCR’s special repairs/deferred maintenance budget is down from 39 million dollars (\$39,000,000) last year to zero this year,²²⁹ a casualty of budget-balancing cost cutting.

²²⁰ Statements of Barry Krisberg to special master during teleconference, December 18, 2009.

²²¹ See Krisberg, 2009 Formal Report, p. 15.

²²² See *id.*

²²³ DJJ, Quarterly Report: Safety and Welfare 8.9.1 Physical Plant Improvement, June 2009, p. 10.

²²⁴ See *id.*, pp. 9, 16, Section 7; statements of Mark Blaser to special master during teleconference, October 22, 2009; letter of Van Kamberian to special master, January 27, 2010.

²²⁵ See DJJ, Quarterly Report: Safety and Welfare 8.9.1 Physical Plant Improvement, June 2009, p. 9.

²²⁶ See *id.*, Section 7.

²²⁷ See *id.*, p. 5, Section 7.

²²⁸ *Id.*, p. 5.

²²⁹ See Krisberg, 2009 Formal Report, p. 15; e-mail of Mark Blaser to special master, October 23, 2009.

DJJ's quarterly physical plant report details the serious issues to which the safety and welfare expert refers in his report as well as remediation of some of them.²³⁰ DJJ still must ameliorate pervasive roof and window leaks and water damage at three of five facilities as well as various major electrical, lighting, heating, cooling, ventilation, boiler, generator, program space, and recreation area issues.²³¹ It must construct modular buildings throughout the system for program and office space.²³²

CDCR must ensure that it devotes appropriate attention and resources to DJJ. In order to prioritize construction projects and ensure cost-effectiveness for maintenance construction dollars, CDCR retained VFA, Inc. to assess all CDCR facilities, starting with all adult facilities, before a single DJJ facility was to be assessed.²³³ That meant adult facilities were due to be assessed by June 30, 2009, and DJJ facilities would be assessed this fiscal year. Then, the special repairs funding for the assessments was deleted from this fiscal year's CDCR budget, and the plan now is to delay the assessments of DJJ facilities until after July 1, 2010. The adult system also has had an advantage over the juvenile system in competing for attention from the CDCR facilities planning and construction office in the Standard Automated Preventive Maintenance System that tracks identification, scheduling and completion of necessary repairs and construction projects. The California Department of Corrections implemented this system before the reorganization that brought DJJ within CDCR,²³⁴ but that reorganization occurred in 2005.

²³⁰ See Krisberg, 2009 Formal Report, p. 15; DJJ, Quarterly Report: Safety and Welfare 8.9.1 Physical Plant Improvement, June 2009, pp. 7-8, Section 7.

²³¹ *Id.*, pp. 7-8. The three facilities are N.A. Chaderjian, O.H. Close, and Preston. Stark also has pervasive roof leak and water damage issues but is being converted to adult prison use.

²³² *Id.*, p. 18.

²³³ DJJ, Quarterly Report: Safety and Welfare 8.9.1 Physical Plant Improvement, June 2009, pp. 6, 16-17. This is the source for the remainder of this paragraph unless otherwise noted.

²³⁴ We glean this from a web search ("CD~~R~~ SAPMS") that yielded a few sites reflecting that CDCR adopted SAPMS in 1999, including http://jobs.spb.ca.gov/wvpos/more_info.cfm?recno=413086 (posting for a job with

G. Baseline Recidivism Data

In response to a legislative request, CDCR's Office of Research has defined recidivism and has prepared a report of recidivism rates over 3 years for youth released in 2004-2005.²³⁵ For youth who were committed to DJJ for serious and violent or sex offenses—707(b) and 290 offenses—the rate was 75% after three years (68% after two years and 53% after one year). For youth committed for less serious offenses, the recidivism rate was 88% after three years (85% after two years and 72% after a year).

CDCR/DJJ is committed to track recidivism rates as a measure of the success of its treatment program. In addition to its apparent commitment to the legislature, the safety and welfare plan provides that DJJ will “reduce recidivism through research-based rehabilitative programs” as a part of its mission to protect public safety.²³⁶ The safety and welfare expert is particularly interested in outcome data and will be tracking recidivism rates as a measure of the success of DJJ's efforts to comply with the safety and welfare remedial plan.²³⁷

It is not possible to compare DJJ with other systems simply by comparing reported recidivism rates. It is necessary to control for different definitions of recidivism and differences in the demographics of a population. DJJ's population is a smaller proportion of California's juvenile offenders than institutional populations in other states,²³⁸ which may be correlated with seriousness of offense and degree of entrenchment of anti-social attitudes and behaviors. California also is one of a few states with an extended age of jurisdiction for juveniles that

CDCR, last checked December 4, 2009); <http://www.allbusiness.com/banking-finance/financial-markets-investing-securities/6831371-1.html> (April 2, 1998, CDCR chooses SAPMS, last visited December 4, 2009).

²³⁵ Appendix G, DJJ, 1-,2-, and 3-Year Rates of Recidivism: Youth Released FY 2004-2005 (PoP #566, November 17, 2009. The remainder of this paragraph is based on this source.

²³⁶ See, e.g., Safety and Welfare Remedial Plan, p. 4.

²³⁷ See Krisberg, 2009 Formal Report, pp. 23-33.

²³⁸ Christopher Murray, et al., [Draft] Safety and Welfare Plan: Implementing Reform in California, March 31, 2006, p. 3.

exceeds the age of 20.²³⁹ The average age of youth in DJJ was over 18 during the third quarter of 2009.²⁴⁰ Age at the time of the offense may also correlate to the degree of entrenchment of anti-social attitudes and behaviors.

III. CONCLUSION

The special master respectfully submits this report.

Dated: February 8, 2010

Donna Brorby
Special Master

²³⁹ *Id.*, p. 2.

²⁴⁰ Quarterly Statistical Report, 3rd Quarter 2009. The data show that the mean age was 18.9 and the median was 18-plus.

Farrell v. Cate: Update on Safety and Welfare Remedial Plan Progress

Dr. Barry Krisberg
Oct. 23, 2009

Purpose of this Report

This report is designed to offer the Court and the Parties a status report on progress and barriers in implementing the Safety and Welfare (SW) Remedial Plan. It presents data that was assembled by the SW expert with the assistance of Zack Schwartz of the Office of Special Master (OSM) and Renee Plog of the National Council on Crime and Delinquency. This report covers developments through September 15, 2009 and relies on a series of facility site visits to every DJJ facility that occurred in the first half of 2009. Typically, I would spend at least two days on site and interview approximately 10 youth selected at random from institution residents. I would interview all staff who had responsibility in key areas of the SW remedial plan. I would usually tour the facility with particular focus on restricted housing units. To conduct my review, I utilized a checklist on the SW items that is derived from the Standards and Criteria. After the end of a visit, I always held a debriefing session with the superintendent and with DJJ staff. I usually did a quick memo on major issues that was sent to top DJJ managers. I later filed the completed checklist with the informal compliance scores with the OSM and the parties. I also consulted with the OSM and other experts in areas with joint responsibility for monitoring.

While I have not attempted to cover all of the items that are included in the SW Standards and Criteria, I have included those items that I believe are the most critical priorities for ultimately achieving compliance with the Farrell Requirements. In a sense, this report lays out my agenda for DJJ attention and action in the next year. I would like to acknowledge the useful feedback that I received on an earlier draft report by the OSM, the plaintiffs lawyers, and DJJ staff.

I will begin with a review of pertinent quantitative data and then add more qualitative information that is derived from my observations and from interviews with youth and staff in the Division of Juvenile Justice (DJJ). I have also received over 540 Proof of Practice documents pertinent to the SW Remedial Plan in addition to hundreds of pages of materials that were supplied by the facilities that received site

visits. While the accuracy and quality of DJJ data is still very much a work in progress, it is the best information that we possess and can be used to form general conclusions on matters requiring more focused attention.

Reducing Fear and Violence

In my opinion, the preliminary goal of the SW Remedial Plan is to reduce fear and violence among youth and staff in DJJ facilities. Not only is this objective crucial per se, but the reduction of violence has direct impacts on many other aspects of life in DJJ such as school attendance, participation in treatment programs, time add and time cuts, the disciplinary system, the use of force, and the number of youth placed in restricted housing units.

The SW Remedial plan contains many short-term and long-term plans that seek to reduce violence. These activities include the implementation of a validated security classification system, reduction in the size of living units, the creation of violence reduction committees at each facility, the deployment of Crisis Resolution Teams, and the systematic collection and analysis of data on levels of violence throughout DJJ. Violence reduction is the primary goal in the design and implementation of Behavior Treatment programs. Because it is recognized that gangs in DJJ play a significant role in the violence in various facilities, the SW Remedial Plan requires that DJJ implement a comprehensive approach for integrating gangs in DJJ. The Integrated Behavioral Treatment Model (IBTM) also will contain a major component dealing with curtailing violent behavior among DJJ youths.

DJJ has made some progress in implementing new improved data systems such as the WIN Exchange, the PbS data, and the Quarterly Statistical Reports (formerly known as CompStat). All of these systems will need further refinement and there will be a need to audit the quality and consistency of these data. Going forward, these data should provide the basis for more targeted research on Farrell-related issues. There is still a need to ensure that DJJ upper management makes better use of these data to guide future decisions. It is encouraging that DJJ is attempting to utilize these data as part of their Dashboard reports. The SW expert will be working with DJJ compliance staff to make more use of the existing SW

data and to reduce the reliance on anecdotes and unsubstantiated opinions. Getting the facts straight is a central part of the reform effort.

At the end of this report there is a series of tables and charts that summarize the rates of all violent incidents in DJJ and for individual institutions for the first six months of 2005-2009. The data from 2005-2006 were compiled from Daily Operations Security Reports. In subsequent time periods, the data was taken from Quarterly Statistical Reports produced by DJJ. Violent incidents included batteries on staff or youth with or without weapons, group disturbances, “gassings”, forced sexual acts, and physical altercations involving mutual combat. The rates are computed by dividing the number of incidents by the average daily population.

These data possess limitations due to changing definitions used by DJJ to collect data and less-than-ideal clarity among facility staff in collecting these data. Policy changes at DJJ may also affect reporting of incidents. I believe that much more work needs to be done to establish more uniformity in the definitions of key terms, data collection methods, and the consistency of these data across sites. However, it remains clear that while the short term trends are merely suggestive, there seems scant evidence that there have been significant improvements in the rates of violence and the UOF in DJJ.

As a further example, the data presented at the end of this report on attempted suicides as reported by DJJ as part of its monthly reports of Sentinel Events to the OSM and the Court Experts is subject to non-uniform definitions across DJJ on what constitutes a suicide attempt. The data that I present in this report are based on Serious Incident Reports. The OSM has noted that differing methods of looking at Self Injurious Behavior that produce various counts in the DJJ facilities. The concentration of these suicide attempts at living units C and D at HSG is especially troubling. My point in presenting these data is to alert the parties and the Mental Health experts that there may be a major issue on suicide attempts that requires urgent attention. While I know that DJJ and the Mental Health experts are working intensely on solutions, I wanted to note that the frequency of suicide attempts creates a climate of fear and unease among all staff and youth at the most effected institutions – so this is a Safety and Welfare issue as well as a Mental Health concern. Also, these Serious Incident Reports reveal that there were over 50 group

disturbances in DJJ over the past 12 months. These are generally defined by DJJ as physical conflicts that involve 10 or more youth and require a security response. A disproportionate number of these group disturbances have occurred at Preston. These events should merit further analysis since DJJ is planning to increase the population at Preston as HGS is turned over to the Adult side of CDCR.

These data show that rates of violent incidents in DJJ rose by 50% from 2005 to 2007 and then declined by 16% in 2008. The violent incident rate was only slightly lower in the first six months of 2009 (90 per 100 youth) and still higher than comparable rates in 2005 and 2006 (74 per 100 and 82 per 100, respectively) before almost any of the Farrell reforms were implemented. While DJJ staff may have perceived a real drop in the number of violent incidents, the steadily declining DJJ population meant the rates of violence were almost unchanged. As the population dropped, the number of incidents went down, but the prevalence of violence and UOF among the remaining DJJ population has not substantially improved yet.

Somewhat different findings emerge by looking at trends in the most serious DDMS cases (Level Three) filed on DJJ youth. These infractions include the most serious assaultive behavior as well as other related problems in DJJ institutions such as drug use by youth or possession of contraband. The DDMS rates are another window into how well DJJ facilities are functioning. The rates of Level Three DDMS cases rose from the 3rd quarter of 2006 to the 2nd quarter of 2007, and then dropped off in the last quarter of 2007 and the first quarter of 2008. By the 3rd quarter the rates of serious DDMS charges rose to previous and higher levels, dropping slightly in the second quarter of 2009 to levels comparable to 2006. The overall trend shows little significant change in the Level Three DDMS rates during 2006-2009 despite efforts by DJJ management to encourage the use of lower level DDMS charges to respond to youth misconduct when possible. Yet, these data do not report significant reductions in rates of serious misconduct. Trends for each facility are also provided in the appendix.

The rate of Use of Force incidents in DJJ per 100 youth was essentially unchanged from the first six months of 2005 to the first six months of 2009 —52 incidents per 100 youth to 54 incidents per 100 youth, respectively.

Until its closure, El Paso de Robles has the very highest rates of violent incidents, with Preston being a close second. Rates of violence at Heman G. Stark (HGS) appear to be lower than other facilities, but this may be a function of the fact that most HGS youth were in restricted programs in their rooms, and were given very limited time in school or in day rooms.

These data generally correspond to my interviews with youth during site visits to all DJJ facilities. Youth at Ventura, SYCRCC, and OHC generally reported feeling safe, whereas most youths at Preston and HGS did not report that they felt safe at these facilities. Other observations indicated that Preston experienced a large number of group disturbances in 2008-2009. Also, violent incidents at the school at HGS led facility administrators to attempt to offer alternative education services in the living units for many of the youth.

There has been some significant progress at DJJ in attempting to reduce fear and violence as was envisioned by the SW Remedial Plan. DJJ has substantially implemented a security classification system and separated youth who were at high risk of assaultive behavior from those who posed much lower risks. DJJ moved most of the high risk youth to single rooms. At this writing, there was only one dormitory at OH Close that held high risk youth. DJJ anticipates that the number of high risk youth that are housed in this dormitory will continue to be reduced. While the security classification system seemed to reduce conflicts in the living units, there was an increase in violence in the schools that is not currently covered by the security classification system.

As noted above, the population in the living unit sizes has been greatly reduced and the ratio of staff to youth in DJJ has increased. There will be some planned reductions in staffing in DJJ due to pressures on that Division to reduce its per youth costs, but these changes are not expected to greatly reduce the staffing ratios.

DJJ facilities are now holding regular meetings to consider violence reduction strategies. Data on violence is being collected through both the PbS data collection and the Quarterly Statistical Reports. There are discussions about potential violence reduction strategies such as cutting down on contraband and increased staffing at certain school sites. DJJ has begun training its staff on delivering Aggression

Replacement Therapy to youth. The DJJ has finally completed the design of the BTP program that will be pilot tested shortly. While the DJJ staff believe that the BTP program will be a major tool to reduce violence in institutions, this model has yet to be tested anywhere else in the Nation. It is crucial that the rollout of the BTP be done in a deliberate and phased way so that the difficulties in implementation can be assessed and adjustments to the model can be made.

Lagging behind are plans to train staff in the implementation of the Normative Culture Model that has shown success in reducing violence in other juvenile facilities in other states. The Peace and Unity Campaign at SYCRCC is a variation of this Normative Culture model. DJJ is behind in plans to design and roll out an evidence-based gang reduction model. The DJJ has experienced some positive results by introducing Project Impact (an anti-violence program run by former CDCR inmates) at several facilities, but there is acknowledgement that more needs to be done. The Crisis Resolution Teams are working to head off the escalation of violence, but there are scant data thus far showing the effectiveness of the CRTs.

It is unknown at this point whether there has been an impact on facility violence due to the changing composition of the DJJ population after SB 81 resulted in a decline in admissions of non-violent offenders and many parole violators. Further, the closure of HGS and the movement of these youths to other facilities may increase the potential towards more institutional violence.

Developing a Model Treatment Program

Essential to the Farrell remedial plans is the design and implementation of a clearly defined and well-organized treatment program. This has come to be referred to as the Integrated Behavioral Treatment Model (IBTM). Successful implementation of this model should fundamentally alter how DJJ operates to improve recidivism outcomes, increase youth and staff safety, and provide the framework for all of DJJ policies and programs. The overall goal is to change the organizational culture of DJJ from an ineffective punitive adult prison paradigm, to an evidence-based treatment and rehabilitative system that helps youth

master key social and interpersonal skills that they will need to succeed upon release. The IBTM must be practical and operated in a coordinated manner throughout DJJ.

When the remedial plans were being negotiated among the parties, it was the advice of most of the court experts that the emerging IBTM would be based on best practices from existing juvenile correction systems. States that were frequently mentioned as prototypes were Washington, Colorado, and Missouri. The court experts agreed to support DJJ's choice of the Washington State Juvenile Rehabilitation Agency (JRA) as the starting point for the development of the California model. The JRA model had been operational for several years, subject to extensive research, and already possessed a detailed and in-depth description of how to operate this approach. Moreover, the proximity of Washington State permitted on-going consultation and allowed easy site visits by DJJ staff.

In July 2007, DJJ contracted with Orbis Partners to develop a risk and needs assessment model, offer case management training to staff, and to help introduce "evidence-based" treatment programs into DJJ. It was never clear to the court experts, or to some DJJ top managers for that matter, whether Orbis Partners was to play some significant role in the design of the IBTM that is required by the SW Remedial Plan.

DJJ engaged in very limited consultation with the court experts on the development of the IBTM and the completeness of the information provided or its responsiveness to court experts' concerns was less than ideal. For example, the court experts raised issues about the definition of measurable changes in DJJ as a result of the new treatment model. We questioned whether the Orbis Partners ideas were applicable to the population now in DJJ. I submitted citations to articles and books on the treatment of violent juvenile offenders, but never heard back from Orbis or DJJ as to whether they had considered these materials.

Even more troubling was that the first attempt by DJJ to describe their proposed IBTM—presented to the court experts in early 2009—consisted of a one-page document that described a very generic approach to correctional treatment. By March 2009, this IBTM description was expanded to 6 pages. In contrast, the written description of the Washington JRA model was approximately 125 pages.

The court experts believed that the JRA materials would provide a very useful starting point for DJJ to support modifications as needed.

It was the view of the court experts that DJJ had not assigned the proper staff to the project and the services of Orbis did not appear sufficient to supplement these staff to meet DJJ's obligations on the design and implementation of a treatment model. In response to this dire situation, the court experts identified two excellent professional resources, Dr. Angela Wolf of NCCD and Dr. Henry Schmidt of JRA to help DJJ staff to get the IBTM written down and provide the relevant research backup. But, even after these experts were brought into the developmental process, DJJ made poor use of their expertise over the next 60 days and their contributions were not reflected in subsequent work products that were shared with the court experts. Apparently, DJJ also had planned to abandon its agreement to pilot test the IBTM at two facilities.

These ominous signs of a potential failure led to discussions among the parties that were supported by a June 22, 2009 memo that I drafted. As a result of this memo and extensive negotiations among the parties, it was agreed on July 2, 2009 that the design of the IBTM, the development of an implementation strategy, and an operational manual would be developed by me and other experts, Eric Trupin, Terry Lee, and Barbara Schwartz. These court experts would retain the services of Drs. Wolf and Schmidt and we would consult with DJJ staff as needed.

At this writing Drs. Wolf and Schmidt have established a work plan, have met with several DJJ staff, and will be revisiting a number of DJJ facilities. We have scheduled the first of a planned series of semi-monthly meetings between the court experts and the parties to discuss progress in the development of the IBTM design.

It should be noted that while the model treatment program does not cover all aspects of the SW Remedial Plan, it is the foundation for all of the other elements. For example, it is likely that the requirement to implement evidence-based and gender responsive programming for young women in DJJ may require further adaptations of the IBTM approach. Some existing policies and procedures will have to be adapted to be in synch with the IBTM and support the overall approach of the IBTM. The IBTM

design will also require a future analysis of staffing, budget, and program space to support its successful implementation. It should also be noted that the court experts are working first on the design of the conceptual model. Later there will be a written document that sets out a detailed implementation plan as well as milestones for putting the IBMT in place. The court experts, with the excellent assistance of Drs. Wolf and Schmidt will draft an operational manual to guide staff delivering the IBTM.

Developing a Comprehensive Gang Integration Model

The role of gangs in creating conditions of fear and violence in DJJ is well known. Gang behavior has been a major contributor to group disturbances, individual assaults, and some youths' unwillingness to attend school, and the delivery of treatment services.

Previously, I have noted that DJJ had a focus on identifying the gang membership of individual youth at intake and on-going assessments of gang participation are considered in treatment plans, housing assignments, and incentive levels. A major challenge of the DJJ gang approach is that the structure of gangs is always shifting, both in institutions and in the community. For example, Crips and Bloods were dominant groups in DJJ, but the declining number of African American youths has changed the influence and behavior of these groups. Recently according to staff, a group known as the Fresno Bulldogs were creating major problems at Preston and other DJJ facilities. The number of violent incidents involving alleged Bulldogs has declined in 2009. DJJ staff had no clear explanation for the declined gang activity in DJJ institutions by the Bulldogs. The number and complexity of gangs from the Latino community has also changed. It also has been a challenge for DJJ staff to assess and respond to violence that is driven more by racial conflicts as opposed to gang affiliations. The other challenge for DJJ is to decide whether to isolate groups who fight, thus giving in to the gang mentality, versus the need to reduce violence and keep youth and staff safe.

DJJ does possess some policies and practices pertinent to gangs such as creating "gang free" living areas for youth who wanted to renounce their gang membership. DJJ does employ gang specialists among its security staff. These individuals are mostly charged with gathering intelligence about gang

membership and behavior. The gang specialists have sometimes gotten involved in informal dispute resolution among feuding groups. DJJ has generally taken the position that gang behavior constitutes serious rule violations and will be sanctioned severely via the DDMS. Periodically, DJJ has recruited community volunteers and some contractors to offer educational sessions and counseling to potential and actual gang members. One current program, Project Impact, employs formerly incarcerated people to talk to the youth about the harmful aspects of gangs to their communities, families, and themselves.

The SW Remedial Plan calls for DJJ to recruit a national expert on gangs, and work with that person to develop a comprehensive gang model for DJJ. To date, DJJ has been unable to secure the services of a nationally recognized gang expert. There are several issues that have complicated this search. First, virtually all national gang experts are very knowledgeable about gang interventions in the community, not in juvenile corrections facilities. Experts in prison gangs have tended to rely on very punitive methods that may not be used by DJJ for its juvenile court commitments. Second, many “gang experts” are skilled in identifying gang affiliations, an expertise already possessed by DJJ. Third, few gang experts are versed in intervention and prevention approaches in correctional facilities. Fourth, some potential national gang experts were unavailable or posed difficult contracting issues to DJJ. None of the above minimizes the need for DJJ to seek advice and expertise outside its fairly narrow and largely unsuccessful past responses to gang activity in DJJ institutions. I have offered my services to be the “national expert” on gangs to guide the DJJ development of a comprehensive gang strategy. I am working directly with Larry Miranda and other staff to help build this strategy.

DJJ did contract with the University of California, Davis for a literature review on gang intervention. The product was superficial, incomplete, and not very useful for program development. My view is not very different from several DJJ managers that have read the draft. I have attempted to supplement these materials by sending along the latest research in gang interventions both in juvenile corrections facilities and in the community.

As noted earlier, I have agreed to work closely with the DJJ group working to develop the comprehensive gang strategy. I believe that DJJ must place a priority on completing this plan and that staff not be given conflicting assignments. There also appears to be too many individuals in DJJ seeking information about effective gang interventions. These inquiries and analysis should be consolidated under the designated DJJ gang task force that is already working on this assignment.

I have forwarded to Larry Miranda and Michael Brady the names of community resource people who run very effective community gang intervention programs. I would recommend that DJJ convene a series of meetings with these groups to help flesh out the gang strategy. DJJ needs these groups and individuals to train its staff, especially the CRT and Gang Specialists. Further, there should be gang training that is substantially different from what is offered now and that training should be offered by community gang intervention experts. DJJ should not expect that its staff, by themselves, can exert a major effect on reducing gangs in its institutions. Rather, DJJ needs to learn how to contract with and form partnerships with community groups who understand the context of gang behavior, and who can offer direct counseling to those youth who are most gang-involved.

Other parts of the DJJ comprehensive gang model should include a review of all existing gang policies as well as curriculum used in small and large groups. Gang reduction should be part of the future work on Normative Culture and there should be a close dialogue with the group developing the IBTM. DJJ is placing great expectations on the new BTPs to reduce gang problems. While the BTP model is promising, we will need to carefully monitor its actual operations to gauge the effect on gangs.

There should be a clearly articulated and written gang strategy that should be required reading of all DJJ staff. This document must lay out key assumptions, approved methods of gang identification, and appropriate interventions. This design statement should include all of the elements described above. Moreover, the design should spell out the roles of all staff in reducing gang behavior, including security personnel, education staff, mental health clinicians, as well as case managers and parole agents. Due to the delays so far, I would urge that DJJ submit a draft of the comprehensive gang strategy for review and approval by the court experts in SW, MH and Education in 90 days. Pending expert advice, I would urge

DJJ to expeditiously adopt the new gang intervention approach. It is also imperative that DJJ refine its current data on gang behavior and employ these data to measure progress.

Gender Responsive Programming in DJJ

In early 2006, DJJ filed an SW Remedial Plan that called for consultation with national experts on gender responsive programming and the issuance of a Request for Information (RFI) to identify resources outside of DJJ that could provide for high quality residential services for young women. The SW plan also called for introduction of gender responsive programming that was developmentally appropriate.

To date, DJJ has engaged in very limited consultation with Dr. Barbara Bloom, a nationally recognized expert of gender responsive programming. Dr. Bloom characterized this consultation as “drive by consulting” – meaning that her involvement was limited to a few meetings with assigned DJJ staff. In April of 2006, the RFI was issued and it yielded 24 responses. The Governor’s budget for 2006-2007 included funding to contract for girls residential services. In April 2007, the DJJ issued a Request for Proposals for \$5 million with the intent to award regional contracts. There were bidder’s conferences and clarification of who would be responsible for paying for health care costs.

On May 1, 2007 DJJ increased the total dollars available to \$8 million. The solicitation was managed by CDCR through its ordinary channels. Later DJJ agreed to take responsibility for exceptional health care costs. The response to the RFP was very limited and DJJ determined that it was in the best interests of the state to cancel the RFP.

In 2008, the RFP was redrafted and released again. This time DJJ sought names of potential providers from the SW court expert and several knowledgeable outsiders. This second version removed any dollar limits to the contracts, but the response was still limited. Only one group was deemed qualified and a site visit by DJJ and Dr. Angela Wolf in 2009 led DJJ to decide not to award any contract at that time.

In February 2009, the second RFP was cancelled. So as 2009 began, there were two failed efforts to find alternative residential providers and DJJ staff seemed out of ideas in terms of continuing the search process for contracted services for girls. Since the SW court expert was not permitted in the meeting in which CDCR staff discussed and rated the submitted proposals (as per CDCR rules), I cannot speak to the qualifications of groups that never received a site visit. Further, I was not involved in conversations with county probation departments that might have generated additional options for DJJ. It is still puzzling to me that DJJ was unable to find appropriate bidders, especially given that CDCR has a proven track record of purchasing residential services for adult women. We were told that CDCR rules prohibited a more proactive role in finding suitable non-profit or county alternative residential options for DJJ young women.

In the intervening three years, there had been improvements in certain aspects of the care of girls at Ventura and DJJ pledged not to turn the Ventura facility over to adult prison health care beds. Further, it was my judgment that another DJJ attempt at an RFP would take many more months to achieve and might not produce any different results than previously observed. DJJ has brought on board a manager who will focus exclusively on girls programming. I recommended that the parties reconsider significant revamping of the program at Ventura as a possible way to improve gender responsive services. The parties have agreed at a recent case conference to have DJJ come up with an alternative approach to providing high quality gender responsive programming at Ventura and to submit their revised plan by year-end.

While not giving up altogether on the goal of moving the girls into smaller and better facilities that are closer to their homes, I strongly recommended that DJJ retain the services of national experts such as Barbara Bloom, Stephanie Covington, Barbara Owen, and Lawanda Ravoira to design and implement a true gender responsive approach. I envision a relationship of these experts to DJJ that is quite similar to the one now in place for the design and development of the IBTM. I am confident that with the extensive consultation, training, and mentoring by Barbara Bloom and her colleagues, DJJ can

design and implement an evidence-based and gender responsive model at Ventura. How to move the DJJ women into more appropriate settings should be an ongoing goal of the SW Remedial Plan.

I would urge DJJ to seek an agreement among the parties to employ the above named experts to perform a number of key tasks. First, there needs to be an outside and independent assessment of any assessment tools and curriculum that DJJ labels as gender responsive. This should lead to a design of what should be part of a gender responsive approach in DJJ. Second, the national experts should provide intensive training and mentoring to staff at Headquarters and Ventura on topics such as adolescent female development, the impact of trauma on young women offenders, reproductive health issues, gender responsive risk and needs assessments, and true evidence-based programs for girls. There must also be training for staff at Ventura on reducing use of force in dealing with misconduct by girls. In addition to offering training, these experts should be asked to mentor staff and to periodically evaluate the implementation of a gender responsive model. There must also be a focus on developing more effective reentry programs for girls in DJJ. These experts should review all pertinent DJJ policies, especially those in the health, mental health, and education arenas to ensure fidelity to the core principles of gender responsive programming.

This set of consultant services is the minimum that should be required of DJJ to meet the promises made to the court in the SW Remedial Plan. I would recommend that DJJ submit to the court its revised plan to implement improved services for girls before the end of 2009.

Improving DJJ Facilities

The overall condition of DJJ facilities remains quite poor. There are substantial issues of deferred maintenance and continuing problems of lack of adequate program space. Most DJJ facilities consist of prison-like cells or dorms. There is nothing about these facilities that would support a model treatment approach. Good programs can sometimes take place in bad buildings, but poor physical conditions make decent and effective treatment harder to implement. Given the age, poor conditions, and design of current

DJJ facilities, the beginning stages of reform will have to occur under adverse conditions. Serious and concerted planning to replace antiquated DJJ facilities needs to start now.

There are now no approved plans for DJJ to construct new facilities to replace its existing housing options. It should be recalled that the SW Remedial Plan (pp. 68-69) makes it clear that antiquated DJJ facilities must be replaced.

Over the past year, DJJ has continued a modest effort to paint some of the worst graffiti-plagued rooms. There are still serious issues with plumbing, including leaking sinks and toilets, poor lighting in the rooms, inadequate ability for staff to observe youth in their rooms, and dangerous recreation areas including broken pavement in sports areas and gopher holes in fields. The grounds in most of the facilities are virtually unusable for regular outside recreation and sports activities. For example, all of the roofs at Ventura are leaking and need replacement. The Protestant Chapel is unusable due to severe roofing issues. I have heard repeated accounts by DJJ facility managers that heating, air conditioning, sewage and electrical systems are near collapse at some DJJ facilities such as Preston. The planned closure of HGS is a positive step forward, since this facility was one of the worst in DJJ.

DJJ has made some progress by assigning Mark Blaser to oversee facility maintenance issues. He has established a system of regular reporting of problems to headquarters, and a system to track when repairs are completed. This is a definite improvement over the situation in which Headquarters staff did not appear to be fully informed about facility maintenance problems. There is now a clear chain of reporting on repair issues and a tracking of requests for substantial physical plant repairs.

The problem remains that the facility problems of DJJ are under the auspices of CDCR plant maintenance. Many CDCR adult facilities face even larger maintenance and repair issues and may command more top CDCR management attention than the serious facility problems in DJJ. Further, the Governor has virtually eliminated any budget for deferred maintenance in CDCR – so it is unlikely that substantial improvements will occur in DJJ facilities in the next year. This is clearly unacceptable under the requirements of the SW Remedial Plan.

Program space in DJJ facilities is in short supply. Educational space and vocational facilities are in urgent need of upgrading and repairs. There has been limited renovation of some facilities such as Chad and SYCRCC. Construction of classrooms and additional space at HGS will now benefit adults in CDCR. DJJ continues to depend on purchasing temporary buildings to serve as program space and classrooms. It has only been in the last few months that the temporary buildings have been operational at some DJJ facilities. The temporary buildings are a stopgap measure and not a comprehensive solution to the deficiencies of classroom, vocational, and treatment space.

These facility problems will be exacerbated as the closure of HGS requires the opening of virtually every remaining living unit in DJJ. For example, SYCRCC is racing to rehabilitate a housing unit in which the walls were literally crumbling. Immediate plans for SYCRCC will require reclaiming the Drake Unit which has been utilized to house juveniles from Los Angeles County. As noted above, Preston has severe physical plant issues and will now be expected to manage even more youth. Ventura will need to adjust to a new population in which there will be many more males than females, making equal access to common buildings a challenge. DJJ is still discussing options for the use of the CTC at Stark, when that facility is “repurposed” to handle adult inmates.

At this point, DJJ does not possess a comprehensive facility master plan that has been approved by CDCR or the Governor. While some DJJ estimates show that the population will stabilize at current levels or even grow by a small amount, the overall size of the DJJ population is very dependent on policy considerations being debated by the Legislature. Further, should the Legislature or the Governor choose to close another DJJ facility as a budget balancing step, there is no apparent way that DJJ can stay within the Farrell limits of living unit size. A comprehensive plan is more than a recitation of architectural and building issues. Ultimately, DJJ must project the numbers and types of youth that it will serve in the next decade or so, the kinds of educational, medical, mental health and treatment programs that it intends to offer, and the needed facility requirements to support those plans.

DJJ had initially contracted for a prototype design for additional new facilities, but the initial cost estimates exceeded \$1.5 million per room. DJJ management has reported that they are going through a “value engineering” process to bring down the costs of new DJJ facilities. DJJ has recently received an updated programming and conceptual design statement from KMD Justice and Planning that purports to reduce the per ward bed costs to \$ 873,917. The SW Expert has not yet gotten a briefing from DJJ on how these cost reductions will be achieved. The fact remains that CDCR has allocated no additional funds or commitments to raise bond money to replace existing inadequate DJJ facilities.

There seems to be little reasonable expectation, given current facts that DJJ will be able to substantially remedy the grave facility problems that it is facing. Further, indecision at CDCR over which facilities may be closed in the near future has been an excuse to not invest in substantial repairs and improvements. This situation virtually assures that DJJ will be on a collision course with plaintiff’s attorneys and the court in terms of key elements of the Farrell agreements. The DJJ should be compelled to deliver a realistic and sensible plan to the court to resolve these issues in a timely fashion. Making do with grossly substandard facilities is not a viable option for DJJ.

Restricted Housing

The SW Remedial Plan called for a significant reduction in the use of restricted housing by DJJ, and the elimination of Special Management Programs (SMPs). The parties have agreed on January 31, 2005 that TD is never to be used as punishment and in January 9, 2006 there was a stipulated agreement that TD should only be utilized in emergencies or as a last resort. DJJ has made substantial progress in this area. For instance, the rate of youth in TD was 46 per 1000 youth in 2007 for the first six months of 2007, but this number has dropped to 7 per 1000 for a comparable period in 2009. For SMP units (including the informal pilot BTPs at Preston) the rate dropped from 47 per 1000 in the first six months of 2007 to 38 per 1000 in 2009.

The average stay for youth placed in TD has dropped from 77 hours in the Second Quarter of 2007 to 28 hours for the same period in 2009. TD units have been closed or are rarely used at several DJJ facilities, whereas these units were traditionally filled to capacity in 2004-2007. TD is no longer the default movement after some serious incident occurs. DJJ staff are making greater use of room confinement or finding other ways to manage difficult behavior. Several of the facilities such as OHC have evolved practices in which youth are isolated for very short time frames and then quickly returned to regular programming.

Although not as dramatic as the declining use of TD, the average length of stay in SMP units (including the informal pilot BTP at Preston) has also declined from 70 days in the first quarter of 2008 to an average of 30 days in a comparable period in 2009. DJJ expects to completely phase out SMP units as the new BTP model comes on line. While the BTP design looks promising, it will be important to insure that these new behavior management units do not substantially increase either the number of youth experiencing restricted housing or the time spent isolated from regular programming.

DJJ has also developed better tracking of the provision of mandated services, including education and counseling for youth in restricted housing units. Based on my observations and interviews with staff and youth at various DJJ facilities (and supported by similar observations by the OSM), it appears that most youth in restricted housing units spend at least three hours a day outside their rooms. This compares with older practices in DJJ in which youth were out of their rooms for only one hour a day. DJJ staff has come to accept the premise that adequate staffing ratios can permit these youths to have more normalized programs. Also, DJJ has been focused on planning to return youth who are placed in restricted housing to regular units. The CRTs have been especially helpful in returning youth to regular programming.

Still troubling are the trappings of traditional DJJ practices such as youth counselors and other staff wearing “anti-stab” vests in these units. There is no evidence that these added security precautions are actually warranted by the alleged increased danger to staff that are assigned to these units. DJJ is still working to comply with requirements that youth in restricted housing receive the legally mandated educational hours. Further, there is still an entrenched view among some DJJ staff that restricted housing,

including seclusion and isolation, has a treatment value. Hopefully, better staff training and turnover, and the implementation of the IBTM will improve this situation.

The restricted housing units at HGS and Preston have never met the SW Standards and Criteria that these rooms be “clear, well lit, and graffiti free, with fully functioning plumbing”. This has been pointed out by the SW expert, but improvements have been very limited. These rooms are often barren with nothing but a slab bed and a toilet and sink. DJJ needs to consider the relationship of these deplorable living units with the goals and objectives of the IBTM.

Developing and Revising Policies Relating to Safety and Welfare Issues

This past year, DJJ began moving on a number of policies that were requiring modification as per the SW Remedial Plan. The policy development process had been clogged up in past years. I would credit Michael Brady, Tammy McGuire, and the Court Compliance Unit for moving this policy process along. Moreover, despite some reluctance in the past, DJJ seems far more open to share draft policies with the court experts and to consider our input. DJJ has a useful table of contents for the new policies and a realistic schedule to continue promulgating new policies.

Policies have been completed in such key areas as DDMS, UOF, Restricted Housing, and the Grievance System. There are also new policies describing the Program Credits Policy, Family and Visiting Contacts, and the Access to Religious Services. All of the policies that I reviewed were not perfect but did constitute significant steps forward compared to past policies and practices. I felt that it was important to start the implementation of the revised policies, even while recognizing that more refinements will be needed in the future. By their nature, DJJ policies will need regular updating subject to legislative changes or court requirements. Perhaps most important will be the reconciliation of all of these policies with the design and principles of the IBTM. For example, since the IBTM places such importance on positive youth incentives, it will be a high priority for DJJ to amend their youth incentive policy to support the new IBTM. Further, there will be an on-going need to harmonize policies that cut across the various subject areas of the Farrell case.

Once decisions are made at Headquarters on new policies, DJJ has been effective in offering training to all pertinent staff who must implement these policies. Often DJJ has included facility staff in the formulation of new policies and this inclusion makes the implementation process go efficiently. Training has been completed in a timely fashion and adjustments to the WIN system have been made to assist in monitoring compliance with new policies. DJJ has organized a Compliance Unit that is testing whether the policies are being properly instituted.

DJJ has a system of informing youth about changed policies in writing and through group briefings in the living units. New policies are now displayed in most of the living units that I visited. DJJ is working on a Youth Rights Manual and an Orientation Process for new admissions. I have recommended that DJJ engage youth to review and help them finalize the Manual and the Orientation Process. I have not had the opportunity to review the latest DJJ drafts in these areas and I await the chance to sign off as appropriate.

Youth seem generally inclined to accept the new policies; however the young residents of DJJ that I have interviewed rarely see policies per se as the answer to all of their concerns. Youth consistently refer to staff attitudes and refer to aspects of the organizational culture of the facilities as more important to them.

DJJ still has not come to an agreement with key youth advocates on the content of policies on Access to Lawyers. For a time, DJJ resisted a serious engagement with the advocates, but now is committed to meetings that will iron out differences. There remain important policy discussions that must be completed with all of the court experts involving mental health, SW, education, and youth with disabilities. It is sometimes the case that DJJ will develop policies that are needed by the organization but not central to the Farrell case. I would urge to place policy development in Farrell-related issues on a priority basis. It is also clear that there are internal inconsistencies in some DJJ policies. For example, there are two separate policies that cover program credits and incentive credits. These two policies should be merged and integrated into one coherent statement on determining release dates.

DJJ must not view the policy process as static. There should be on-going outside reviews on how well the policies are achieving the larger goals of Farrell and of DJJ. Youth and family member input and advice on developing policies should be routinized by DJJ. As noted earlier, there are still cases in which staff are following the new policies but that further improvements can and should be made. Examples of policies needing further development include the UOF with mental health and disabled youths, Strip Search Policies, and expanded family contacts for all youth, not just those who have achieved Level A status. DJJ is beginning the implementation of the DDMS policy. This is a very complicated policy and while my observations on early implementation have been positive, I intend to monitor the full roll-out of the new DDMS policy in the next round of site visits.

Concluding Observations

Although I have presented a range of data collected by DJJ on matters contained in the SW Remedial Plan, these data are less than ideal. This is the best information we have, but DJJ must invest in compiling more reliable and valid information. Further, DJJ management may use data more frequently than in the past but management at Headquarters and in the various facilities is still heavily influenced by anecdotes and guesses. In several areas, DJJ staff respond to crises with tactical or reactive steps, there is still a great need to develop the capacity of managers to think and act strategically.

There is still little uniformity in practices across the institutions. The new policies have improved this situation somewhat, but there is a need to strike a balance between allowing innovation at facility level and fairness and consistency across at DJJ.

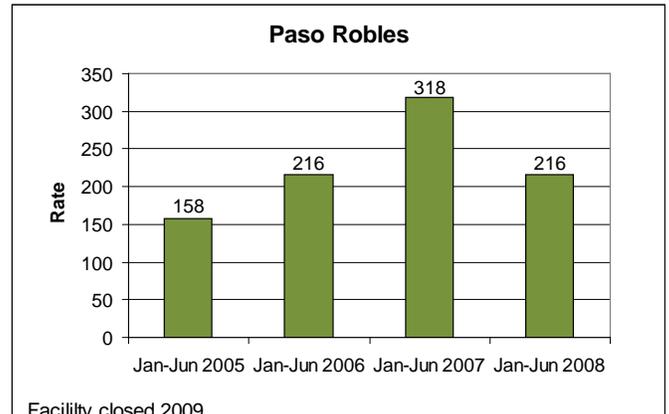
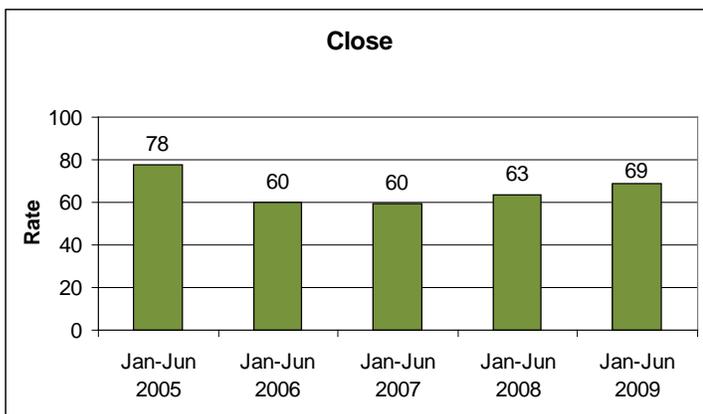
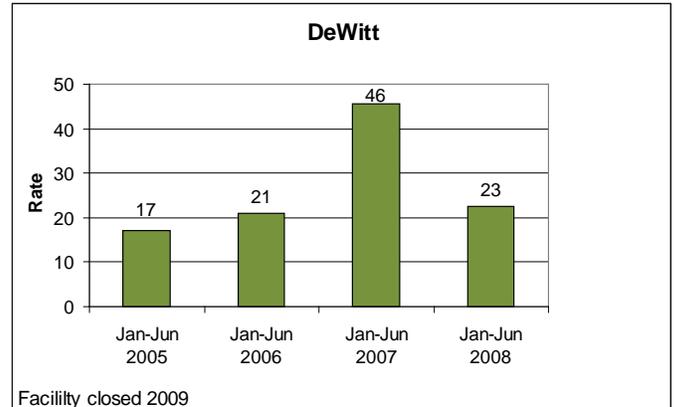
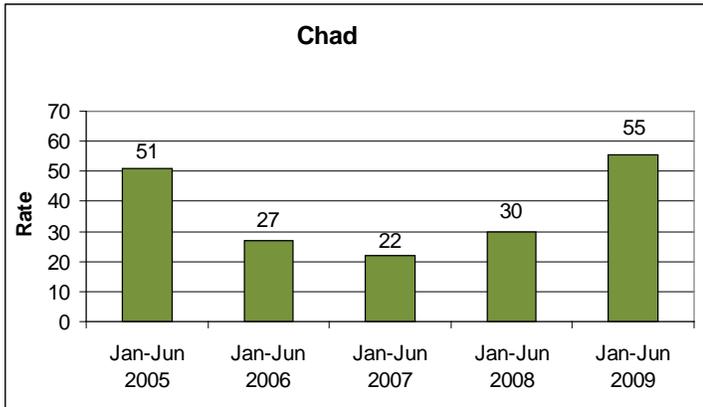
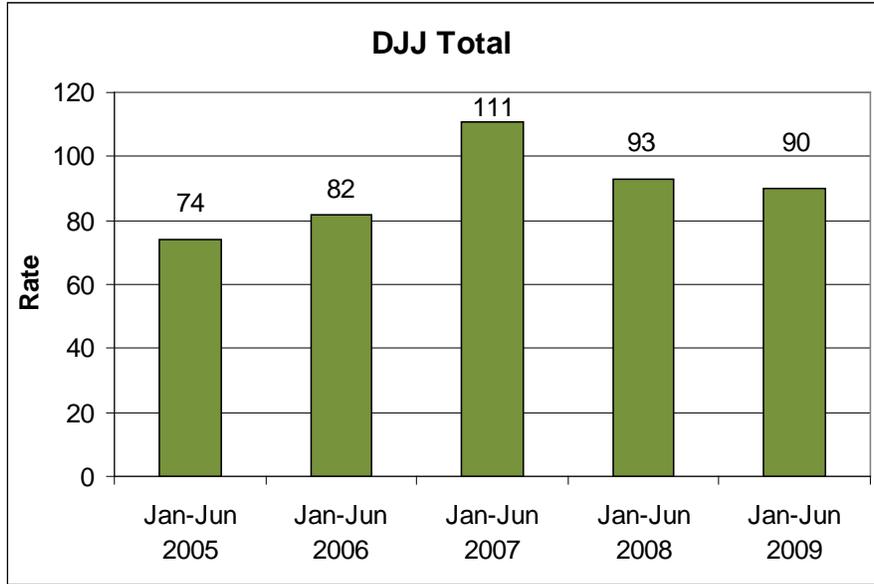
DJJ has “thrown” a lot of training at staff but there are serious questions whether any of this training has resulted in positive changes. Certainly, there is no data or research that supports that view. Still lacking is a clear vision to guide DJJ and all of its programs. It may have evolved to be less of an oppressive youth prison system, but the Division is a long way from the proven juvenile corrections models in Missouri and Washington State. Managers talk about wanting evidence-based practices but the research needed to support those directions is still very rudimentary in DJJ. Moreover, the research is

clear that the positive and trusting connections with treatment staff are more related to outcomes than any particular curriculum or therapeutic modality.

In my interviews with dozens of DJJ youth, two clear conclusions emerge. First, youth are frightened about the prospects of their return home and do not believe that DJJ is offering them the life skills to succeed on the outside. Aftercare and reentry services remain in need of stronger internal leadership and much greater attention. Therapy behind “razor wire” has not proven to be an effective method of reducing recidivism rates. Second, youth feel disconnected from staff. When they are feeling anxious, stressed, troubled, or threatened by other youth, DJJ residents do not generally feel that they can talk with DJJ staff. The youth report that mental health clinicians are often detached and less than fully available to them and living unit staff still communicate that they are “too busy”. These findings are mystifying given the rich staffing ratios in DJJ, even under its “new business model”. There are notable exceptions to these findings at facilities such as SYCRCC and OHC. In general, the youth see the CRTs as listening to them and playing a constructive role. Almost in every facility, the chaplains are viewed as sympathetic and helpful to these troubled youngsters. These observations suggest the urgent need for a clear articulated and communicated leadership vision to support the treatment and educational goal of DJJ. The other key lesson is that DJJ must pay attention to staff morale and improving the organizational climate within DJJ.

Appendix

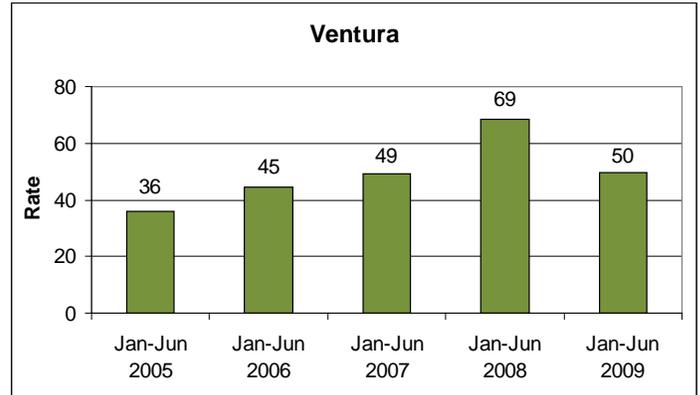
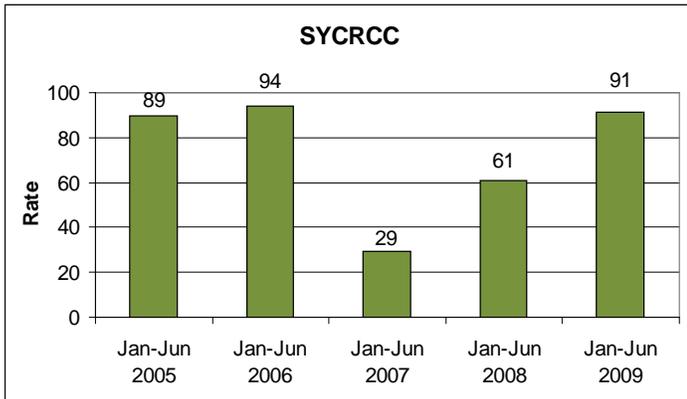
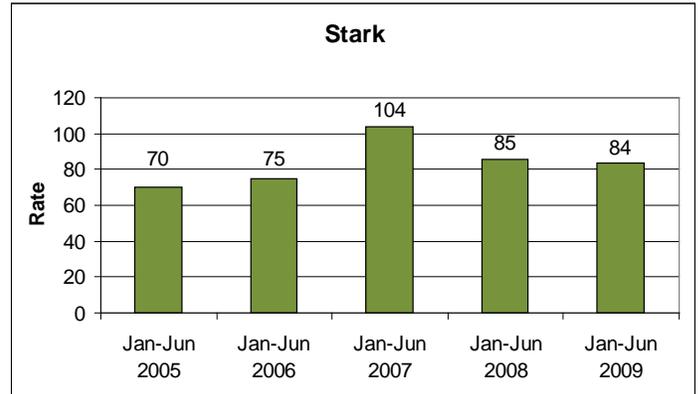
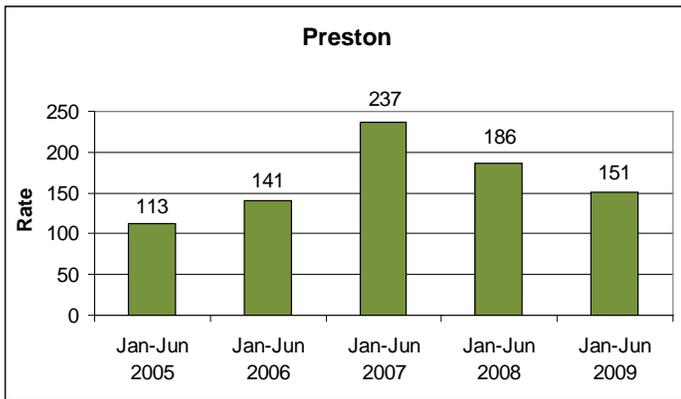
All Violent Incidents, Rate per 100 Youth



Source 2005-2006: Daily Operations Security Reports, Monthly Population Data (see Third Report of the Special Master, Appendix A)

Source 2007-2008: QSR/CompStat ("Batteries on Staff w/o Weapon," "Batteries on Staff w/ Weapon," "Gassings," "Batteries on Youth," "Group Disturbances," "Forced Sexual Acts," "Physical Altercations (Mutual Combat)," "Average Daily Population")

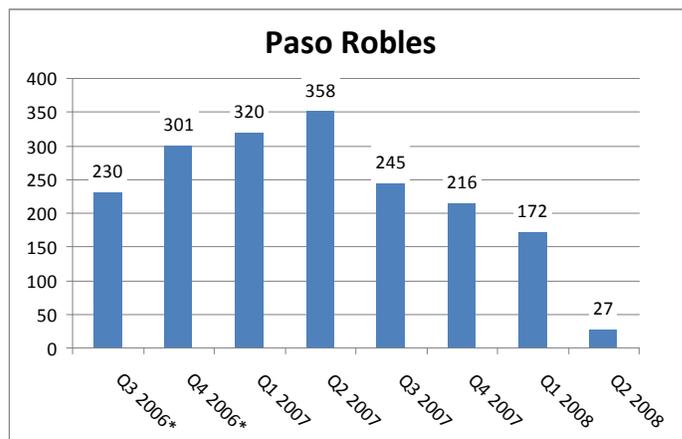
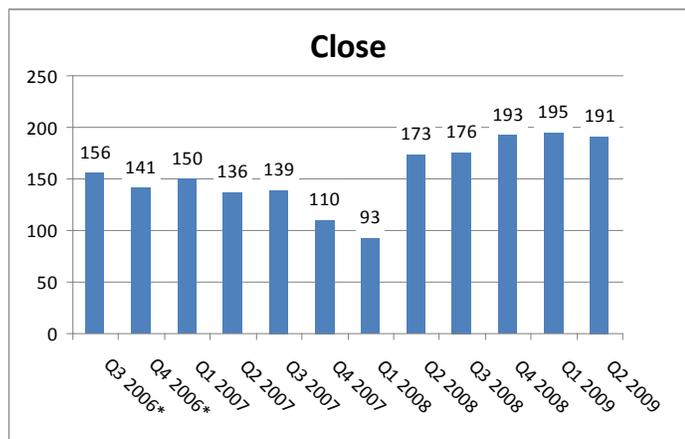
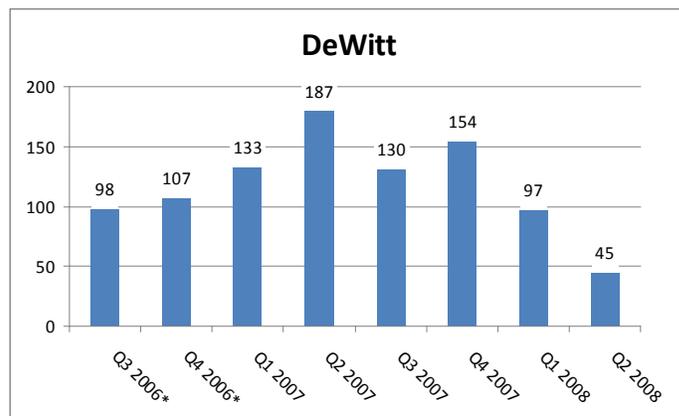
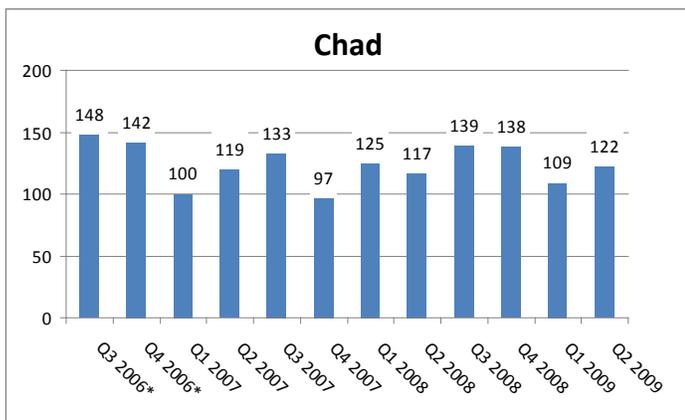
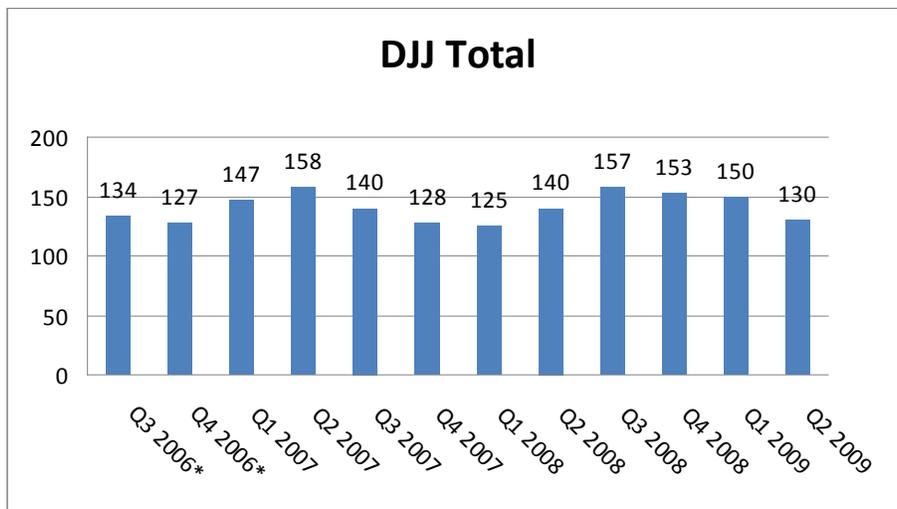
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Source 2005-2006: Daily Operations Security Reports, Monthly Population Data (see Third Report of the Special Master, Appendix A)

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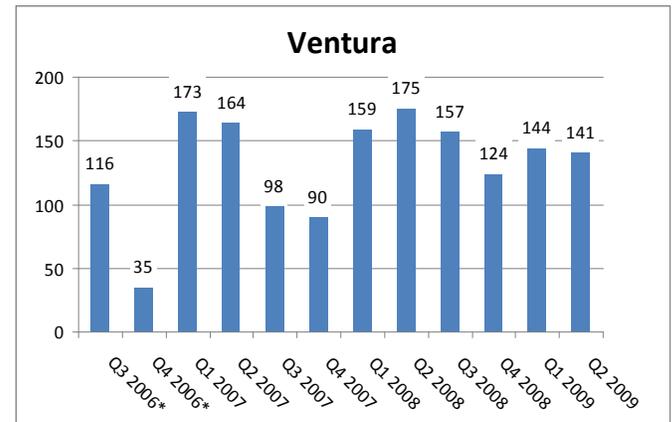
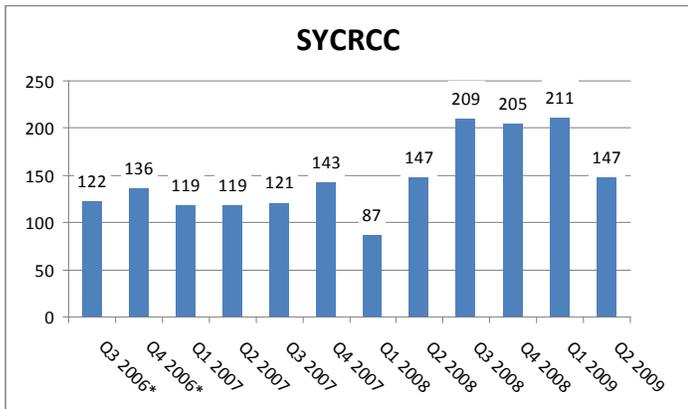
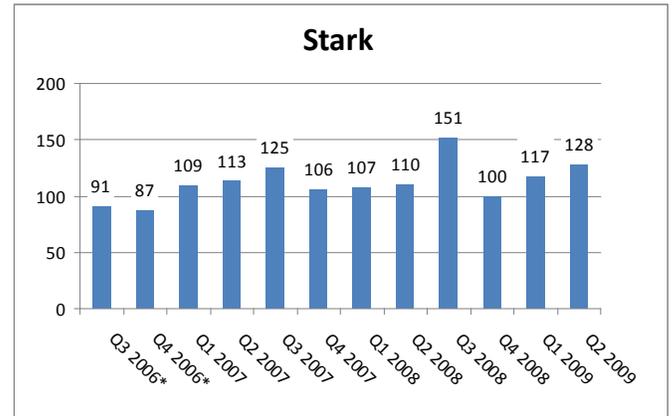
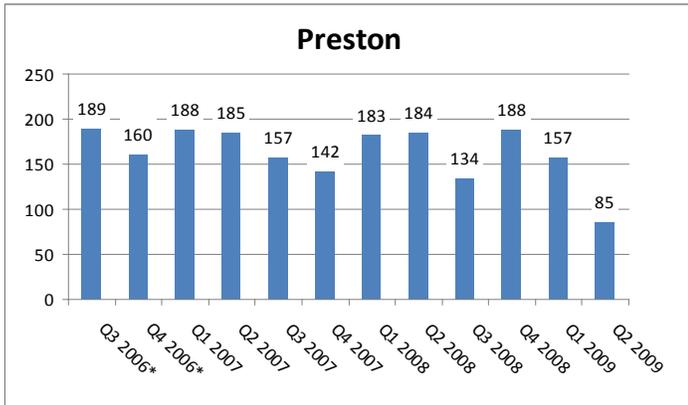
Level 3 DDMS Cases, Rate per 100 Youth



Source: CompStat/QSR ("Level 3's Filed," "Average Daily Population")

* Note: Data for Q3 & 4 2006 is underreported, as some facilities counted only DDMS actions that were sustained.

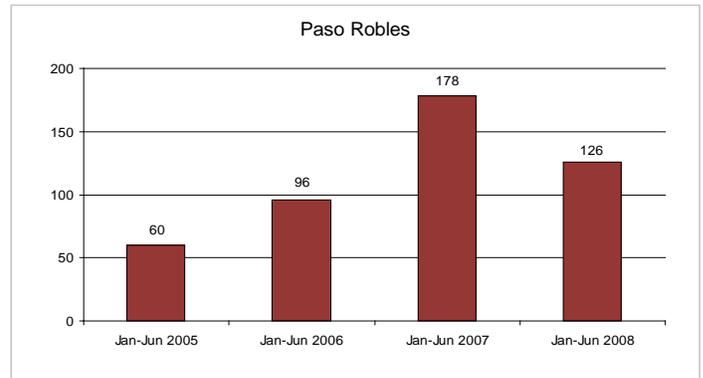
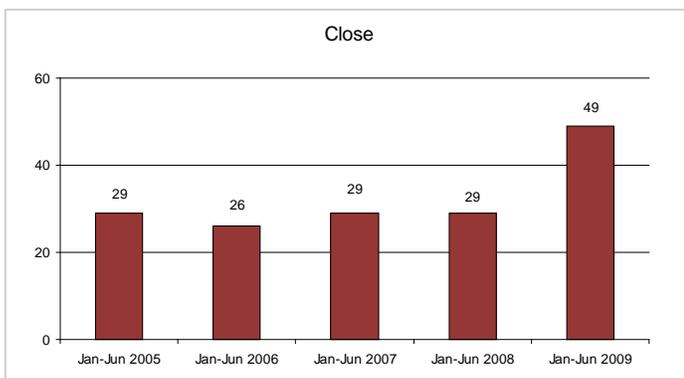
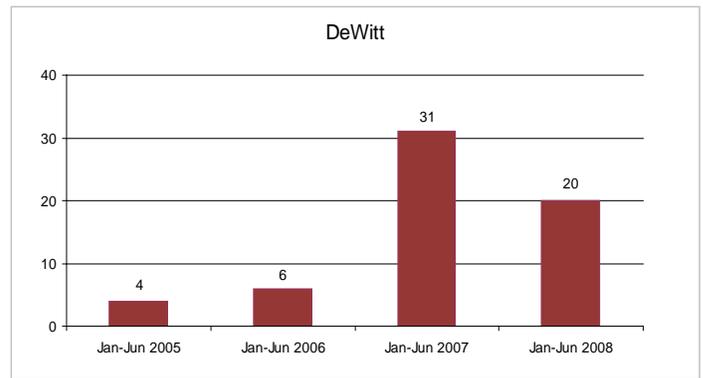
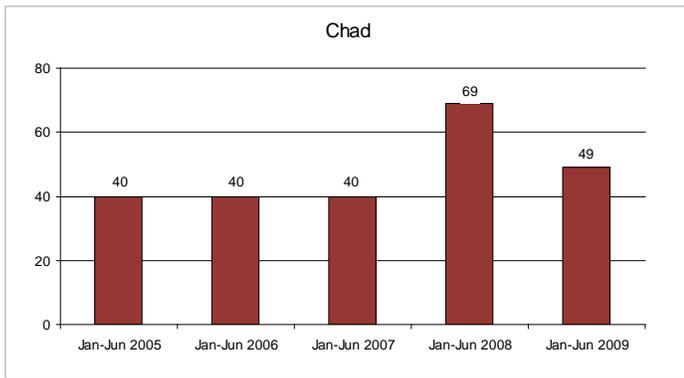
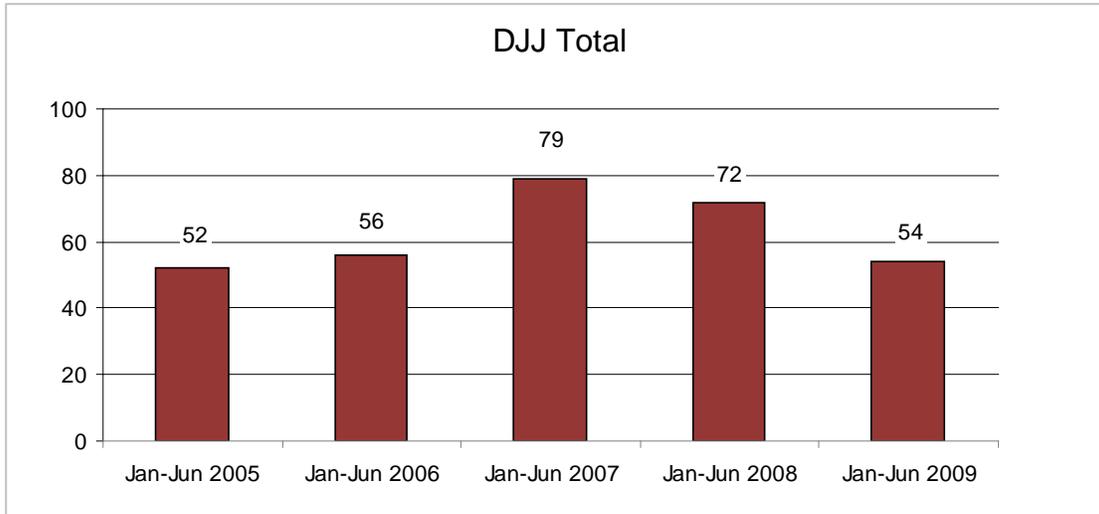
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* Note: Data for Q3 & 4 2006 is underreported, as some facilities counted only DDMS actions that were sustained.

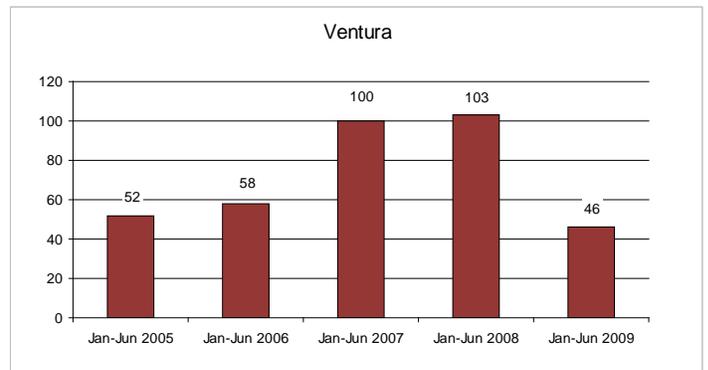
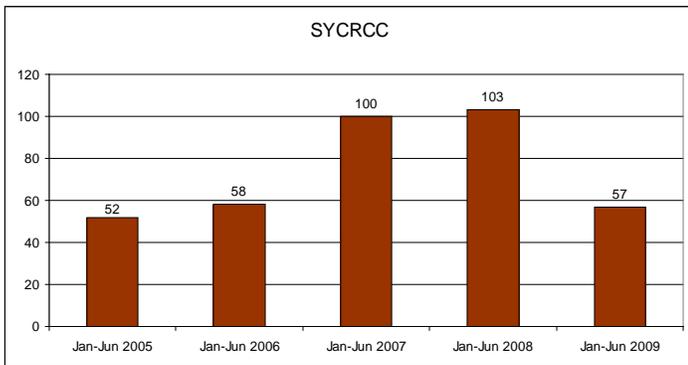
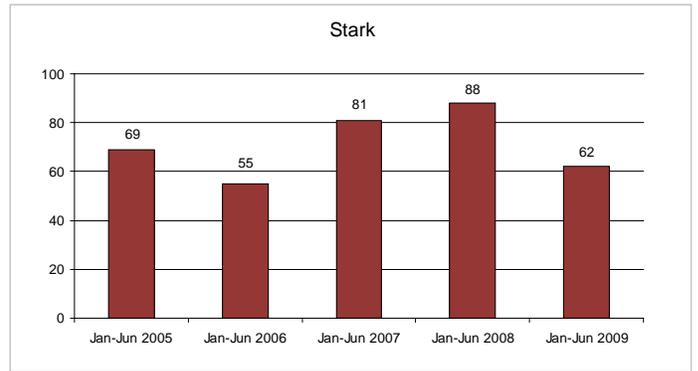
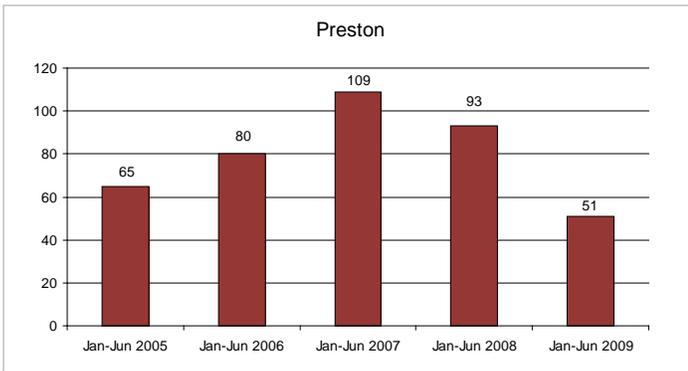
Total Use of Force Incidents, Rate per 100 Youth



Source 2005-2006: Daily Operations Security Reports, Monthly Population Data (see Third Report of the Special Master, Appendix A)

Source 2007-2008: CompStat/QSR ("Total Use of Force Incidents," "Average Daily Population")

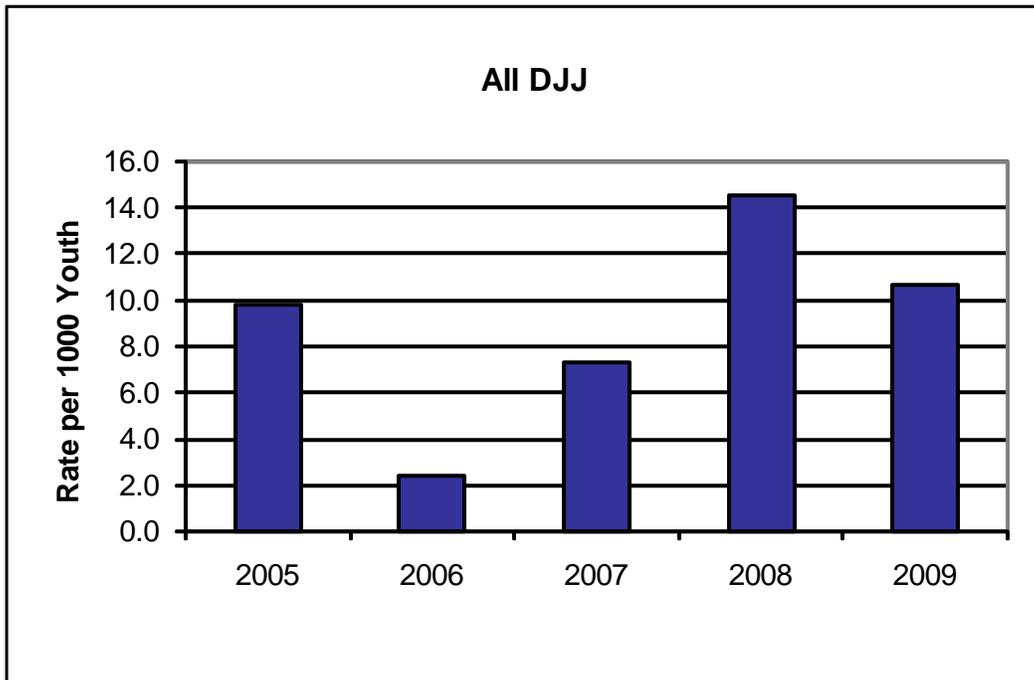
Total Use of Force Incidents, Rate per 100 Youth



Source 2005-2006: Daily Operations Security Reports, Monthly Population Data (see Third Report of the Special Master, Appendix A)

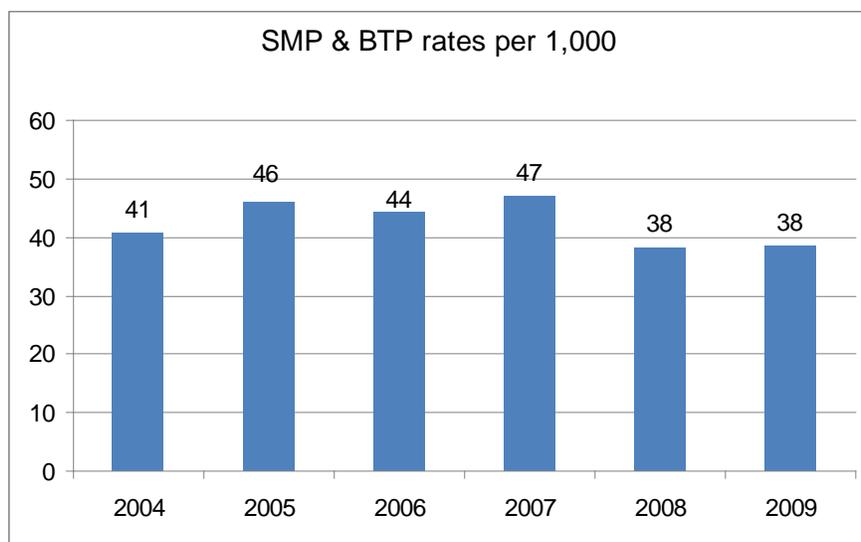
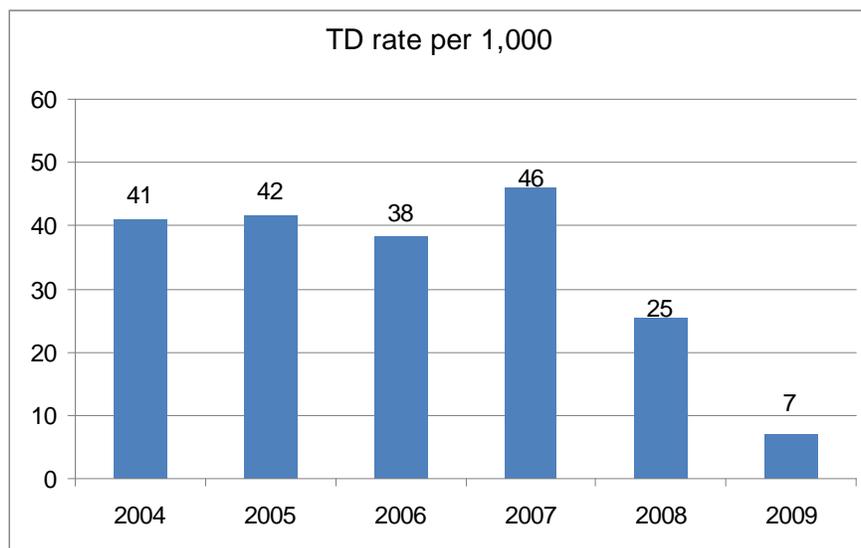
Source 2007-2008: CompStat/QSR ("Total Use of Force Incidents," "Average Daily Population")

Suicide Attempts, Rate per 1,000 youth



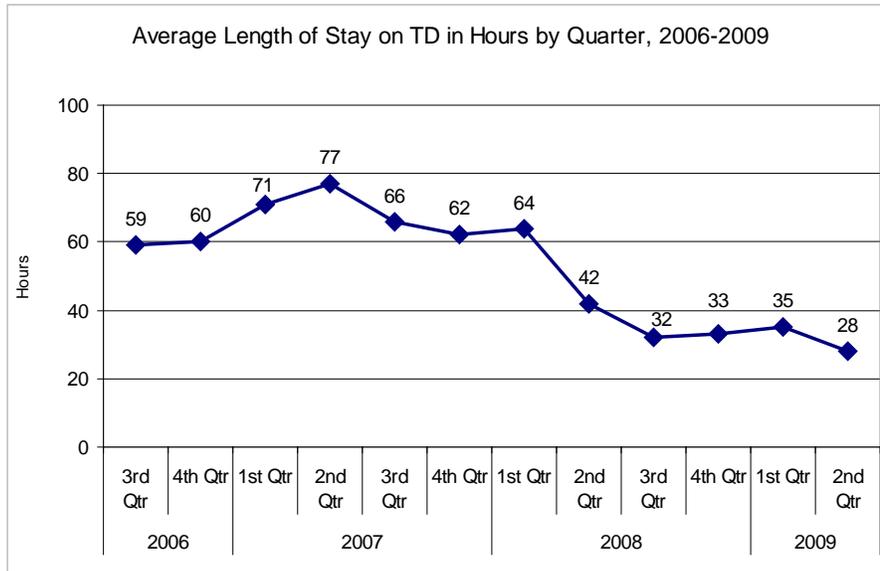
Note: 2005-2006 data collected from Daily Operations Reports, 2007-2009 data collected from CompStat

Restricted Programs



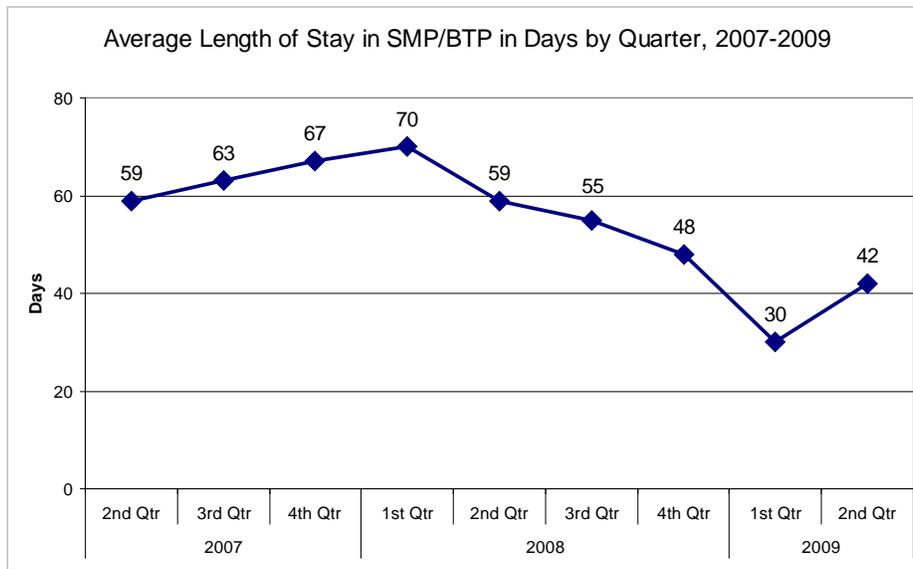
Source: WIN Population Data for Second Friday of Month (TDs, SMPs, DJJ Pop.); WIN Population Data for First Day of of Month (BTPs)

Average Length of Stay



Average length of stay has declined by 52.5% from the 3rd quarter of 2006 to the 2nd quarter of 2009.

LOS has declined by 63.6% from the high of 77 hours in the 2nd quarter of 2007 to 28 hours in the 2nd quarter of 2009.



Length of stay in SMP and BTP has declined by 29% from the 2nd quarter of 2007 to the 2nd quarter of 2009. From a high of 70 days average length of stay in the 1st quarter of 2008, LOS has dropped by 40% to 42 days in the 2nd quarter of 2009.

LOS during the first quarter of 2009 is likely understated due to the lack of information regarding Preston's BTP program.

Until the fourth quarter of 2008, the data includes only SMP's.

Sentinel Events August 2008 - August 2009

Facility	Group	
	Disturbances	Suicide Attempts
Chad	1	17
Close	3	0
Preston	33	1
Stark	9	25
SYCRCC	7	0
Ventura	0	14
DJJ total	53	57

Safety and Welfare Expert Ratings: 2008-2009 Audit Round

ACTION ITEM	Section/Item	Central Office	OHC	NAC	VYCF	HGS	PYCF	SYCRCC	Audit Method / Standard	
2.1 ADD CENTRAL OFFICE RESOURCES										
Master table of contents completed for DJJ policy manual	2.1	4a	SC						Table of contents approved by expert	
2.2 CLARIFY LINES OF AUTHORITY / CREATE SYSTEM FOR AUDITING AND CORRECTIVE ACTION										
Produce central office organization chart	2.2	1	PC						Organization chart consistent with Reform Plan in place	
Produce organization charts for each facility	2.2	2		SC	PC	SC	PC	NR	NR	Organization charts consistent with Reform Plan in place
Develop system for correction action	2.2	4	BC						System in place	
2.3 IMPROVE MIS CAPABILITY										
Assess MIS needs and develop plan	2.3	2	NC						Assessment and plan completed	
2.4 ADD RESOURCES AT EACH FACILITY										
Conflict Resolution Team(s)	2.4	6		NR	NR	NR	SC	NR	SC	Positions filled / assigned, teams trained and operational
2.5 RESEARCH										
Oversee validation studies	2.5	1a	NC						Studies executed that conform to appropriate professional standards	
Assist with annual reports	2.5	1b	NR						Reports accurately reflect status of reform and state of DJJ	
3.0 REDUCE VIOLENCE AND FEAR										
Develop schedule for implementing custody classification, living unit assignment and performance measures process	3	1	SC						COMPLETED	
Identify high risk youth using initial classification instrument	3	1a	SC						COMPLETED	
Apply reclassification factors to identify current risk	3	1b	SC						COMPLETED	

Male youth classified as high risk for institutional violence separated from low risk youth based on initial custody classification analysis	3	1c		SC	SC	SC	SC	SC	SC	DJJ policy specifies how custody classification is to be used in making living unit assignments and transfers. Male high risk youth shall not be housed with low risk youth except by policy approved by S&W expert. Moderate risk youth placed as appropriate by the relevant classification instrument. Custody classification overrides approved by Facility Classification Committee and Central Classification as appropriate. Movement between facilities approved by Central Classification. DJJ collects and reports data as approved by the S&W expert that shows that the classification system is implemented according to design.
Use initial custody classification instrument for placement of males at first commitment	3	1d	SC							DJJ collects and reports data as approved by the S&W expert that shows that the classification system is implemented according to design.
Develop a custody reclassification instrument giving significant weight to institutional behavior	3	1e	SC							Instrument validated by appropriate professional standards. Instrument in use.
Develop reclassification instrument for parole violators, if necessary	3	1f	NA							Instrument validated by appropriate professional standards. Instrument in use.
Analyze PV classification instrument; validate or revise	3	1g	NA							Instrument validated by appropriate professional standards. Instrument in use.
Begin semi-annual and quarterly custody reclassification	3	1h	SC							DJJ policy specifies training requirements for custody classification/reclassification. All staff have satisfactorily completed required training within 90 days of assignment to a living unit. DJJ collects and reports data as approved by the S&W expert that shows that the classification system is implemented according to design.
Develop policy on incident driven custody reclassification	3	1i	SC							Policy in place
Males classified as high risk for institutional violence separated from low risk youth based on initial classification, interim classification, and reclassification	3	1j		SC	SC	SC	PC	SC	SC	DJJ policy specifies how custody classification is to be used in making living unit assignments and transfers. No male high risk youth housed with low risk youth except as provided by policy approved by S&W expert. Moderate risk youth placed as appropriate by the relevant classification instrument. Separations required by reclassification occur within 72 hours. Custody

										classification overrides approved by Facility Classification Committee and Central Classification as appropriate. Movement between facilities approved by Central Classification. Long range plans adjusted based on experience with custody classification. DJJ collects and reports data as approved by the S&W expert that shows that the classification system is implemented according to design
Develop performance measures for high risk dormitories with the S&W expert and, if necessary, implement alternative risk management strategies for male youth in dormitories who are at high risk for institutional violence.	3	1k	BC							If levels of violence in high risk dormitories do not meet targets set by the performance measures, DJJ will implement alternative risk management strategies whose elements and schedule are developed in consultation with, and approved by, the S&W expert.
Revise Use of Force policy	3	2	PC							A use of force policy is in place that is consistent with the requirements of the Plan.
Implement Use of Force Review Model	3	3a		SC	SC	BC	SC	SC	SC	Institutional Force Review Committees meet regularly and follow a standard review process approved by Central Office. The Departmental Force Review Committee meets monthly and reviews at least 10% of use of force incidents. The Compliance Unit conducts regular audits of use of force using a standard audit tool approved by the DFRC. Corrective action plans are made, implemented and results audited. Chief Deputy Secretary, DJJ reviews audits. Model is consistent with description set forth in Remedial Plan.
Create Violence Reduction Committees at each facility	3	3b		SC	SC	SC	PC	SC	SC	Violence Reduction Committees review, map and evaluate all incidents of violence quarterly. Violence Reduction Plans are submitted to the DJJ Chief of Security for review, monitoring and sharing of results. The effect of violence reduction plans is measured at the living unit and facility level.
Crisis management training for direct care staff at two facilities	3	4b					PC	PC		Direct care staff are trained. New staff are trained within 90 days of assignment to a living unit.

Crisis management training for remaining direct care staff	3	4c		PC	PC	PC			PC	Direct care staff are trained. New staff are trained within 90 days of assignment to a living unit
Develop and use databases to track violence and use of force	3	5	BC	PC	PC	PC	BC	PC	PC	System developed in consultation with S&W expert, plaintiff's counsel and Special Master that includes all PbS data elements relating to violence, injuries to youth and staff, and use of force. System is in place and operational. DJJ audits data reliability and data is determined to be reliable per appropriate statistical measures. Starting in July 2007 and subject to the S&W expert's approval, DJJ develops annual targets and action plans for each facility for reduction of violence, injuries, and use of force. Quarterly reports provided to S&W expert, plaintiff's counsel and Special Master for all facilities and all data elements. Report format approved by S&W expert.
Record PbS safety outcome measures 2-4, 11, 12 for every day of year. (Injuries to youth per 100 days youth confinement, injuries to staff per 100 days staff employment, injuries to youth by other youth per 100 days youth confinement, assaults on youth per 100 days youth confinement, assaults on staff per 100 days youth confinement)	3	6a		PC	PC	PC	PC	PC	PC	INCLUDED UNDER 3.5
Quarterly reports on selected PbS data elements	3	6b	PC							INCLUDED UNDER 3.5
Implement 6 month pilot to monitor use of chemical agents	3	7a	SC							Pilot project is completed and an evaluation report is produced.
Discontinue or expand chemical agent monitoring system	3	7b	SC							To be determined as provided for in Remedial Plan under "Procedures for Monitoring Use of Chemical Agents" (p. 26)
Consult with national expert on gang/race integration	3	8a	BC							Consultation takes place
Develop strategies and procedures for gang/race integration	3	8b	NC							Written strategies, procedures, and training materials are produced
Provide gang/race integration training to appropriate staff	3	8c		BC	PC	NC	NC	PC	PC	Expert reviews quality of training
Open sufficient BTPs for projected 2008/09 demand	3	9a	NC							BTPs are operational and staffed and sized according to the Remedial Plan
Produce annual estimates of need for BTP units	3	9b	NC							Annual estimates are produced
Consult with experts re: staff and youth climate surveys	3	10a	SC							Consultation takes place with competent consultant

Twice yearly reports on staff and youth safety concerns	3	10b	PC	PC	PC	SC	PC	PC	SC	System developed in consultation with S&W expert is in place and operational. Semi-annual reports provided to S&W expert, plaintiff's counsel and Special Master for all facilities. Report format approved by S&W expert.
4.0 IDENTIFY REHABILITATION TREATMENT MODEL										
Issue RFP for risk/needs assessment	4	1a	SC							RFP issued
Produce written description and manual	4	3	NC							Description and manual consistent with principles set forth in Remedial Plan. Also monitored by MH Remedial Plan experts
5.0 LAY THE FOUNDATION FOR TREATMENT REFORM										
Consult with subject matter experts re: program design	5	1	BC							Consultation takes place with competent consultants. Also monitored by MH Remedial Plan experts
Develop treatment model	5	2	PC							Also monitored by MH Remedial Plan experts
DJJ Integrated Behavior Treatment Model	5	3a	NC							Also monitored by MH Remedial Plan experts
Risk / Needs Assessment	5	3b	PC							Instrument in use.
Establish interim training schedule for motivational interviewing, normative culture, and interactive journaling	5	3h	BC							Schedule developed by DJJ and S&W expert. The intention is to provide staff with increased tools to improve conditions prior to the full conversion to the rehabilitative model.
Establish/modify job classifications for treatment team staff	5	5								
Treatment team leaders	5	5a	NC							Job descriptions consistent with the Remedial Plan approved and adopted by DJJ
Case managers	5	5b	NC							
Other team members	5	5c	NC							
6.0 CONVERT FACILITIES TO REHABILITATIVE MODEL										
Convert Chaderjian to special treatment facility	6	1a			NR					All living units at Chaderjian, with the exception of parole detainee and reception units, are staffed and operated as special treatment units.
Complete conversion of facilities to rehabilitative model	6	1c		NR		NR	NR	NR	NR	Youth are in living units no larger than those specified in the Plan. Living units are staffed at levels equal to, or greater than, staffing standards specified in the Plan or as mutually agreed to by the parties. Program delivered consistent with program design.
Statewide standards for Program Service Day	6	2a	BC							Standards adopted by DJJ Executive Management

Program Service Day schedule for Chaderjian	6	2b			PC					Schedules in place and approved by central office. Facilities operating in accordance with approved schedule.
Program Service Day schedule for core program	6	2c		BC		SC	NC	SC	SC	
Phase in Behavior Treatment Programs: Reduce population and increase staffing (interim BTPs)	6	5		NA	NC	NA	NC	PC	NA	All youth assigned to BTPs are assigned per criteria and process as defined in DJJ policy. Policy and process are consistent with the requirements of the Plan. Sufficient BTPs exist so that youth do not wait longer than 7 days for transfer to a BTP. Youth in BTPs receive all mandated services. Program delivered consistent with program design. Program goals being met.
Phase in Behavior Treatment Programs: Full implementation	6	5		NA	NC	NA	NC	NC	NA	
Eliminate all Special Management Program units	6	5			NC		NC	SC		All SMP's closed
Complete training	6	7								
Risk / Needs Assessment	6	7b		BC	PC	SC	NR	PC	SC	
7.0 SYSTEM REFORM FOR FEMALES										
Consult with expert re: gender specific programs	7	2	NC							Consultation takes place with competent consultant
Develop plan & schedule for gender specific programs	7	3	NC							Plan and implementation schedule are produced
Convert existing or build new facility if unable to contract	7	5	NC							Contract(s) are entered into sufficient to serve all females or new or existing facilities are converted to the reform model for females. Gender responsive program is comparable to that provided to male youth and is delivered consistent with gender specific program design. Reform program in place for females on schedule similar to that for males.
8.1 ACCEPTANCE/REJECTION CRITERIA										
Promulgate process and criteria for acceptance/rejection	8.1	1	PC							Policy in place

Clarify policies about appropriate youth for DJJ facilities	8.1	3a	SC							Clear summary of policy provided to all judges, district attorneys, public defenders, and other appropriate county officials.
Develop strategies with counties for alternatives	8.1	3b	NR							Track all rejected referrals for commitment and provide assistance as necessary to counties to find appropriate placement/services.
Work with counties for uniform definition of risk and needs	8.1	4a	PC							In consultation with appropriate local officials, develop plan to move toward common definition of risk and needs.
Explore strategies for local classification/assessment	8.1	4b	PC							
Analyze sliding fee schedule and make recommendations	8.1	5	PC							Analyze the effect of the sliding fee schedule. If appropriate, make recommendations for alternative strategies to better serve the state's public safety needs.
8.2 ORIENTATION										
Standardize orientation process	8.2	1a	BC							Separate, but standard, orientation curricula and processes developed for new commitments and parole violators. All youth receive orientation to DJJ prior to transfer to assigned facility.
Develop additional orientation materials on victim issues, disciplinary system, positive incentives program	8.2	1b	BC							Additional materials are developed and incorporated into standard orientation process and the Youthful Offender's Rights Handbook. This does not relieve DJJ of the requirement to provide information to youth on new/revised policies per 2.1 4a
Educate families, probation, court personnel re: DJJ services/programs, expectations, and family involvement	8.2	3	NC							Standard materials developed and routinely provided to parents, probation officers, and court personnel. Materials understandable by youth, families and others. Spanish version and other formats available as needed.
Develop orientation curriculum and provide training	8.2	5a	BC							Monitored with 8.2 1a
Update Youthful Offender's Rights Handbook	8.2	5b	BC							Handbook updated to incorporate additional information
8.4a DISCIPLINARY SYSTEM										
Disciplinary Coordinators at all facilities	8.4	1a		SC	SC	SC	SC	SC	SC	Positions filled / assigned
Disciplinary Coordinator training reviewed and updated	8.4	1b	SC							Training updated and competency standards and measures adopted.
Standard duty statement for Disciplinary Coordinators	8.4	1c	SC							Standard duty statement adopted by DJJ.

Competency based training/retraining for D. Coordinators	8.4	1d		SC	SC	SC	SC	SC	SC	All disciplinary coordinators trained. Documentation shows that all meet minimum requirements.
Policy exceptions to timelines for disciplinary hearings tracked and, if necessary, revised	8.4	2c	SC							Policy exceptions to be tracked and reviewed for six months. If necessary, policy will be revised based on S&W expert recommendations.
Level 1 infraction appeals process implemented	8.4	4		PC	BC	SC	SC	BC	SC	Process in place and information incorporated in standard orientation materials and the Youth Offender's Rights Handbook.
Standards developed for referral of cases for prosecution	8.4	5	PC							Standards adopted by DJJ. Review of Level 3 infractions indicates all qualifying offenses handled per policy.
Earn-back of disciplinary time adds enhanced	8.4	6a	SC							Monitored with 8.6 3a
8.4b POSITIVE INCENTIVES										
Steps to promote participation in Ward Incentives Plan	8.4	7a	SC							Description of Ward Incentive Plan simplified so that youth can easily understand it. Posters, handouts, and flyers created and displayed/distributed.
Points for restorative justice expanded and standardized	8.4	7b	PC							Monitored with 8.6 4c
Graduated sanctions & positive incentives	8.4	8								
Consult internal and external experts	8.4	8a	NC							Consultation takes place
Expand graduated sanctions and positive incentives	8.4	8a	BC							Written plan to expand graduated sanctions and positive incentives developed and implemented.
Use of program time adds studied; recommendations made	8.4	8b	BC							DJJ Research conducts formal review of the use of and reasons for program time adds. Within a reasonable time, a plan is made to reduce common reasons for program time adds.
8.5 GRIEVANCE SYSTEM										
Design of grievance reports developed with Court expert	8.5	5b	SC							S&W expert approves format and standard content for monthly facility grievance reports
Superintendent reviews all allegations of staff misconduct	8.5	5c		SC	SC	SC	SC	SC	SC	Documentation shows superintendent review of all allegations of staff misconduct

Process developed to address abuse of grievance system	8.5	6	PC							System to define, identify, document, and appropriately address obscene or abusive language, excessive or frivolous filings, lack of cooperation, and other abuses of the grievance system is adopted and operational. Surveys of youth and staff conducted to determine if system is fair and effective.
Weekly and monthly monitoring reports automated	8.5	7a	SC							Automated system developed and operational
Intervention strategies developed in response to trends	8.5	7b		SC	SC	SC	BC	SC	SC	Written corrective action plans are developed and implemented in response to trends in grievances indicating a need for action.
Headquarters review of grievance responses/timeframes	8.5	8a	SC							Central office conducts regular and random review of facility grievance reports, and corrective action plans.
Headquarters collection and evaluation of grievance data	8.5	8b	SC							Summary reports from monthly grievance reports are prepared for review by the Director of Facilities or his/her designee. Central office monitors progress on corrective action plans.
Headquarters assistance in corrective action plans	8.5	8c	SC							Upon request by a superintendent, central office provides assistance in development of corrective action plans to address problem areas identified through the grievance process.
Standard duty statement for grievance coordinator	8.5	9	SC							Duty statement standardized. Practices conform to standard duties.
Allegations of staff misconduct separated from grievances	8.5	10		SC	SC	SC	SC	SC	SC	Forms used to allege staff misconduct are conspicuously different from those used for grievances. A system is in place to ensure that allegations of staff misconduct are physically separated from grievances and promptly brought to the attention of the superintendent.
All direct care staff trained in grievance system	8.5	11a		BC	SC	SC	SC	SC	PC	Training updated to conform to requirements of this Plan. Policy specifies who is to receive training. Documentation shows that all direct care staff have received required training.
Grievance coordinators trained for duties	8.5	11b		SC	SC	PC	SC	SC	SC	Training updated to conform to requirements of this Plan. Documentation shows that all grievance coordinators have received required training and met minimum requirements.
Youthful Offender's Rights Handbook improved	8.5	12	BC							Duplicate of 8.2 item 5b

8.6 TIME ADDS										
Behavior contracts to earn back added time	8.6	2a		SC	BC	SC	NC	BC	SC	Policy in place. Behavior contracts in use. Contracts are consistent with goals set forth in Remedial Plan. Some youth successfully restore time.
Policy specifies range of time periods for behavior contracts	8.6	2b	SC							Policy in place. Policy consistent with goals set forth in Remedial Plan.
Staff coach youth to help meet behavior requirements	8.6	2c		SC	BC	SC	NC	BC	SC	Interviews of youth and staff, and observations during on-site monitoring, indicate coaching is commonplace.
System developed to report net time added & restored	8.6	4d	BC							System in place and operational. DJJ audits data reliability and data is determined to be reliable per appropriate statistical measures. S&W expert concurs with DJJ audit.
Time adds and reasons analyzed	8.6	4e	BC							Analysis completed
Plan developed to reduce the frequency and duration of time adds based on inadequate access to programs	8.6	4f	NC							Plan developed
8.7 ACCESS TO COURTS AND LAW LIBRARY										
Youthful Offenders' Rights Handbook/orientation revised to address issues raised by Expert's Report, Summer 2001	8.7	2	BC							Handbook revised as required
Automated tracking system re: law library access/help	8.7	4	SC							Tracking system in place. DJJ audits data reliability and data is determined to be reliable per appropriate statistical measures. S&W expert concurs with DJJ audits.
Written policy & procedures for access to courts and library	8.7	6a	PC							Written policy and procedures consistent with goals of Remedial Plan are formally adopted.
Compliance measures for monitoring access to courts	8.7	6b	NC							Compliance measures approved by court expert. Monitoring system in place. S&W expert concurs with DJJ audits. There are virtually no substantiated grievances for denial of access to legal counsel or information.
Staff trained on access to courts and law library	8.7	7		NC	NC	PC	NC	PC	SC	Training materials developed/revised as necessary. Policy identifies who must have training. Documentation exists showing all appropriate staff have received training.

Plan to ensure access by attorneys (phone and in person)	8.7	8	NC							Plan approved by plaintiff's counsel in place
8.8 ACCESS TO RELIGIOUS PROGRAMS AND FUNCTIONS										
Monitoring system in place re: access to religious programs	8.8	1	SC							System in place and operational. DJJ audits of data quality indicate at least 95% reliability. S&W expert concurs with DJJ audits.
Youthful Offenders' Rights Handbook revised to conform with DJJ policy on access to religious programs	8.8	3	SC							Handbook contains clear language on DJJ policy on access to religious programs
Training developed and provided on religious programming policy, reporting, and automated tracking system	8.8	4	SC							Refresher and new employee training materials developed. Policy identifies who must have training. Documentation exists showing all appropriate staff have received training.
8.9 PHYSICAL PLANT IMPROVEMENTS										
Quarterly reports on conditions to Chief Deputy Secretary	8.9	1	NC							Quarterly reports submitted
Superintendent quarterly reports on conditions to Dir of Facilities	8.9	2		NC	NR	SC	NR	SC	SC	Quarterly reports submitted. Performance evaluations of superintendents indicate commendation or reproof as appropriate.
Local monitoring system in place	9.9	3a		SC	SC	SC	SC	SC	SC	Checklist or other regular written documentation routinely used. Spot checks of performance evaluations of responsible staff indicate commendation or reproof as appropriate.
Documentation of requests for outside assistance	8.9	3b		SC	SC	SC	SC	SC	SC	Documentation available when monitors observes ongoing deficiencies
8.10 MASTER PLANNING										
Prepare Facilities Master Plan	8.10	1	BC							Facilities Master Plan is completed
Prepare Operational Master Plan	8.10	2	PC							Operational Master Plan is completed
9. RESTRICTED HOUSING (requirements from Interim Plan - SMP requirements apply only while SMPs are in place)										
Special Management Program (SMP)	9	1								
Person assigned to conduct ongoing reviews of SMP's	9.1	1	SC							Person assigned. Ongoing reviews accurately reflect how SMPs are being used.
Each facility maintains electronic log of SMP use as specified in interim plan	9.1	2		NA	SC	NA	SC	SC	NA	Log maintained and available for review upon request. DJJ audits data reliability and data is determined to be reliable per appropriate statistical measures. S&W expert concurs with audit. This activity ceases when SMPs are eliminated.

Consolidated report on SMP use prepared by HQ and sent to S&W expert, plaintiff's counsel and Special Master	9.1	3	SC							Reports received
SMP policy revised to include due process standards and procedures	9.1	4	SC							Policy revised
Staff trained on new SMP policy	9.1	5		NA	SC	NA	SC	SC	NA	All staff trained to policy. New staff trained within 90 days of assignment to a living unit.
SMP's eliminated	9.1	6	NC							Duplicate of 6.5
Temporary Detention (TD)	9	2								
TD policy 7280 revised as required by Interim Plan	9.2	1	SC							Policy eliminates danger to self and protective custody as reasons for placement in TD. Only youth who are danger to others or an escape risk may be placed in TD. Placement in TD requires documented approval of unit supervisor or shift commander. All staff trained according to policy. TD policy consistently followed at all facilities.
Superintendent or designee (who is a supervisor or administrator) designates rooms for use as TD	9.2	2		SC	NA	SC	SC	SC	NA	Rooms designated and available for use
TD rooms clean, well lighted, graffiti free, with full functioning sink and toilet and adequate heat and ventilation	9.2	3		SC	SC	PC	NC	NC	NA	Spot check of TD rooms indicates compliance
Youth in TD receive all mandated services as listed in the Restrict Program Policy section 7210	9.2	4		SC	SC	SC	SC	BC	SC	Services provided
Each facility maintains electronic log of TD use as specified in interim plan	9.2	5		SC	SC	SC	SC	SC	SC	Log maintained and available for review upon request. DJJ audits data reliability and data is determined to be reliable per appropriate statistical measures. S&W expert concurs with audit.
10. LOCKDOWNS (requirements from Interim Plan)										
Director of Facilities issues memo to superintendents outlining all requirements set forth in the interim plan on lockdowns	10	1	SC							Memo issued. See interim plan for required contents.
At least 2 people from HQ are designated Security Service Specialists with duties as specified in the interim plan	10	2	SC							Positions filled / assigned
Checklists prepared and shared with S&W expert, plaintiff's counsel and Special Master of steps to be taken in the event of a lockdown or limited program.	10	3	SC							Checklists completed

Post-lockdown analysis reports as required by interim plan	10	4	SC							Post-lockdown analysis reports on all administrative lockdowns exceeding 3 days are provided to S&W expert, plaintiff's counsel and Special Master. Daily reports on any program change available upon request by S&W expert.
Administrative Lockdown Policy 7275 revised as required by interim plan	10	5	SC							Policy revised. All staff trained according to policy. Lockdown policy consistently followed at all facilities.

Previously incomplete OSM ratings, updated to reflect expert input:

Produce annual reports	2.2	7	NR							Annual reports produced. Reports accurately reflect status of reform and state of DJJ.
Program Manager(s)	2.4	1		NR	NR	NR	NR	NR	NR	Positions filled/assigned
Facility Administrators for operations and business services	2.4	8		NR	NR	NR	NR	SC	NC	Positions filled/assigned
Facility Administrator of programs	6	3		NR	NR	NR	NR	SC	NC	Positions filled/assigned
Hire or train trainers: Risk / Needs Assessment	5	4b	NR							Trainer(s) hired/retained or existing staff trained as trainers
All needed program space added	8.1	1		PC		PC	PC	PC	PC	Sufficient space exists so that no regular programs have to be canceled due to lack of space. There are sufficient classrooms in or near all BTPs to maintain a ratio of 1 teacher for every 6 students.
Begin conversion to rehabilitative model	6	1b		SC		PC	PC	PC	SC	All youth are in living units no larger than those specified in the Remedial Plan. All living units are staffed according to the staffing standards outline in the Plan.
Program Service Day schedule for BTPs	6	6	BC	NA		NA	NA	NR	NA	Schedule ensures structured activity based on evidence-based principles for at least 40% of waking hours. BTPs operating in accordance with approved schedule.
Designate project coordinator for master plans	8.1	4	NR							Position filled/assigned

**Institutions and Camps Branch
 Living Unit Status - Based on Fall Population
 May 10, 2005**

Facility name	Living unit name	Actual Population 5/10/05
O. H. Close	Amador	0
Open Dorms - except for Fresno	Butte	0
	Calaveras	44
	Del Norte	43
	Humboldt (SOTP)	59
	El Dorado	43
	Fresno (SATP)	45
	Glenn	43
	Total	277
DeWitt Nelson	Lassen (STSATP)	38
Open Dorms	Modoc (SATP)	65
	Angeles (PVP)	61
	Sierra	61
	Plumas	0
	Klamath	62
	Yosemite	60
	Tahoe	65
	Total	412
N. A. Chaderjian	Pajaro	55
Single Rooms	Owens	47
	Mojave	52
	Sacramento (SMP)	32
	Feather (SOTP)	50
	American	65
	Smith	62
	Tuolumne (SATP)	60
	San Joaquin	45
	Merced (ITP)	35
	McCloud (SCP)	35
	Kern (SMP)	28
	Total	566
Preston	Redwood (ITP)	23
Open Dorms - except for Redwood, Oak, Tamarack, Sequoia, and Ironwood	Oak (SCP)	38
	Manzanita	38
	Arbor	32
	Cedar (Clinic)	43
	Tamarack	0
	Sequoia (SBTP)	26
	Ironwood (SMP)	32
	Greenbrier	36
	Hawthorne	40
	Evergreen	38
	Fir (Pre-Camp)	19
	Buckeye	54
	Ponderosa (Clinic)	33
	Total	452

ITP = Intensive Treatment Program
 PVP = Parole Violator Program
 SATP = Substance Abuse Treatment Program
 SBTP = Special Behavior Treatment Program
 SCP = Specialized Counseling Program
 SMP = Special Management Program
 SOTP = Sex Offender Treatment Program
 STSATP = Short-Term Substance Abuse Treatment Program
 TD = Temporary Detention

**Institutions and Camps Branch
 Living Unit Status
 May 10, 2005**

Facility name	Living unit name	Actual Population 5/10/05
SYCRCC	Drake (L. A. County)	0
Single Rooms	Sutter (SOTP)	42
	Gibbs	71
	Pico (Clinic)	40
	Portola (Clinic)	61
	Cabrillo	0
	Marshall (ITP)	24
	Intermediate Care Prog.	11
	Public Service Program	9
	Total	258
Heman G. Stark		
	A & B	101
Single Rooms	C (ITP)	42
Single Rooms	D	0
	E & F	99
	G & H	58
	I (SCP)	36
	J (SOP)	45
	K & L (SMP)	84
	M & N	90
	O & R (SATP)	87
	S & T	0
	U & V (E cases)	58
	W & X	0
	Y & Z	92
	Total	792
El Paso de Robles		
	Avenal	0
Open Dorms -	Cholame	0
except for Cambria,	Cayucos	70
Arroyo, Pismo	Los Osos East	0
and Nacimiento	Nipomo	0
	Morro	0
	Cambria (SMP)	21
	Nacimiento (TD)	21
	San Simeon	0
	Los Osos West	56
	Los Robles (Camp)	0
	Arroyo (SCP)	45
	Pismo	51
	Total	264

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 SMP = Special Management Program
 SOTP = Sex Offender Treatment Program
 STSATP = Short-Term Substance Abuse Treatment Program
 TD = Temporary Detention

**Institutions and Camps Branch
Living Unit Status
May 10, 2005**

Facility name	Living unit name	Actual Population 5/10/05
Ventura	Alta Vista (F)	0
Single Rooms - except for the Camp	Buena Ventura (F -SCP)	25
	Casa de Alma	0
	Casa de Colegio	0
	Casa de Los Caballeros	0
	Mira Loma (F-SATP)	31
	Miramar (Older Females/Camp)	50
	Alborada (F-ITP)	23
	El Mirasol	0
	El Toyon (F)	0
	Montecito	0
	Monte Vista (Younger Females/F - M - TD)	35
	Camp (M)	50
	Total	214
Pine Grove	Camp	83
	Total	3,318

ITP = Intensive Treatment Program

PVP = Parole Violator Program

SATP = Substance Abuse Treatment Program

SBTP = Special Behavior Treatment Program

SCP = Specialized Counseling Program

SMP = Special Management Program

SOTP = Sex Offender Treatment Program

STSATP = Short-Term Substance Abuse Treatment Program

TD = Temporary Detention

April 10, 2009

To: Donna Brorby

From: Barry Krisberg

Subject: Revised Summary of S&W Headquarters Audit

Here are my impressions of areas of progress and instances in which more work needs to be done on the S&W Remedial Plan. These observations are based on two days of intensive meetings with many DJJ Headquarters that occurred on January 14-15, 2009 that were organized by Tammy Maguire. I have also been given four binders of documents to cover each of the areas in the S&W Standards and Criteria. DJJ staff was candid in helping my understanding of the status of many items in the S&W Remedial Plan. These meetings were also attended by Racial Stern of CDCR Legal and Van Kambarian of the DOJ, among other DJJ staff... I also had a two hour phone conference with DJJ managers on March 23, 2009 and a written summary of their concerns about the draft report. Where appropriate I have incorporated this feedback in this revised report.

The goal of this memorandum is give a broad overview of progress towards the goals of the S&W Remedial Plan to DJJ and to the plaintiff's attorneys. I have also completed a grid that offers Compliance Ratings on the individual items in the Remedial Plan. It should be noted that there are several topics, such as Adding Central Resources or Access to Religious Services that that are being monitored by the Office of the Special Master (OSM). Staff from the OSM attended most of the two day audit so that our work could be coordinated. In some of these areas, I will offer my own opinions on whether actions to date have met the spirit and intent of the S&W Remedial Plan.

There have been several areas of notable steps forward such as the WIN system and some important new policies. Security Classification and reduced use of Restrictive Housing have also seen progress in reform. Areas that require ongoing and continuous attention remain the lack of proper program development of the IBTP, the terrible maintenance and physical plant issues, potential misuse of UOF, especially with females, and at the larger DJJ facilities, excessive reliance on time adds to manage youth conduct, and the limited progress in DJJ in reducing the actual rates of violence, especially involving gangs in some of its facilities.

2.1 Add Central Office Headquarters Resources

The original Remedial Plan recognized that DJJ had lost many staff positions to the merger with CDCR and lacked the staff capacity to implement the complex and intertwined tasks of the various Farrell Remedial Plans. While the report of the OSM will cover progress in this area, it appears that DJJ has assembled substantial staff resources to address Farrell issues. In the past, a major concern was the need to fill the critical position of Farrell Project Director on a long term basis. Further, there was concern expressed by me and others that the roles of various DJJ staff were, at least,

ambiguous, relative to accomplishing the Farrell reforms. For many months, the clear accountability for the S&W plan was missing. Meetings often consisted of many DJJ staff that seemed to be working on similar parallel projects.

The arrival of Michael Brady has been a great step forward. DJJ now has a Farrell Litigation Manger. He has oversight over implementation all of the remedial plans. DJJ has also designed Sandra Emert of the Project Management Office to work on these remedial plans. There are now weekly Task Force meetings chaired by Michael Brady in which all pertinent DJJ staff are involved in reviewing progress and timely problem solving of difficult issues. As one example, Mr. Brady has seemingly unblocked, the heretofore stalled policy development process relative to Farrell. Of equal importance, Mr. Brady has unequivocally communicated to DJJ staff that the Farrell experts and the Plaintiffs counsel are “partners” in making needed and promised reforms. This change of better defined authority in the DJJ and a more collaborative spirit is very positive.

It is worth noting that the issue of Headquarters staff resources will remain a challenge for the Farrell consent decree in the immediate future. First, the DJJ youth population is almost half of what it was when the initial Headquarters staffing levels were defined, second, the catastrophic state budget crisis makes almost certain that there will be further reductions in DJJ staffing and budget resources in the future. The Farrell experts have been made aware of various staffing analyses being performed at the request of the CDCR and the Department of Finance, but no information has been shared with us to date. We have recently been told by Mr. Brady that he will share the DJJ staffing proposals with the Farrell experts for their input and possible support. There are also serious debates going on in the Legislature that could lead to significant downsizing of DJJ staffing levels, both in the field and in Headquarters. These external budget forces are likely to have a major impact on DJJ’s ability to meet the court sanctioned Remedial Plans.

The DJJ appears to have departed from the literal requirements that were contained in the S&W Standards and Criteria. For example, the original plan called for Program Development and Implementation Teams, Temporary Transition Teams, and Compliance Teams. DJJ is now attempting to consolidate the work of these groups under the rubric of their project management system. There exists a revised DJJ Organization Chart, but this diagram is a fairly traditional picture of lines of authority and offers little guidance on how reforms actually emerge and are translated into action. The DJJ has requested a modification of the original Standards and Criteria staffing requirements. I would urge that the Plaintiffs lawyers, DJJ, and the Farrell experts resolve this issue quickly.

It appears to me that DJJ must work to consolidate and streamline its Headquarters processes. Budget problems aside, DJJ Headquarters needs to be “right-sized” to avoid overlapping, duplicative, and sometimes, conflicting agendas. It is also my observation (and shared with me confidentially by several DJJ top managers) that the CDCR “Matrix Management” theory stands in the way of positive steps forward. Too often, the different streams of management of institutions, education and health care create friction and frustration, delaying final decisions as issues move up the organizational ladders. The

“big picture” or vision sometimes gets lost in the organizational confusion. Further, I continue to be puzzled by the separation of “Reform Staff” from Operations staff. Where DJJ reforms have worked well, there has been strong and active participation from facility-based staff. It is critical that current operations not be isolated from the reform planning and implementation if real progress is to be made in institutionalizing the needed changes. For example, increasing training resources will have a limited effect if the new content is not integrated into the DJJ culture, or if middle managers are not committed to reinforcing the new concepts on routine staff supervision, feedback, and personnel evaluations.

2.3 Improve MIS Capability

DJJ has made substantial progress in putting the WIN Exchange System into operation. The updated system allows staff to examine data on youth as they transfer from various institutions. The system is being used effectively to support the operation of new policies in the area of classification, WGS, and the DDMS system. The WIN system is being used effectively in case conferences and by the Crisis Resolution Teams on a regular basis. DJJ has worked to “scrub the data” to identify errors and missing data in the system. DJJ staff generally report that the WIN system is helpful and that Bob Eaton and his staff are very responsive to requests for help.

There is general support and awareness of the WIN system at the facility level. The WIN system has a number of report formats that are being used by many at the facility level to track compliance. DJJ still needs to make sure that management staff at each facility are familiar with the reports in WIN that can help them self monitor their progress with the various components of the S&W Remedial Plan.

In my view, there are three major priorities for future development of the WIN Exchange System: (1) develop the capacity to integrate the Risks and Needs Assessment data in WIN; (2) develop a system to monitor youth participation and progress in various treatment options; and (3) develop a routine system to audit the accuracy and completeness of the data in WIN.

Part of the S&W Remedial Plan also requires that DJJ assess its overall MIS needs and develop a plan to address deficiencies, including having sufficient technical staff to be responsive to user needs. This review should include a strategy to utilize WIN not only as an individual-based administrative management system, but also to generate regular aggregate reports to Headquarters and institutional management for ongoing planning and compliance tasks. CDCR has completed a “gap” analysis of the elements of the DJJ MIS and they have just shared that “gap” analysis with me. The DJJ view is that they must first focus on getting these automated systems up and running. Next they will look at defining usable reports, trend analysis as well as the necessary information to inform operations and policy development. In view of severe state budget pressures and demands that DJJ seek cost reductions, one cannot stress enough the importance of this definition of key data elements and reports to preserve the MIS progress made to date.

Another part of the MIS requirement of the S&W plan involves contracting for the implementation of the PBS system. This has been accomplished and DJJ has established a statewide coordinator for PBS as well as coordinators at each facility. Generally, the PBS system has been smoothly implemented and DJJ has moved quickly to upgrade the quality and quantity of the data in the PBS system. Many of the facilities are learning how to utilize PBS as a quality assurance tool and to assist facility staff to develop corrective action plans.

It is less clear if DJJ Headquarters staff is using PBS in its system-wide management. It often appears that DJJ top management use PBS to try to prove success with remedial plan compliance. In my view they are using the PBS national averages inappropriately to make their case. Since many quantitative measures in PBS have not changed very much over the past two years, it seems as though DJJ is arguing (and losing that argument to the experts, plaintiffs attorneys and the Court) that there were no problems in the first case! This comparison of the DJJ PbS scores to the national Non- representative sample in PBS is an inappropriate use of PBS.

PBS could and should be used by DJJ Headquarters to compare progress across facilities and to monitor changes in the PBS measures over time. DJJ Headquarters staff should also be capable of summarizing across all facilities the areas that are identified for corrective action as well as the progress of the facilities in making these needed improvements. Right now the PBS system generates individual facility reports that are not aggregated across all DJJ locales. Further, the PBS data does not appear to be reviewed by DJJ in terms of its consistency with findings that emerge from the Compstat or Daily Ops reports. It is unclear to me if or how the PBS is used by DJJ compliance monitoring staff.

There have been some concerns expressed at the facility level that the PBS definitions are still somewhat out of synch with practices at DJJ, especially in the areas of UOF. Further, staff at OHC and Chad have expressed concern that the institutional climate surveys may be generating inaccurate data – that the data shows DJJ institutional climate issues such as safety or access to medical care, as worse than they actually are. The move to collect data from all youth and not just a sample may be creating some issues. Staff have also raised the concern that collecting PBS data on a semi-annual basis may be giving a distorted picture of progress, or the lack thereof. There are several items in the S&W plan that require monthly or, at least, quarterly, measurements. Further training of all DJJ managers on the interpretation and utility of the PBS data would be a great benefit to achieving the goals of the various Remedial plans.

A final component of the Standards and Criteria in the S&W area involves the strategic use of the in-house research capacity to assist in meeting the goals of the Farrell consent decree. Specifically, the research personnel were to conduct validation studies of assessment and security classification tools. It was envisioned that research staff would be employed to assist DJJ managers to establish measurable objectives and measures of success for various programmatic and operation components of the S&W plan. The consent decree states “The research manager must be a critical advisor in the

development of effective measures and reporting processes and the establishment of standards of data quality and validity” (p 19).

I see no evidence that this has occurred. While research staff often attend large group meetings, it is very unclear if they play any decision-making role. DJJ has suffered by the overall decline in research expertise within CDCR and the elimination of a dedicated DJJ research unit. The loss of Dr. Rudy Hapaanen as the leader of the DJJ Research Section is a major blow to the credibility of DJJ research. Research at DJJ appears as an afterthought and not a core part of management and planning. I know of no formal research plan that outlines research objectives or defines the resources, internal or external, needed to accomplish these goals. DJJ must develop competent plans to evaluate the key components of the IBTP. DJJ research should play a much larger role in monitoring all aspects of the Farrell remedial plans that require the collection and analysis of objective data. Further, the DJJ could be using its research resources to assemble prior literature and to survey best practices in a wide variety of operational areas. Research in DJJ has been allowed to collapse. There seems to be some beginning efforts to rebuild that capacity, but competent professional leadership is needed. Also critical is that DJJ managers value research participation in the planning and program development process. I would recommend that DJJ establish an independent research advisory group that would recruit leading CA researchers from universities and non-profit research centers. This group could help DJJ define a meaningful research agenda and approach. It appears that various “charters” that define future DJJ efforts to meet the requirements of the Farrell decree each contain tasks for the research staff. DJJ has promised to share these “charters” with me. I have also suggested that there is a summary document that lists and prioritizes all of the assignments that will be accomplished by the research staff.

3.0 Reduce Fear and Violence

DJJ has made some significant progress in this area. Several of the core parts of the S&W Remedial Plan are well underway. Whether these achievements have actually reduced fear and violence is another issue. Preliminary data compiled with help from the OSM staff indicate that the rates per 100 youth violence incidents throughout DJJ have been reduced since 2007 but have returned to levels that were seen in 2006 and 2005 – still at unacceptable levels. I have attached these data to this report. This finding suggests a needed look at whether there are other areas of the S&W plan that need to be strengthened to bring the rates of violence down.

Great progress has been made in implementing the security classification system. DJJ has been able to identify high-risk youth using an empirically-derived screening tool. DJJ has moved youth to generally separate high-risk from low-risk youth. Moreover, DJJ has implemented a routine reclassification system that is based on youth behavior. This system is working effectively despite some minor delays in integrating the reclassification process in the WIN system. Further, the classification process is well managed by Headquarters staff and consistency in classification has been substantially achieved. A major contributor to progress has been the leadership of Steve Lesh who

brought the experience and the credibility of his work at DJJ facilities to expedite the implementation process. This has been an area in which excellent two-way communication between the institutions and Headquarters has made progress possible. First and foremost, the feedback from the institutions is that Headquarters has been responsive to individual problem-solving and prompt in offering guidance.

Three unfinished items in the classification area include (1) tracking and routine reporting on performance data on whether the implementation of high-risk living units has created any safety issues; (2) development of guidance for staff on best methods of managing the high-risk living units, especially the complete elimination of high-risk dormitories; and initiation of a valid study of the operation of the security classification system. For example, DJJ needs to examine whether the locus of violence in DJJ has shifted from the living units to the schools. Further, it appears that staffing levels working in high-risk units are not different than in the lower-risk units. Staff in high-risk units have not received any additional training to better manage these units. DJJ is beginning to extract data on institutional violence in the high-risk units. It is still unclear how DJJ will consolidate the security classification screening with the risk and needs screening tools. At present many DJJ residents are not included as part of the security classification process such as the youth in mental health units and sex behavior treatment programs, young women in DJJ, and the youngest residents in the DJJ system. I would urge DJJ to examine how security classification is achieved in these specialized units and if a refinement or augmentation of the security classification is needed.

DJJ was also required by the S&W Remedial Plan to revise its use of force (UOF) policy. This process has gone on for a long time. There is a current draft of the UOF policy that has received input by the Farrell experts. The draft is an improvement over previous versions but still fails to meet the standard of supporting the conversion of DJJ to a model treatment model. There has been progress made to encourage greater use of non-force responses to institutional conflicts. UOF review policies has been somewhat improved. I still see unresolved issues with respect to the UOF with young women in DJJ, with youth in the mental health units, and with disabled youth. In particular, DJJ needs to work to reduce the use of force in instances involving “controlled UOF” and circumstances in which the force is used by staff to respond to “defiance and failure to follow staff instructions”. While one could reasonably disagree on the UOF in fighting and riot situations, I believe that DJJ needs to discourage the UOF in other instances in which imminent harm is not obvious.

The new UOF Policy was sent to me on Feb. 24, 2009 and I will be reviewing it soon. Michael Brady is working hard to expedite the policy development process. The preliminary draft of the new UOF policy represents progress from past policies but still has not been focused as supportive of and connected to the IBTM. While the new UOF is a reasonable move at this point, it is imperative that DJJ specify the contours of the IBTP and revise all of its policies to be consistent with a model treatment approach.

As noted above, DJJ has implemented improved data systems such as PBS and Compstat to monitor the UOF and violence in its institutions. While these data systems are not

perfect, they do yield useful information for management and operational purposes. DJJ still needs to provide guidance to its managers to actually fully utilize these data to develop corrective action plans. The DJJ is still heavily influenced by anecdotal information and should routinize the use of data in its internal management. Again, the DJJ needs to use these data to identify and solve problems, not try to “prove” that problems don’t exist. DJJ should establish a specific plan to audit and examine the statistical validity of the data bases used to assess violence and UOF. There continue to be issues involving multiple counting of single events because several staff write behavioral reports for one event. As noted above, there are continuing concerns about the accuracy of the PBS data, especially with respect to measuring UOF. Further refinement of these data bases should be a high priority for DJJ research staff.

It is anticipated that DJJ, in consultation with the S&W Expert will develop annual targets and action plans to reduce violence and the UOF for each facility. To my knowledge, work on this objective has not yet begun. These action plans and measurable reductions in violence and UOF are key to making progress. Research staff could be very valuable assets in helping DJJ managers to meet this goal. Once these outcome measures and proposed actions are defined, a system of quarterly progress reports can be generated to allow transparency in this area.

During the past year, the DJJ implemented a pilot test to determine if closer monitoring of the use of chemical agents would be a useful approach to reducing the overall use of force. I reviewed and approved the design of the pilot at Paso Robles and concluded that the test was done properly. The results revealed that the careful measuring of chemical agents did not have any significant effect of the use of these agents. DJJ concluded that the pilot suggested that a further rollout of this chemical agent policy was probably not worthwhile. The DJJ has decided not to expand the pilot and I concur with their conclusion. This is not to say that the use of chemicals is not a significant problem in DJJ, but rather that the measuring of chemical agents on a daily basis is not a particularly effective way of limiting their use.

Another area of reducing fear and violence in DJJ involves the development of strategies and procedures to reduce gang conflict in DJJ facilities and to promote the safe integration of gang members in living units, schools and other DJJ programs. I have noted earlier that DJJ invests substantially in identifying the gang affiliations of its youth, and some institutions such as HGS continue to segregate youth in living units and common areas by alleged gang affiliations. It also is clear that DJJ staff have not received adequate training on how best to manage their youthful residents who are entangled with gang activities.

DJJ promised to consult with a national expert in this area but the formation of an active working group to address gang issues has been given a lower priority than other Farrell reforms. I have met with the recently activated Headquarters gang task force and reviewed their ideas on potential gang experts. I suggested that DJJ look to a more multi-faceted approach that included treatment interventions, educational curriculum, and the wider use of positive peer culture approaches such as Normative Culture, to reduce gang

behavior in DJJ. It is not clear that DJJ staff have a good handle on what is driving the gang conflicts in its facilities. I have offered to work intensely with the DJJ gang reduction task group and to get them materials from around the Nation about effective evidence-based gang reduction approaches. I indicated that I would be willing to serve in the role as the National gang expert. A clear mission of the DJJ task force is to establish written policies and procedures to guide the DJJ effort to reduce the negative impact of gangs in its facilities. These written materials must be effectively delivered to all staff through well-designed training efforts. This work has just begun and I hope to encourage more steady movement forward in this arena in the near future. I have received some further materials from Larry Miranda and have met with DJJ staff who are working on developing a comprehensive gang program for DJJ. I expect to be working closely with Larry Miranda and other members of this work group.

One strategy named in the S&W Remedial Plan was the use of Behavioral Treatment Programs (BTP) to help violence in DJJ facilities. The BTPs were designed to replace SMP and TD units. The idea was a very short-term TREATMENT program that would assist DJJ youth in resolving their conflicts, permitting them to live in regular living units.

From the onset, I have had grave concerns that the BTPs would devolve into another SMP program with a different name. To avoid this danger, it is imperative that DJJ clearly define the entrance criteria and process for the BTPs. Further, it is essential that DJJ design an evidence-based treatment program for the BTPs. These critical tasks have not been accomplished. In general, DJJ staff have not been exposed to the existing literature on violent and aggressive young offenders. I have given a short list of this research to Michael Brady and other DJJ staff.

The entrance criteria for the new BTPs that I reviewed were fairly vague. I was shown an earlier draft of a BTP design but it was not evidence-based and was a very rudimentary "work in process". I have not been effectively engaged in the design of the BTPs. It is unclear to me how DJJ has determined location and capacities of the BTPs. Nor have I seen any details on staffing levels, service days, or other components of the BTP plans. The living units designated for BTP are not adequate to support high quality treatment programs. I would recommend that DJJ suspend any efforts to open BTPs until more competent details and better planning is accomplished. Current DJJ restricted housing units must also be closed as per the S&W Remedial Plan, but the BTPs offer no assurance that this will occur any time soon. Because the operation of the BTPs cross many of the areas in the Farrell consent decree, the DJJ should provide a detailed description of their plans for the BTPs to the OSM, and these plans should be approved by the Farrell Experts.

DJJ staff have promised to share with me the latest progress of the working groups on designing the BTPs and I will give them comments and suggestions when I received their work products.

4.0 And 5.0 Identify Rehabilitation and Treatment Model: Lay the Foundation for Reform

Absolutely central to the DJJ reforms is the development and implementation of a model treatment model or Integrated Behavior Treatment Model (IBTM). This model should fundamentally alter how DJJ operates, improve outcomes for youth, and provide the underlying framework for all policies and programs.

DJJ has successfully contracted with a Canadian for-profit company, Orbis Partners, to develop a risk needs assessment tool, offer case management training to staff, and to help introduce “evidence-based” treatment programs into DJJ. This contract does not appear to cover all of the areas involved in implementing the IBTM. DJJ has consulted with the Farrell Experts in the development of the IBTM, although the consultation with the S&W Expert has been limited and less than satisfactory in terms of full engagement and responsiveness to my concerns.

The IBTM is currently an undeveloped and very generic approach. It is my view that DJJ has not assigned the proper staff to develop the IBTP and the Division may lack the in-house expertise to conceptualize and articulate the IBTM. The contract with Orbis Partners, while providing needed services, does not appear sufficient to assist DJJ in developing and launching a comprehensive IBTM. The lack of progress in this area is concerning and seems to be frustrating many of the Farrell Experts. To date, several top DJJ managers have responded by my observations and those of other Farrell Experts with defensiveness and resistance. On its current path, I believe that DJJ will be out-of-compliance with the Farrell requirements for the foreseeable future.

There are many problems in the DJJ approach to the IBTM. Most basic is that there is only a very sketchy description of the IBTM. The S&W Remedial plan contemplated a detailed and thorough description of the program and model, similar to documents shared with us from Washington State. According to DJJ top management, the IBTM is no longer a specific program but an overall philosophy of operations. I do not know what this means!

DJJ has not reached out to national experts from the most progressive juvenile corrections systems such as MO, MA, or CO for specific help in formulating the IBTM. It is my opinion that Orbis Partners can only provide some guidance in this area – in part because the firm’s track record is mostly in probation or reentry and appears to have far more limited experience with institutionalized, serious and violent juvenile offenders. But, even if Orbis Partners had a wider skill set, the DJJ desperately needs to develop staff and management expertise in model treatment approaches.

A second concern is that DJJ promised to mount a pilot test of the IBTM at two facilities this year. This is not occurring and instead DJJ is “piloting different parts of the IBTP in different places”. This is a no substitute for a carefully implemented pilot that is accompanied by careful research and evaluation. The IBTM is a very complex undertaking and a pilot would help DJJ understand the critical ingredients to success and

the barriers to proper implementation. DJJ has repeatedly been unable to articulate an answer to a simple, but fundamental question: How will things be changing for the youth when the IBTM is fully operation?

At this stage, the development of the ITBM does not appear to be data-driven. Neither the CA YASI nor other DJJ data sources seem accessible to planners working on the components and central parts of the IBTM. Despite over 3000 hours of staff time devoted to administering the CA YASI, there are seemingly no data apart from individual youth reports that can be used to guide DJJ planning for the IBTP. Further, I see little evidence that DJJ possesses an actual implementation timeline for the IBTP. Issues of staffing, facility needs, budget requirements, and other core issues seem unresolved. DJJ managers seem intent on rolling out a new approach and training their staff in parts of it, but there seems a lack of strategic vision. Training is being offered to staff, but we don't know if it is the right training, or being delivered to the right number of staff in the proper positions. At its base the DJJ performance in the IBTP looks like the proverbial "Fire, Ready, Aim" approach.

DJJ should be required to produce a detailed written description of the IBTP that should be approved by the Farrell Experts. Once approved the IBTP should be reflected in a well developed implementation plan that contains timelines, milestones, budget requirements and capital needs. There should be an IBTP Logic Model similar to the one developed by the Expert Panel for CDCR Adult Rehabilitation Programs. DJJ should not be permitted to abandon its commitment to a carefully evaluated pilot test of the IBTP.

DJJ has contracted for substantial training of its staff on several of the components of the IBTP. The OSM is monitoring the delivery of this training. One big area in which critical training has been delayed is in the area of Normative Culture. While more training is a positive step forward, there is little evidence of a DJJ strategic approach to training as it relates to the full implementation of the IBTM. To my knowledge there is not a current written DJJ training plan. Further, the DJJ training should be connected with strategies to institutionalize the treatment reforms via ongoing management, supervisor coaching, and personnel reviews. The DJJ has supplied rosters of training sessions and some anecdotal evidence that the staff enjoy the training (most staff do!), but there is little objective evidence that the desired competencies underlying the training are actually being enhanced.

DJJ also reported that it has not completed the adjusted staffing positions to add the treatment team leaders, case managers, and other team members that are envisioned in the S&W team. DJJ reports that it has not yet approved and fully adopted the job descriptions related to the model treatment aspects of the S&W Remedial Plan.

DJJ committed to implementing a statewide service day for its core treatment unit. There has been a pilot of the program service day at Preston. DJJ is still analyzing the results of the pilot. Full implementation of a statewide service day is still planned in the future. No such program service days have been piloted for the BTPs since these program units have not been implemented yet.

Michael Brady has now invited Dr. Angela Wolf, a community psychologist who is very knowledgeable about juvenile justice nationwide, to work with a team of DJJ staff to improve progress in the definition and documentation of the LBTM. Mr. Brady has also reached out to staff from Washington State to provide information about that model. I am also collecting descriptions of model approaches from Missouri and other states to share with DJJ staff.

7.0 System Reform for Females

The plan to contract out residential service for girls has still not been implemented. A first try at contracting produced no qualified bidders, in part because of flaws in the RFP and because the RFP was not sent out to groups with proven track records in operating top quality programs for young women. Although there was some input into the process by Professor Barbara Bloom, a recognized expert on gender-responsive programs, this was quite limited. She described this to me as “drive-by” consultation. For whatever reasons, DJJ has assigned staff to develop the contracting for female services that have minimal prior experience with girls programming or with contracting for residential services. There were many flaws in the contracting process that doomed this first effort. I made very specific recommendations to DJJ staff on how to rescue this effort. Once again, DJJ has adopted a very insular approach and not sufficiently reached out for appropriate state and national expertise. For reasons that elude me, the DJJ did not want the S&W Expert to read the revised Female RFP before it was released. Ultimately, I was given a copy with great reluctance and some staff confided that they believed that they would get in trouble if they shared the RFP with me.

A second RFP was released and 15 potential bidders showed up at a bidder’s conference. On the basis of that meeting, DJJ has decided to reissue the RFP. I have no idea when DJJ finally plans on awarding the contract. This process has gone on way too long. I would urge the Court to insist that DJJ meet its commitment in this area or take over the job. I also would urge that DJJ allow outside experts, including the Farrell Experts and the OSM to participate more fully in this process. The DJJ will also have to ensure that the legislative authority to contract out is approved by the legislature. Since the time periods for past budget allocations for the female contracting have lapsed, DJJ must determine that the legislative authorization and resources still exist.

8.1 Acceptance and Rejection Policy

The DJJ has put in place a TDO to cover acceptance and rejection requirements as they relate to youths with persistent MH, medical, and developmental disabilities. The key issue is whether these youth can materially benefit from being in DJJ. DJJ has assigned Court Liaison staff to work with counties on these issues. The DJJ staff were to work with counties to develop alternatives for youth who should not be placed in DJJ. The lead staff person, Eleanor Silva has promised to send along examples of how this court liaison process has been utilized in several cases. There have been no turndowns of proposed DJJ admissions so far.

Besides the process described above, there have been profound legislative changes such as SB 81 that have limited who can be sent to DJJ. This has resulted in a further decline in the DJJ residential population. The PLO has published an excellent survey of how the counties have been implementing SB 81. It is anticipated that there will be further cleanup amendments to SB 81 in this year's legislative session.

SB 81 also established a Juvenile Justice Commission in which DJJ worked with state juvenile justice leaders to move toward a master plan for juvenile services in CA. This plan would help define the appropriate roles of state and counties in the managing of serious youthful offenders. We are still awaiting the release of this Commission report.

8.2 Orientation

DJJ committed to revising its Orientation Process to advance its new and enhanced treatment mission, and to improve the S&W of its youth residents. I have reviewed a draft of the manual and found it to be unacceptable. It is too long and not "youth-friendly". It reads more like a rule book for staff. I have suggested that it would be helpful to include the design and drafting process. This is another example in which the S&W Expert is given a finished product by DJJ to which there has been no prior input.

I have asked for a redraft that includes participation from DJJ youth in the process of writing. I believe that the manual needs to assert general goals and principals that should govern the behavior of both staff and youth. More detailed descriptions of policies should be referenced in the manual and available to youth on the living units.

Despite the mandate of the S&W plan, the DJJ has not yet developed orientation materials for families. These materials should especially cover available resources for families and expectations on how families can participate in the rehabilitation process. The DJJ has not yet developed orientation materials at the larger county detention centers. Work still needs to be done on updating the Youthful Offender Rights Handbook and providing curriculum on orientation for its staff.

8.4a Disciplinary System

DJJ has made good progress in improving the DDMS process with respect to consistency across facilities and the timeliness of the process. Disciplinary Coordinators have been added at all institutions and they have received training as new hires or refresher training. There is now a standard duty statement for the DDMS Coordinators. Clear timelines for hearings and dispositions have been established. The DJJ is reviewing compliance with these timelines and following up in those cases in which timelines have been missed. Overall compliance with time limits has been high. The WIN system has proved to be a good tool to accomplish this task. DJJ Headquarters staff are also conducting regular reviews of a sample of DDMS cases.

The new DDMS policy is a vast improvement over previous practices. It separates out the very minor issues from much more serious problems, clarifies the appeal process, and emphasizes alternative conflict resolution when possible. DJJ Headquarters staff review all institution requests for referral of cases to local prosecutors for filing new charges for youth misconduct. It appears that accommodations in the DDMS process for youth with disabilities are being implemented. DJJ is encouraging its staff to assist youth in earning back time adds picked up in the DDMS process. The case conference process now routinely looks at ways in which youth can earn back time.

Improvements in the DDMS policy were a long time in getting official approval at the top levels of DDMS. The Headquarters staff assigned to the revisions worked very cooperatively with facilities staff and conducted lots of interim training with staff in the field. Appropriate attention was placed on building both understanding and support for the new DDMS process.

My two lingering concerns about DDMS have to do with (1) the often vague and overlapping definitions of offenses in the DDMS system that often generate youth complaints about unfairness, and (2) the level of penalties tied to the DDMS process. Fundamentally, DJJ has not clearly defined the role of a DDMS system within its comprehensive treatment model. The DDMS still looks a lot like a prison system DDMS model with some changes. How a DDMS system works in a genuine treatment environment is still to be defined by DJJ. I would hope that the use of the DDMS as a method to achieve desired youth behavior would be reduced in favor of a more “reward and incentive” system. It is also clear that union pressures have often forced DJJ administrators to adopt DDMS policies and outcomes that are not consistent with model juvenile justice systems. I would urge DJJ to seek help from states such as CO, MO, MA, and WA in further refining the DJJ approach to DDMS.

8.4 Youth Incentives and Time Adds

DJJ has fully embraced the goal of expanding the use of positive incentives for youth in its facilities. The Incentive Program has been simplified from earlier versions and is easier for the youth to understand. DJJ has created a range of posters, handouts, and flyers to communicate the youth incentive program to residents. Standards for providing incentives for restorative justice projects have been adopted, although there is still a less than clear idea among DJJ about the kinds of restorative justice projects that could be utilized.

The DJJ was to establish an internal and external team to develop a broader array of graduated sanctions and positive incentives. I am not involved in this team, nor am I aware of the participation of any of the other Farrell experts. I do not know who serves on this team or what external experts are being used for this task. DJJ has begun a very preliminary look by its research staff at time adds. To date, the analyses presented to me are superficial and not very helpful. As with review in the UOF, the examination of time adds is mostly focused on whether DJJ is following existing policies rather than an in-depth look at how alternatives and graduated sanctions could be more widely employed.

Further, DJJ is just beginning to look at disparities in the use of Time Adds at various facilities.

DJJ has developed a range of time periods for behavior contracts to allow youth to earn back time after 6 months. The OSM is assessing how frequently these earned back provisions are being utilized by DJJ staff. The OSM is also monitoring whether youth are getting full time credits even if they are not responsible for lack of program participation (e.g., lack of prescribed programs or waiting lists).

I am recommending to the parties that the S&W Expert conduct a detailed and independent study of a random sample of time add cases at facilities where these are frequently given by case conference staff. I continue to be concerned that DJJ overuses time adds and that this practice is inconsistent with a model treatment approach. DJJ intends to look at the issue of time adds for non-DDMS reasons and to include me in that analysis. Following this examination, Headquarters should build in additional training on the mechanics of the Youth Incentive Program and innovative approaches developed by its institutional staff.

There has been strong focus at Headquarters to encourage greater use of the Incentive Program at the facilities. Some places are more engaged in this expansion than others. DJJ should find ways to acknowledge the successes at places such as OHC and the Southern Reception Center and to continue to work with facility managers at other places. In particular, the DJJ should monitor the proportions of youth in the various levels of the Phase System across facilities to ensure equity and a commitment to expand incentives. DJJ researchers should be looking at the distribution of youth in various Phases on a monthly basis and especially see how this impacts youth in MH and other special programs.

8.5 Grievance System

DJJ has made substantial progress in the area. A new comprehensive policy has been adopted and training has been provided throughout DJJ. My preliminary judgment is that compliance with the new policy has been good. There are Grievance Coordinators at all facilities and a standard duty statement for them. Weekly and monthly reports are being generated and Headquarters is closely monitoring compliance with the new Grievance timelines. There are operational “lock boxes” to ensure less manipulation of the Grievance process by staff or other residents. The patient and highly effective work of Tammy McGuire and her staff has been key to success in this area.

Both Headquarters and facility personnel (at least at OHC and CHAD where I recently visited) are reviewing the monthly Grievance data to determine if there are patterns or problems that need corrective actions. There is also evidence that Headquarters is offering and providing help to facilities to develop corrective action plans for issues that emerge from the review of Grievance data. The Youth Offenders Rights Handbook has been updated to reflect the reforms in the Grievance process.

I do not know if the MH and Disability Experts have reviewed the new Grievance Policy and Practices for their areas. I will consult with them in the next few weeks. In particular, the Grievance Policy calls for assistance to be given to all youth with Disabilities.

8.7 Access to Courts and Law Libraries

Success in this area has not been good. The law libraries are disorganized collections of hard copy books that are quickly out of date. Basic tools to facilitate legal research are either missing or hard to find. The Standards and Criteria specified that there were to be electronic versions of the materials. DJJ and CDCR are still sorting out what went wrong on this issue. The current materials are not used by many youth and they would be a challenge to use for even trained attorneys. The law librarians have received minimal training and the local institutional legal libraries policies differ. Some youth can do their own research, others must submit requests and have materials brought to them. There does not appear to be any systematic training for youth as to how to use a law library to help with their various civil law, criminal justice, immigration, family law, and other issues.

As of this writing, there are no formal written policies on access to courts and legal libraries that have been adopted by DJJ management. There also needs to be written policies on youth access to attorneys via phone and in person. All DJJ staff should receive training in these standards. Several legal advocates for DJJ youth have raised significant objections to current draft policies and practices. DJJ has stated that it is waiting to look at the documents from the youth advocate groups who put concerns into writing. If the current policy that DJJ uses does not address a legitimate gap or problem with maintaining access to courts, the DJJ has committed to look at addressing the issue. The Youth Rights manual is somewhat vague in both the requirement that DJJ facilitate access to courts and the remedial steps that youth can take outside of the Grievance System.

While DJJ does have a system in WIN to track youth requests for access to the law library, there is no system for DJJ to monitor compliance in the critical area of access to attorneys and the courts.

8.10 Operational and Facilities Master Plan

The S&W Remedial Plan requires that DJJ produce a Juvenile Justice Master Plan for CA. The primary goal of this effort is to define the numbers and types of youth who are to be managed in DJJ facilities. This objective is a predicate for both program design and the needs for staffing and facilities. As noted earlier, this task has been largely subsumed under the requirement of SB 81 to establish a Juvenile Justice Commission to recommend to the legislature and the Governor the immediate agenda for juvenile justice in the state. We are awaiting the publication of that Juvenile Justice Commission Report. Next DJJ will need to respond to that Commission report and translate its proposals into specific plans for DJJ.

Notwithstanding the above, DJJ still must address fundamental physical plant problems in all of its facilities. Virtually all DJJ facilities are unsuitable as treatment-oriented juvenile corrections facilities. Some are crumbling now. DJJ promised to develop a prototype juvenile facility design but this process has not produced a fiscally viable option. DJJ reports that it is seeking ways to make the prototype more affordable. Further, there is the ongoing uncertainty as to which DJJ facilities will be closed in the next 24-36 months. At present DJJ has a patchwork approach to responding to its inadequate and in some cases, deplorable facilities. DJJ must offer a viable plan with budget estimates to fix its facilities. Besides the continuing unsafe and poor conditions of confinement in DJJ facilities, it is difficult to imagine that DJJ can implement a model treatment approach in its current facilities. I have just received a draft facilities plan for DJJ facilities released in June 2008 which I will be reviewing and giving feedback to DJJ. It is anticipated that this facilities plan will be revised and updated.

Until recently, DJJ did not have a clear policy that required systematic reporting of facility maintenance and physical plant problems to Headquarters. Nor was there a Headquarters system to make sure that the most needed repairs were being completed. The recent assignment of Mark Blaser as project coordinator for improving physical plant issues is a very positive step forward.

DJJ has stated that it is waiting to look at the documents from the youth advocate groups who put concerns into writing. If the current policy we have does not address a legitimate gap or problem with maintaining access to courts, they will look at addressing the issue.

Regarding the facilities master plan, and concerns with the facilities receiving feedback and support from HQ staff, that is an item DJJ promises look at in the near future. DJJ is leaning towards going to a standardized automated work order system, as a few facilities have gone ahead and implemented local practices in this area. There are also currently inspection sheets that each facility fills out on all areas (living units, education, admin, medical, warehouse, chapel, etc.) and sends up to HQ. DJJ has committed to follow up with facility staff as to how the identified deficiencies are addressed and resolved.

9.0 Special Management Units and Temporary Detention

Restricting the use of restrictive housing units in DJJ has been an area of real progress. The numbers of youth in SMPs and TD units has declined dramatically and the length of stay in these units has gone down. The delivery of mandated services in the restricted units has been improved.

The monitoring work of Mark Blaser has been an important part of this progress. He has been producing monthly consolidated reports on the population of the restricted housing units and these reports are used by DJJ management to establish corrective action plans. TD populations have been dramatically reduced and short-term programs have been

instituted to return youth to appropriate housing units. Headquarters staff have been designated to assist facility staff to limit the use of facility lockdowns. Facility lockdowns are now limited by policy to less than five days and none have occurred in DJJ in the last year.

Staff have been trained in the new policies on lockdowns and restricted housing units. Youth in restricted housing spend more time out of their rooms and the use of shackles for movement in these units has been reduced or eliminated.

School hours in restricted housing still need to be increased, but the youth have more contact with counselors, mental health staff, and chaplains. The DJJ has missed its deadline to close all of the SMPs and TD units by the end of 2008. There are expectations that the new BTPs will help DJJ accomplish this goal. It remains to be seen how quickly the DJJ can implement the BTPs and if these programs will genuinely improve the conditions of confinement and treatment of the youth who end up in the restrictive housing units.



California Department of Corrections & Rehabilitation
 Division of Juvenile Justice

Proof of Practice

Document Submission

Date: 02/17/2009

The following information is being provided to the Expert(s), the Special Master, and/or other Stakeholders for the following reason(s):

- Informational Purposes Only
- Informational Purposes and *Feedback Requested*. Due Date for Requested Feedback: _____
- Approval from Experts Required*. Due Date for Requested Feedback: _____
 See the _____ Remedial Plan, page number _____
- Special Request from _____

	Name	Section #	Item #	Due Date	Description
Remedial Plan	Safety & Welfare	3	2	08/01/07	"Revise Use of Force policy"
	Mental Health	8	2a	N/A	Develop/modify policies and procedures in selected areas for youth with mental issues: "Use of force/use of restraints"

Name and Description of Submitted Document(s)	1 – Memorandum from Brigid Hansen, Director, Administration and Operations, to Bernard Warner, Chief Deputy Secretary, subject: "Crisis Prevention and Management – Use of Force (CN 150)" (1 page); 2 – Policy Bulletin for Institutions and Camps Section # 2080 (2 pages) and final version of Institutions and Camps Section # 2080, "Crisis Prevention and Management – Use of Force," signed and approved by Bernard Warner, Chief Deputy Secretary (57 pages) (59 pages); and 3 – PowerPoint presentation entitled, "Crisis Prevention and Management/Use of Force Policy Training" (98 pages). <p style="text-align: right;">TOTAL NUMBER OF PAGES: 158</p>
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Justification for Providing Document(s)	These documents are being provided to show the completed status of DJJ's "Crisis Prevention and Management – Use of Force" policy, which has received the approval and signature of the Chief Deputy Secretary. In addition, a PowerPoint presentation has been developed to aid in training staff on the policy. These documents fulfill the abovementioned audit items of the Safety & Welfare Standards and Criteria.
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Document(s) Submitted to:	Terry Lee	Title	Mental Health Expert
	Eric Trupin	Title	Mental Health Expert
	Barry Krisberg	Title	Safety & Welfare Expert
	Donna Brorby	Title	Special Master

Area Manager	Brigid Hanson	Title	Director, Administration and Operations
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Signature: Brigid Hanson Date: 2/24/09

Area Manager	Sandra Youngen	Title	Director, Juvenile Facilities
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Signature: Sandra Youngen Date: 02/19/09

Area Manager	Juan Carlos Arguello	Title	Chief Psychiatrist
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Signature: [Signature] Date: 2/24/09

Area Manager	Tammy McGuire	Title	Safety & Welfare Team Leader
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Signature: Tammy McGuire Date: 2/19/09

DJJ Litigation Rep.	Doug Ugarkovich	Title	Farrell Litigation Coordinator
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Signature: Doug Ugarkovich Date: 2/19/09

Memorandum

Date:

To : Bernard Warner
Chief Deputy Secretary

Subject : **CRISIS PREVENTION AND MANAGEMENT - USE OF FORCE (CN 150)**

Attached for your review, approval, and signature is the revised Division of Juvenile Justice (DJJ) policy, entitled Crisis Prevention and Management - Use of Force, Case Number 150.

The policy has been revised in response to the *Farrell* litigation. Specifically, to address deficiencies pertaining to the appropriate application of force used by a Correctional Peace Officer on a youth who has been identified as having a disability or mental health issues.

This policy also defines responsibilities and limitations concerning a continuum of crisis management, emphasizing a philosophy of proper prevention and intervention strategies which will allow for a minimal reliance on force and will assist a Correctional Peace Officer in developing discretion in the appropriate application of force if necessary.

The policy has been reviewed by the Executive Policy Review Team (EPRT), Court Experts, Office of Legal Affairs and Bureau of Independent Review, Office of Internal Affairs, and contains revisions based on recommendations from all. See the attached Comment Matrixes for additional information pertaining to recommendations received during the review process.

Policy, Procedures, Programs, and Regulations (PPP&R) Unit is requesting your review, approval, and signature of the Crisis Prevention and Management – Use of Force policy.

Please direct any questions or concerns to Dolores Slaton, Unit Manager, at (916) 262-1431.

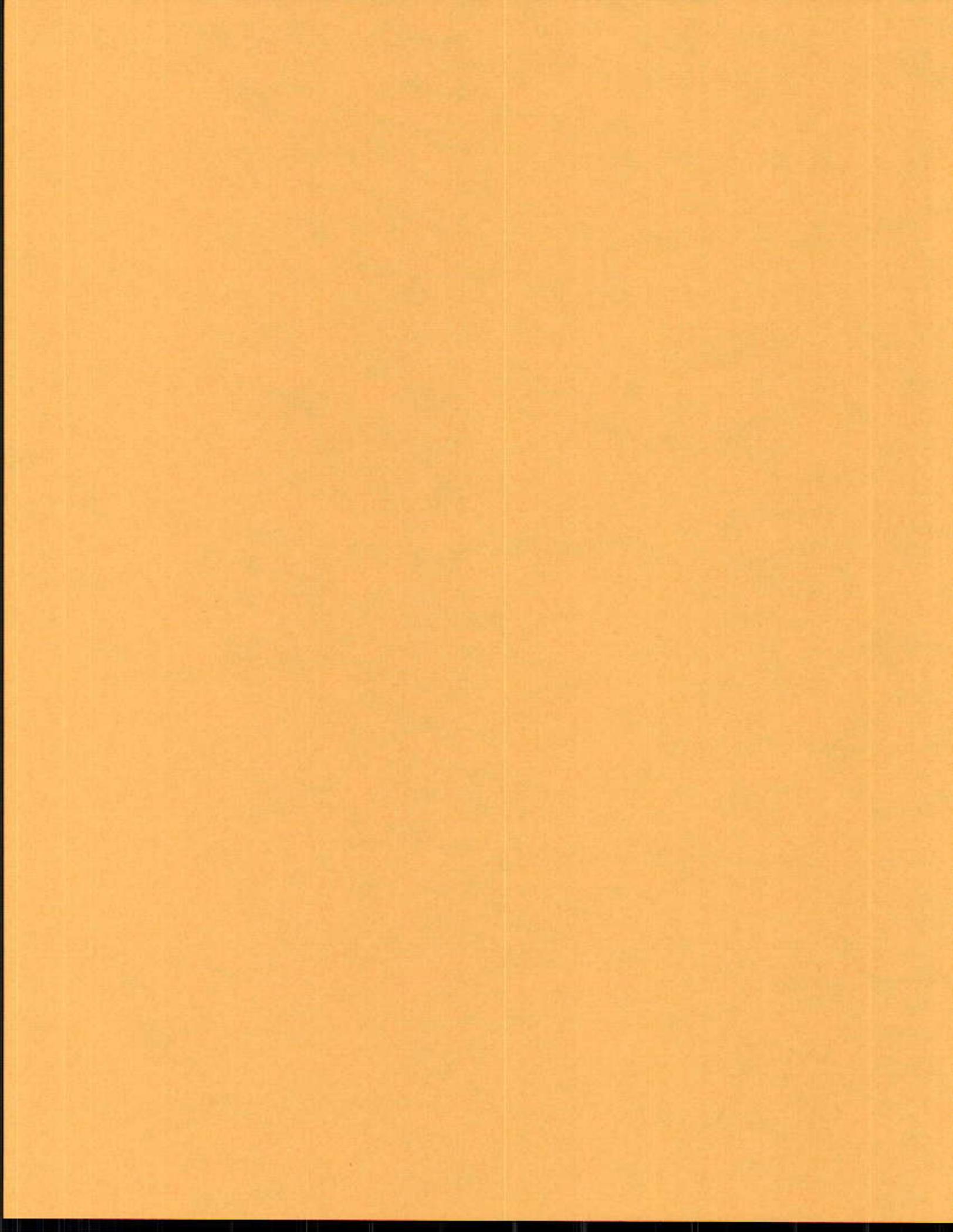
We appreciate your continued cooperation and support.



BRIGID HANSON
Director
Administration and Operations

Attachment(s)

cc: Sonja Dame
Jeff Plunkett



Policy Bulletin

DJJ 6.210 (Rev 06/08)

POLICY BULLETIN (PB)			
Subject: Crisis Prevention and Management – Use of Force			
PB Number:		Approval Date:	
	California Department of Corrections and Rehabilitation Division of Juvenile Justice	Manual: <input type="checkbox"/> Administrative (YAM) <input type="checkbox"/> Education Services (ES) <input checked="" type="checkbox"/> Institutions and Camps (I&C) <input type="checkbox"/> Parole Services (PS) <input type="checkbox"/> Special Education (SE)	Revision #: Section #: 2080

The purpose of this Policy Bulletin (PB) is to provide all Division of Juvenile Justice (DJJ) Institutions and Camps manual holders with information regarding the attached new DJJ policy for Crisis Prevention and Management – Use of Force.

The policy has been revised in response to the *Farrell* litigation.

Instructions

This PB contains changes to the above reference manual(s). To update your manual(s), please follow the directions below step by step.

1. Locate the correct manual(s), as marked above.

Remove	Insert	Special Instructions
Use of Force, I&C Manual, Section 2080-2107, Revision Date 12-01-06	Crisis Prevention and Management, I&C Manual, Section 2080	
N/A	<ul style="list-style-type: none"> Conflict of Interest Statement, DJJ 11.250 Department of Health Services Report of Request and Decision for HIV Testing, CDPH 8459 Employee Consent/Declination for Postexposure Hepatitis B Vaccination Series, DJJ 8.276 Employee Bloodborne Pathogen Exposure Incident Report, DJJ 8.279 Facility Force Review Committee Analysis – Use of Force Incident, DJJ 8.443 Level 2 Intermediate Misconduct Behavior Report, DJJ 8.403A Level 3 Serious Misconduct Behavior Report, DJJ 8.403B Manager’s Report of Controlled Use of 	Insert the forms behind index in numerical order

Policy Bulletin

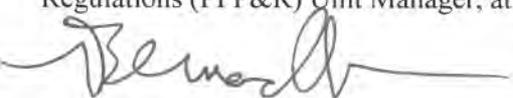
DJJ 6.210 (Rev 06/08)

	<p>Force, DJJ 8.436</p> <ul style="list-style-type: none">• Report of Findings – Youth Interview, DJJ 8.438• Report Review Notice, DJJ 8.435• Staff Claim for Worker’s Compensation Benefits, SCIF 3301• State Compensation Insurance Fund Staff Report of Occupational Injury or Illness, SCIF 3067• Use of Force Incident Review, DJJ 8.440• Use of Force Report, DJJ 8.412• Youth Interview Format, DJJ 8.437• Youth Injury Report, DJJ 8.407	
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3. Update the Revision Record Log (first page of the manual) using the revision number reference above.

This cover sheet does not need to be archived in the manual, only the attached items.

Please inform all persons concerned of the contents of this PB, which shall be maintained and the information contained in this PB utilized. Please direct any inquiries to Dolores Slaton, Policy, Procedures, Programs, and Regulations (PPP&R) Unit Manager, at (916) 262-1431.



BERNARD E. WARNER
Chief Deputy Secretary

Attachments



DIVISION OF JUVENILE JUSTICE

Crisis Prevention and Management

Use of Force

Manual

- Administrative (YAM)
- Education Services (ES)
- Institutions and Camps (I&C)
- Parole Services (PS)
- Special Education (SE)

Section #

2080

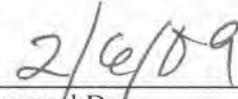
Replace(s)

2080-2107

Signature/Approval**Date**



 BERNARD E. WARNER
 Chief Deputy Secretary



 Approval Date

Policy

The California Department of Corrections and Rehabilitation, Division of Juvenile Justice operates under a Crisis Prevention and Management policy emphasizing a philosophy of proper prevention and intervention strategies to accomplish the treatment, education, and supervision functions with discretion and minimal reliance on the use of force.

All Division of Juvenile Justice staff have the responsibility to emphasize a continuum of prevention and de-escalation strategies in order to effectively minimize crisis situations including but not limited to communication, assessments, relationship/rapport building, presence, planning, and instructions.

Correctional Peace Officers may use reasonable force as required in the performance of their duties, but shall not use unnecessary or excessive force. When other less restrictive non-force options have failed or are not practicable under the circumstances existing at the time, reasonable force may be used. The force used is predicated on the totality of the circumstances including the amount of resistance presented by the youth. Under no circumstances shall the force used be greater than reasonably necessary to achieve control of the youth and maintain safety and order. If staff should, at any point, determine the situation can be resolved without the use of force, the use of force process should be terminated and staff will return to the use of preventative and de-escalation techniques.

This policy, in conjunction with related procedures and training, defines staff responsibilities concerning prevention and intervention strategies, and limitations on the use of force. Procedures and training are used to assist in applying and interpreting policy and ensuring the timely investigation of possible unnecessary or excessive use of force. All employees shall comply with this Crisis Prevention and Management policy and applicable laws. Staff found culpable of violations of the Crisis Prevention and Management Policy, Use of Force Section will be subject to disciplinary (preventive, corrective, or adverse action) procedures.

Changes to the Crisis Prevention and Management policy and/or procedures, as well



DIVISION OF JUVENILE JUSTICE

Crisis Prevention and Management

Use of Force

as any clarification memorandum issued pertaining to the Use of Force, shall only be authorized by the Chief Deputy Secretary or designee of the Division of Juvenile Justice.

Scope Applicable to each Division of Juvenile Justice employee.

- Authority**
- Welfare and Institutions Code, Section 1712
 - California Code of Regulations, Title 15, Division 4, Chapter 1:
 - Article 2, Use of Force
 - Article 3, Section 4036, Non-Lethal Chemical Agent Training
 - Article 3, Section 4037, Training Requirements for the Use of Restraining Devices

- Related Standards/References** Penal Code, Sections:
- 118.1, 147, 148.5, 148.6, 148.10, 149, 196, 830.5, 832, 835-835.a, 843, 12403, and 12420

Related Remedial Plan or Court Order

- Farrell Lawsuit**
- Safety and Welfare
 - Education Services
 - Wards with Disabilities Program
 - Mental Health
 - Health Care Services
 - Sexual Behavior Treatment Program

- Other Lawsuits & Court Orders**
- L.H. Lawsuit
 - Other: _____

- Requirements**
- | | | |
|--|---|--|
| This policy has a training requirement: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| This policy has an audit requirement: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| This policy has restricted distribution: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| This policy requires annual review: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| This policy requires a local procedure: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

Revision Date(s)
12/01/06
06/22/05
03/07/03

Effective Date



DIVISION OF JUVENILE JUSTICE

Crisis Prevention and Management

Use of Force

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DEFINITION(S)

Briefing – Refers to a meeting between staff to share information and provide feedback as a means to assist staff in their daily interactions with youth.

Conflict Resolution Team – A team of Correctional Peace Officer staff tasked with interacting closely with the facility's youth population, applying behavioral and intervention strategies in shaping the facility's social environment, resolving youth conflicts that exist and/or potentially exist.

Controlled Force - Refers to the planned use of force in situations where a youth is located in an area that can be controlled or isolated, does not involve an imminent threat to other persons, or a significant breach of facility security.

Crisis Management/Prevention Options - The choices available to all Direct Care staff when selecting a non-force option which may include behavior support plans and contracts with an emphasis on, but is not limited to:

- **Prevention** - Minimizing the likelihood of crisis situations through treatment or case planning, establishing relationships, building rapport, and structuring the milieu, as trained by the Division of Juvenile Justice.
- **Crisis Prevention Support Guide** - Resource document available to all Direct Care staff initiated by the youth's assigned Case Manager with the intended purpose to identify and inform Direct Care staff of crisis prevention strategies. This plan will help deal with youth who have demonstrated repetitive behaviors that have previously led to a use of force incident or crisis intervention. This plan is available in the Ward Information Network system for all Direct Care staff to view.
- **Dialogue/De-Escalation** – Intervention used to decrease a potential crisis situation emphasizing the use of presence, rapport, and communication skills when no immediate threat is present. This may include intervention by staff not involved in the incident, the use of a time-out for the youth, or other intervention resources to de-escalate the youth involved.

Crisis Situation – Any event where a youth is demonstrating behavior that clearly threatens the safety of youth, other individuals, or the security of the facility and requires some level of intervention. Crisis situations may escalate beyond verbal interventions when the level of imminent threat increases.

Deadly Force - Any use of force that is likely to result in death.

Deadly Force Review Board - A team designated by the Chief Deputy Secretary who reviews deadly force use incident(s) and includes at least four (4) members trained in accordance with Section 832 of the Penal Code. One member shall be either the Director of Juvenile Facilities or the Regional Parole Administrator outside the region or jurisdiction where the deadly force was used. The other three (3) members shall be non-departmental law enforcement professionals.

Department - Refers to the California Department of Corrections and Rehabilitation.

Direct Care Staff - Staff who work with youth on a daily basis, providing direct care, services, or supervision, including but not limited to Correctional Peace Officers, Case Managers, Educators, Counselors, Youth Treatment staff, and Living Unit Supervisors.



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Division - Refers to the Division of Juvenile Justice.

Division of Juvenile Justice Administrator - A Correctional Peace Officer employee at the level of a Superintendent, Superintendent's designee, or Parole Administrator.

Division Force Review Committee - A team of representatives designated by the Chief Deputy Secretary to ensure employee actions are in accordance with the Crisis Prevention and Management policy.

Emergency Response Team - Additional on-duty Correctional Peace Officers responding to an incident that requires additional staff to establish control.

Excessive Force - The use of more force than an objective, trained, and competent Correctional Peace Officer, faced with similar facts and circumstances would use to subdue an attacker, overcome resistance, effect custody, or gain compliance with a lawful order.

Executive Officer - A Correctional Peace Officer at the level of Superintendent, Assistant Superintendent, Chief of Security, Program Administrator, Parole Agent III, Treatment Team Supervisor, or Supervising Casework Specialist.

Extraction - The planned removal of a youth who voluntarily refuses to exit a secure area utilizing the reasonable force necessary to complete the removal.

Great Bodily Injury - An injury that creates a substantial risk of death.

Force Review Committee - A team at facility level tasked with evaluating and monitoring force and is comprised of the Superintendent/Assistant Superintendent, Chief of Security, a Mental Health Professional at a supervisory level, and at least one manager selected on a rotational basis.

Health Care Professional Staff - Includes all Physicians, Registered Nurses, Licensed Vocational Nurses, Licensed Psychiatric Technicians, Nurse Practitioners, and Physician Assistants.

Immediate Force - Refers to the use of reasonable force and due to time constraints, does not require authorization of a higher official when the behavior of a youth constitutes an imminent threat to the safety of any person or the security of the facility.

Lawful Order - An order given to a youth, that if a youth refused to follow would lead to a law violation or compromise the safety and security of youth, employees, other individuals, or the facility.

Mental Health Professional Staff - Includes Psychiatrists, Psychologists, and Licensed Psychiatric Technicians.

Nonconventional Force - Force that utilizes techniques or instruments that are not specifically authorized in policy, procedures, or training. Depending on the circumstances, nonconventional force can be necessary and reasonable; it can also be unnecessary or excessive.

Non-Deadly Force - A use of force option which is greater than verbal persuasion but less than force that is likely to result in death.



DIVISION OF JUVENILE JUSTICE

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Use of Force

Reasonable Force - The amount of force that an objective, trained, and competent Correctional Peace Officer faced with similar facts and circumstances, would consider necessary and reasonable to subdue an attacker, overcome resistance, effect custody, or gain compliance with a lawful order.

Serious Injury - Serious injury means a serious impairment of physical condition, including, but not limited to the following:

- Loss of consciousness
- Concussion
- Bone fracture
- Protracted loss or impairment of function of any bodily member or organ
- A wound requiring extensive suturing
- Serious disfigurement

Unnecessary Force - The use of force that an objective, trained, and competent Correctional Peace Officer faced with similar facts and circumstances, would consider unnecessary to subdue an attacker, overcome resistance, effect custody, or gain compliance with a lawful order.

Use of Force Options - The choices available to a Correctional Peace Officer when selecting a reasonable force option and includes but is not limited to:

- **Authoritative Warnings/Commands** - Commands and authoritative warnings issued to youth when other preventive measures have been unsuccessful prior to use of a force option.
- **Chemical Restraint** - Refers to use of a division-approved Chemical Agent (CN)/ Oleoresin Capsicum (OC).
- **Firearm** - Refers to use of a division-approved firearm, which includes weapons used to fire lethal projectiles.
- **Less-Lethal Weapon** - Refers to use of division-approved security equipment, which includes weapons that fire less-lethal projectiles.
- **Mechanical Restraint** - Refers to use of division-approved mechanical restraint equipment.
- **Physical Strengths and Holds** - Refers to a Correctional Peace Officer's ability to use techniques of physical strengths and holds to subdue an attacker, overcome resistance, effect custody, or gain compliance with a lawful order. This also applies to a Division of Juvenile Justice employee's ability to apply escape techniques to obtain distance from an attacking youth.

Use of Force Incident - A use of force incident involves the use of a force by any DJJ employee on a youth in an effort to control youth behavior that poses a threat to their person, another person, or facility operations.

Violence Reduction Committee - A team of facility staff from various disciplines tasked to review, map, and evaluate all incidents of violence on a monthly and quarterly basis with the intent to reduce all facility violence.



DIVISION OF JUVENILE JUSTICE

Crisis Prevention and Management

Use of Force

TRAINING

It is the responsibility of all managers and supervisors to ensure that employees receive appropriate training and understand the Crisis Prevention and Management policy including both the application and subsequent documentation of the use of force. A Correctional Peace Officer will be able to demonstrate sound decision making in determining the most appropriate force needed.

The Division of Juvenile Justice (DJJ) will train staff in:

- Crisis Prevention/ Management Options
- Documentation, Reporting, and Monitoring Requirements
- Debriefing
- Training Requirements

In addition, Correctional Peace Officer staff will be trained in:

- Authorized Use of Force Options
- Use of Force Limitations
- Restraint Equipment and Restrictions
- Application of Force

Lieutenant/Sergeant

1. Each Lieutenant and Sergeant shall receive training in the proper use of video equipment within 30 days of employment.
2. Each Lieutenant and Sergeant shall ensure subordinate Correctional Peace Officer staff are trained in the proper use of video equipment.
3. Each Lieutenant and Sergeant shall receive training in the Use of Force Incident Review form completion.

Employee

1. Each new employee shall receive training in this Crisis Prevention and Management policy and procedures.
2. Each current employee shall receive training on implementation of this Crisis Prevention and Management policy and procedures.

Direct Care Staff

All Direct Care staff will receive training in crisis prevention and management techniques on a schedule approved by DJJ Executive staff.



DIVISION OF JUVENILE JUSTICE

Crisis Prevention and Management

Use of Force

Correctional Peace Officer

1. Each new Correctional Peace Officer shall receive training in Crisis Prevention and Management, and the Use of Force Options when attending the Basic Juvenile Correctional Academy. The Use of Force training shall include:
 - Prevention and De-escalation Techniques
 - Proper use of restraint equipment
 - Restraint techniques
 - Extraction procedures
2. Within 90 days of approval, each current Correctional Peace Officer shall receive training on implementation of this Crisis Prevention and Management policy.

GOAL(S)

All Direct Care staff will implement crisis prevention and management techniques to:

- Demonstrate a continuum of interventions
- Accomplish the treatment, education, and supervision functions of youth with minimal reliance on the use of force
- Reduce the occurrence of violence

QUALITY ASSURANCE

Each individual Use of Force Incident at a DJJ facility must be evaluated at both supervisory and management levels to determine if the force used was both proper and lawful under applicable laws, regulations, policy, procedures, and training. The policy and procedures set forth below shall be enforced to ensure the management team of the DJJ is aware of use of force incidents, and is able to properly monitor and provide a thorough review of each use of force incident.

Supervisory Evaluation of Use of Force Reports

All Use of Force Incidents shall be reviewed at a Supervisory level within 24 hours of the incident. The following factors must be evaluated:

- Crisis prevention and management techniques used, if applicable
- Any efforts and/or resources used to minimize the use of force
- The need for the application of force
- The relationship between that need and the amount of force used
- The threat reasonably perceived by the employees involved
- Extent of the injuries suffered



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If at any point during the Use of Force Incident Review process, an incident is identified for preliminary inquiry or referred for an Office of Internal Affairs investigation by the Superintendent/designee, the use of force review process shall be suspended until such time a disposition is rendered following completion of the preliminary inquiry, investigation, or both.

Force Review Committee

Use of force incidents shall be reviewed by the Force Review Committee (FRC) within 30 days of occurrence. The FRC shall examine all levels of responsibility exercised by subordinate managers and supervisors, and ensure the appropriateness of completed documentation. The FRC shall make a determination concerning the appropriateness of the use of force based on the information and reports available.

On at least a monthly basis, the FRC shall meet to review all use of force incidents following the Use of Force review process. See Definitions for committee composition.

During the FRC meeting, the committee will document their findings of the appropriateness of actions taken using the Facility Force Review Committee Analysis-Use of Force Incident form. The FRC findings shall be based on a comparison of the documented facts of the incident against statute, regulation, policy, procedures, and training. Reviews may include an examination of documents and video recordings, as deemed necessary by the Superintendent/Assistant Superintendent.

The FRC shall examine each use of force statute, regulation, policy, procedures, and training issue that is involved in each incident. The FRC may determine and initiate requests for additional information or clarification. Requests for clarification will be initiated and tracked by the Use of Force Coordinator or Superintendent's designee. The FRC may make recommendations to initiate changes to procedures and/or training after a final review. The Superintendent may request an investigation based upon the findings of the FRC and will determine if any corrective action is appropriate.

The FRC shall complete a Synopsis Review form that extends recognition to staff who are properly and effectively using alternative tools to manage incidents without resorting to force or where it is clear that the force used was only the amount of force that was necessary to effect control.

All Use of Force incident packages reviewed by the FRC shall include the meeting minutes, all applicable documentation, and video recordings. The Use of Force incident packages shall then be forwarded to the Division of Juvenile Facilities Use of Force Coordinator or Superintendent's designee within seven (7) calendar days of completion for Division Force Review Committee (DFRC) review.

Division Force Review Committee

The DJJ Division of Juvenile Facilities at Headquarters shall review all Use of Force incidents received and select a minimum of ten (10) percent submitted to be further reviewed by the DFRC to ensure employee's actions are in accordance with Crisis Prevention and Management policy, procedures, and training. The DFRC review is a qualitative and quantitative review of selected incidents that the FRC has reviewed. The DFRC ensures facility executives are conducting qualitative analysis of each use of force incident. Each DFRC meeting shall result in a draft Report of Findings that is sent to the Superintendent. The facility shall respond to the DFRC's findings with a notice of factual accuracy. A Corrective Action Plan concerning problematic findings shall be developed as



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necessary. The DFRC is responsible for issuance of a final Report of Findings that is forwarded to the Director of Juvenile Facilities for review.

Violence Reduction Committee

Each DJJ facility shall establish a Violence Reduction Committee (VRC) consisting of facility staff of various disciplines (i.e., Custody, Education, Health Care, Mental Health). The VRC shall review, map, and evaluate all incidents of violence. This information will be used to create a Violence Reduction Plan for each Living Unit Treatment Team at the facility to reduce youth-on-youth and youth-on-staff violence. The VRCs will submit their Violence Reduction Plans to the DJJ's Chief of Security Office for review, monitoring, and to share with other DJJ facilities, the practices found to be the most effective. The VRCs will measure and report the impact of these efforts in violence reduction by Living Unit and by facility.

Each VRC shall have monthly meetings to:

- Review and monitor incidents/concerns of violence and aggression
- Develop and submit recommendations for intervention strategies that include action steps and a monitoring plan to the Superintendent
- Review progress of local gang intervention activities (i.e., Project Impact, Breaking Barriers)
- Review facility programs and activities
- Solicit and consider youth feedback/input through a youth violence committee subgroup or youth council
- Identify a set of violence indicators captured in COMPSTAT and PbS reports that the committee will specifically track
- Publish and distribute the VRC meeting minutes to facility staff, the DJJ Chief of Security, Director of Juvenile Programs, and the Director of Juvenile Facilities.

On a quarterly basis, each VRC shall:

- Review violence indicators from COMPSTAT and PbS reports by each Living Unit, each facility area, and the entire facility
- Identify violence patterns
- Develop a draft Violence Reduction Action Plan to respond to the identified violence patterns
- Submit the draft Violence Reduction Action Plan to the Superintendent
- Develop and submit a quarterly facility report to facility staff, the DJJ Chief of Security, the Director of Juvenile Programs, and the Director of Juvenile Facilities

Monthly and quarterly reports are due to the DJJ Chief of Security by the tenth (10th) day of the month for the previous month. The VRC shall utilize all information available including information from Use of Force reviews, DDMS, Youth Incentive activities, COMPSTAT, PbS measurements, and youth feedback.



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Use of Force Data Base and Subsequent Audits

Each facility shall maintain a database containing use of force information. The database shall be capable of producing various statistical reports to be utilized by managers to monitor trends and patterns of force used.

The Superintendent shall ensure that submitted use of force incident report information is accurately recorded in the Ward Information Network (WIN) system and the monthly COMPSTAT report form. This data shall be maintained by the facility Use of Force Coordinator or Superintendent's designee as a reporting tool to provide the Superintendent and management staff monthly and quarterly reports, as well as specific reports pertaining to and regarding the use of force. The report will provide a means of evaluating trends, reasons for the application of force, and the factors involved.

Deadly Force Review Board

In circumstances where a person is injured or killed as the result of the use of deadly force, the Deadly Force Review Board (DFRB) shall examine all aspects of the incident to determine the extent to which the use of force complied with Crisis Prevention and Management policies and procedures, and to determine the need for policy, training and/or equipment modifications. The DFRB shall report its findings, in writing, to the Chief Deputy Secretary for approval or follow-up action.



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PROCEDURES

Crisis Prevention

Prevention is a critical step in dealing with the management of crisis situations and behavior. Prevention of violence begins with organized programs and staff who know and relate professionally with the youth population. Through these relationships, staff develop rapport and recognize behaviors and situations which have the potential of escalating and may lead to violent or acting out behavior.

Prevention techniques should be used prior, during, and after the point in which force measures become necessary. All prevention and de-escalation measures, such as the use of Conflict Resolution Teams, Psychologists, Teachers Interns, Clergy, Nurses, Recreation Therapists, ADA Coordinators, and other staff should be considered and utilized when possible and practical. Reasonable efforts to de-escalate and prevent force should be made.

Through oversight, training, and development, staff maintain a productive and positive environment which aids in reducing the potential for crisis situations. Implementing and adhering to policies, procedures, program structures, and daily routines helps to meet the basic needs of the youth and enhances prevention efforts.

Prevention strategies include, but are not limited to:

Building Appropriate Relationships

Relationships that are properly defined and which meet the needs of the developing adolescent and young adult are critical for developing a safe and secure environment. There are a number of factors to be considered when building a relationship with an incarcerated youth or young adult. Including, but not limited to:

- Understanding normal adolescent development and baseline behaviors
- Appropriate use of rewards and sanctions
- Development and understanding of appropriate boundaries
- Knowing when to say yes and how to say no
- Setting appropriate limits and applying strength-base strategies for limit setting
- Understanding characteristics of what causes acting out behavior
- Building rapport and connections
- Developing communication skills
 - Empathy, sensitivity to learning disabilities, culture, and developmental delays, and assertiveness skills
- Developing relationships while maintaining professional integrity
- Use of interview skills to motivate and build relationships (empathic listening, developing discrepancy, dealing with resistance, supporting an individual's strengths and self-worth)



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Consistency and Routine Program Service Delivery

Many crisis situations can be prevented by providing consistency and a daily routine. Youth who experienced unpredictable childhoods often face anxiety, uncertainty, and fear in their daily lives as they face the many different types of transitional periods. Consistency and routine help youth to develop a sense of safety and security, creating an environment that promotes changes in youth behavior. Consistency can be increased through:

- Knowing and implementing program routines
- Knowing and adhering to department policies
- Recognizing daily transitional and/or high risk periods and helping youth to prepare and cope with them
- Communication between staff and with the youth
- Intentional, planned, and structured communication with treatment and security staff between shifts and/or following an incident to assure successful implementation of youth treatment strategies and staff response.

Assessments

Assessments can enhance and provide staff awareness and knowledge of factors contributing to crisis behavior of youth. Various assessments include:

Assessment of a Youth

Youth are exposed to numerous assessments which are completed throughout their stay in DJJ. Assessments can assist staff in understanding the youth in order to work effectively for change. Staff should review and consider the information offered by the various assessments to best determine youth interaction. Assessments will also assist the staff in knowing the many variables such as disabilities, prior traumas, and medical or mental health issues which may impact a youth's functioning. Some of these assessments or assessment resources include:

- Risk/Needs Assessment
- Risk for Institutional Violence
- Clinic Summary
- Mental Health Summary
- WIN Information
- Educational Information
- Disabilities Program
- Crisis Prevention Support Guide



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Assessing the Environment

Staff attempting to prevent crisis behaviors and situations should be aware of their environment, and recognize and identify factors in the environment which might impact a crisis situation. Examples might include:

- Grouping
- Escalating youth
- Potential weapons
- Flooring
- Lighting
- Sound
- Exits
- Location of other staff
- Resources

Assessing Youth Behavior

When crisis behavior is observed by staff, it is best, whenever possible, to assess the behavior to better determine how to resolve the situation. Some ways to resolve crisis behavior include, but are not limited to:

- Crisis Prevention Support Guide - This is a plan created in advance of any crisis situation by the Treatment Team and individuals familiar with a youth. It is continually modified as staff become more familiar with a youth. The plan identifies key factors and effective strategies which staff can utilize for resolving crisis situations. Some of the factors might be:
 - Potential medical and mental health risks
 - Youth history – Past events, trauma's, anxieties, or other issues which might impact crisis behavior
 - Youth response to force interventions, and which interventions have been most successful
 - Successful resources: individuals or resources which might help avert the escalation of force
- Successful motivators and/or de-escalation strategies which have helped resolve crisis situations with the youth impulsivity – Crisis behaviors which are primarily the result of impulsive acting out (a fight resulting from someone accidentally stepping on a foot). These can often be resolved through simply clarifying and slowing of the activity.
- Unresolved Conflict – Crisis behaviors resulting from a conflict that has been left unresolved. These can often be resolved through conflict resolution intervention.
- Unresolved Personal Concerns – Crisis behaviors which are the result of historic or past traumas, which may be stimulated by events in or outside of the current living environment (a youth abused by his father acts out when his counselor sets limits, or a youth fights after every time he calls home). These crisis situations are more difficult to resolve as they require understanding of the issues motivating the acting out behavior and helping the youth to develop alternative coping skills.



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Staff Self-Assessment

Staff's ability to self-assess and understand how their own challenges might impact their actions in a situation is critical to the success of resolving crisis situations. There are many variables which could impact a staff's ability to effectively resolve crisis situations and it is critical for staff to be aware of what they are so that they can either effectively resolve their own challenges or seek the assistance of other staff.

Knowing when to ask for assistance or how to assist a co-worker experiencing difficulty is crucial to preventing the escalation of crisis situations. For example, a "Tap Out" strategy is when a staff would intervene with a co-worker by helping them out of a situation where they do not see how they are contributing to the escalation of the situation.

De-escalation Strategies

De-escalation strategies which are trained, practiced, and used in everyday interactions with youth, which most commonly have the intent of reducing potentially escalating interactions. The following are some areas and resources which might help staff to focus, develop, or increase their skills to de-escalate crisis situations.

- Dealing with power struggles and non-compliance
- Verbal and nonverbal interventions
- Reflective Listening
- Empathy
- Motivational Interviewing Skills
- Dealing with low-function youth, mental health youth, and youth with disabilities
- Mediation or Conflict Resolution (Letra)

Follow-up or Debriefing Strategies

The following strategies, when used correctly, can assist staff in reducing the re-occurrence of a crisis situation. Staff should consider using the strategies listed below following a crisis situation:

- Debrief with co-workers to determine what went well, what didn't, and what could be done differently
- Utilize a supervisor's review to develop a "Lesson's Learned" from the debriefing
- Update the Crisis Support Plan with successful outcome information
- Documentation
- Communication with the youth's Treatment Team
- Proper referrals – Medical, Mental Health, etc.

Conflict Resolution Team Strategies

- Extensive daily contacts and motivational interviews with facility youth



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- Small and large group counseling/training on issues and topics related to positive peer interactions and pro-social decision-making
- Ongoing communication with staff throughout the facility concerning existing and potential conflicts

Use of Force: Authorized Use of Force Options

Options include:

- Authoritative Warnings/Commands
- Chemical Restraints
- Firearms
- Less-Lethal Weapons
- Mechanical Restraints
- Physical Strengths and Holds

Authoritative Warnings/Commands shall be used as the first use of force option if time permits. Other options are not listed in continuum order and staff shall consider the most reasonable option for the situation.

When any force option selected and used proves to be ineffective, other force options will be reconsidered.

Use of Force: Limitations

Correctional Peace Officers may use reasonable force as required in the performance of their duties, but unnecessary or excessive force shall not be used. Whenever possible, all reasonable prevention and de-escalation efforts shall be attempted to avoid force. If at any point a Correctional Peace Officer determines the situation can be resolved without any further use of force, the Correctional Peace Officer shall terminate the use of force and return to the use of preventative and de-escalation techniques.

Force shall be used only when reasonably necessary to:

- Subdue an attacker
- Overcome resistance
- Effect custody; or
- Gain compliance with a lawful order (Lawful Order means an order given to a youth that if a youth refused to follow, would lead to a law violation and/or compromise the safety and security of youth, employees, other individuals, or the facility).

At no time is an employee permitted to use force against a youth for punishment, retaliation, or discipline.

Any employee observing unnecessary or excessive force shall make reasonable efforts to stop the violation and immediately report it to the Watch Commander/Supervisor verbally and follow up with a written report of the employee's observations. The un-resisted application of authorized restraint equipment is not considered to be a use of force.



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Deadly Force

The DJJ recognizes the sanctity of human life. Therefore, deadly force shall only be used when it is reasonable force and is needed to defend individuals from the immediate threat of death or great bodily injury.

Chemical Restraints

While chemical restraints are not designed to be daily behavior management tools, chemical restraints may be used as a reasonable force option. Only chemical agents approved by the Chief Deputy Secretary may be used. See Appendix A for approved chemical agents

Due to potential medical complications, Chemical Agents/OC shall not be used on any youth in a controlled use of force incident who is presently on psychotropic medications.

Prior to the utilization of Chemical Agents/OC on a youth in a controlled use of force, a licensed Health Care/Mental Health Professional must be consulted.

A Correctional Peace Officer may only be issued and use Chemical Agents/OC after training on the proper use of the Chemical Agents/OC and their effects on youth who are exposed.

Chemical Agents/OC shall not be used to compel compliance on a youth who is under control. However, a youth in mechanical restraints may not be under control and additional reasonable force may be necessary to establish control of the situation. A Correctional Peace Officer using additional force on a youth in mechanical restraints must explain with particularity in the Use of Force Incident Report why it was reasonable to use the additional force. The report must include a detailed description of the youth's behavior that supported the need to use the additional force.

Once a youth is exposed to Chemical Agents/OC, staff shall not place the youth on their stomach or in a position that allows the youth to end up on their stomach for any period longer than necessary to secure (e.g. handcuff) and/or gain control of the youth or to secure incident area.

Positional asphyxia occurs when an individual's body position interferes with respiration, resulting in death. A prone position makes it difficult for any exposed individual to breathe and may be a contributing factor in positional asphyxia. If a youth is demonstrating respiratory distress, the need to provide medical attention shall supersede securing the incident area.

If a youth exposed to chemical agents is in handcuffs and requires transportation via a gurney, etc., the youth shall be positioned on their back or side, or as medically indicated.

If the discharge of Chemical Agents/OC is accidental and did not involve a youth, the incident shall be reported in a memorandum format to the appropriate supervisor.

When a youth is subject to an accidental exposure of Chemical Agents/OC, decontamination procedures apply, but not a Use of Force report. "Accidental Exposure" refers to a youth who was not the intended target of the Chemical Agents/OC but was exposed or received overspray due to their close proximity to the targeted youth.



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Delivery System Restrictions

The use of the 37/38 mm, L-8 launcher, and MK-46 are prohibited for direct or indirect use on a youth (i.e., a youth's body, barricade removal) in controlled force situations. Exceptions to established equipment use protocols can be made between the Director of Juvenile Facilities or designee and the Superintendent or designee based on unique circumstances requiring a unique response. Exceptions to this restriction are as follows:

- The Superintendent or designee, with the Director of Juvenile Facilities' or designee approval, may authorize the use of the 37/38 mm, L-8 launcher or MK-46 in a controlled use of force. The circumstances justifying the use of the 37/38 mm, L-8 launcher or MK-46 must be serious in nature, calling for extreme measures to protect an employee or youth (i.e., a youth armed with a deadly weapon.)
- This restriction does not preclude a Correctional Peace Officer from using the 37mm, L-8 launcher, or MK-46 against youth in an immediate force situation to gain control of a disturbance in an exercise yard, dayroom, dining room, or open work area, involving multiple youth who may or may not be known to be identified as mental health youth.

Firearms

Only designated Canine (K-9) Handlers, Transportation Officers, Tactical Team Officers, Field Parole Agents, or other authorized Correctional Peace Officers who have successfully completed training in accordance with Section 832 of the Penal Code and the DJJ's Firearms Training Program, and who successfully qualify with the firearm on a quarterly basis may carry or use a firearm. All other employees are strictly prohibited from carrying or using a firearm while on duty or acting in an official capacity.

A firearm shall not be discharged if there is reason to believe that persons other than the intended target will be injured.

Mechanical Restraints

Only division-approved mechanical restraints are authorized for use in a manner consistent with the manufacturer's application instructions and this Crisis Prevention and Management policy.

Mechanical restraints may be used only under the following circumstances:

- When transporting, escorting, and/or detaining a youth between locations
- When a youth's history, present behavior, apparent emotional state, or other conditions present a reasonable likelihood that the youth may become violent or attempt to escape
- When directed by Health Care Professional staff, to prevent a youth from attempting suicide or self-injurious behavior

Use of mechanical restraint equipment by direction of Health Care Professional staff shall be fully documented in the Unified Health Record (UHR) of the restrained youth.

When mechanical restraint is required, handcuffs, alone or attached to a waist chain, will be the means of restraint normally used. Additional mechanical restraints, including leg irons, leather cuffs, or other specialized restraint



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equipment may be used when the circumstances indicate the need for the level of control that such devices will provide.

Flex cuffs are appropriate for one-time emergency use and as a supplement to the standard complement of metal handcuffs. Flex cuffs are for temporary use and are to be removed or replaced with handcuffs as soon as safely possible.

DJJ staff shall not use mechanical restraints in any of the following manner:

- As punishment, retaliation, or disciplinary purposes
- Placed around a youth's neck
- Applied in a way likely to cause undue physical discomfort or restrict blood flow or breathing
- To secure a youth to a fixed object unless directed by a Health Care Professional in a licensed clinical facility
- To secure a youth to a fixed object, except as a temporary emergency measure
- To lift a youth
- To secure a youth to any part of a transporting vehicle

Anytime a youth is involved in an incident requiring force and is placed in mechanical restraint for safety reasons, the incident will be accounted for as a mechanical use of force for COMPSTAT and PbS reporting.

Physical Strengths and Holds

Physical strengths and holds refers to the amount of physical force reasonably applied to a youth to subdue an attack, effect custody, overcome resistance, or gain compliance with a lawful order. The need for physical force shall be justified and documented in clear concise detail on the Behavior Report and Use of Force forms. Correctional Peace Officers will be required to apply reasonable physical force followed by accurate documentation of the actual physical force administered. In reporting, the Correctional Peace Officer will describe the physical strengths and holds actions used to gain control of the youth.

Non-Approved Force

The following non-approved force is prohibited:

- Any force that places a youth in a prone position with the youth's arm(s) and/or hand(s) secured behind the youth's back, and secured to the youth's leg(s)
- Carotid Artery Control Hold
- Any force used to secure a youth to a fixed object with the youth's hand(s) behind the back



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Use of Force: Restraint Equipment

A DJJ Youth Correctional Facility may only purchase, stock, and utilize the equipment approved by the Chief Deputy Secretary. The Chief of Security shall maintain a sufficient complement of approved individual restraint equipment and shall assure that equipment is readily available for use when needed.

Approved restraint equipment shall only be used by trained Correctional Peace Officers.

See Appendix A for a list of authorized restraint equipment.

Application of Authorized Restraint Equipment

Staff shall use Handcuffing/Flex Cuffing Techniques trained in the Basic Correctional Juvenile Academy and annual off-post training.

Spit Hood/Mask

A spit hood/mask may be placed on a youth when escorting, transporting, or conducting a face-to-face interview/hearing inside or outside a facility as long as an immediate threat exists. Application of the spit hood/mask shall be followed up by detailed documentation justifying the use. A spit hood/mask should never be used as a punitive or disciplinary measure.

A spit hood/mask is a one-time use item and shall be discarded after each use. Only division-approved spit hoods/masks are authorized for use. A spit hood/mask may be utilized when any one of the following apply:

- Staff believe there is verbal or physical intent by the youth to contaminate others with spit or other bodily fluids from the nose or mouth and the youth has the ability to carry out the threat
- The youth is not able to control expelling fluids from the nose or mouth (with the exception of vomit)
- The youth is on authorized security precautions according to the procedures of the unit where the youth is residing
- The youth has an extensive history of spitting at others
- The youth has a recent history of spitting. Recent is defined as within the last 30 calendar days

A spit hood/mask shall not be placed upon a youth who:

- Is in a state of altered consciousness (visibly drowsy, stuporous, or unconscious) or;
- Has any visible signs of a seizure; or
- Is vomiting or exhibits signs of beginning to vomit.

A youth exposed to Chemical Agents/OC and/or placed in a spit hood/mask, shall not be placed on their stomach or in a position that allows the youth to end up on their stomach, for any period longer than necessary to secure (e.g. handcuff) and/or gain control of the youth.

If the youth was contaminated with Chemical Agents/OC before the spit hood/mask was applied, the spit hood/mask shall be kept on until the youth is afforded decontamination **unless the youth is in a state of altered consciousness (visibly drowsy, stuporous, or unconscious); or has any visible signs of a seizure; or is vomiting or exhibits signs**



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of beginning to vomit. In this case the spit hood/mask will be removed immediately and appropriate treatment will be administered.

If an exposed youth is in handcuffs and requires transportation via a gurney, etc., they shall be positioned on their back or side.

Employee

1. Applies a spit hood/mask to a youth
2. Contacts the Living Unit Supervisor, Watch Commander, or Sergeant to report the use of a spit hood/mask
3. Maintains constant supervision of the youth to observe for signs of respiratory distress (trouble breathing)
4. If any respiratory distress is observed, removes the spit hood/mask until the signs of respiratory distress have dissipated
5. If respiratory distress continues after the spit hood/mask is removed, contacts medical staff
6. Documents the youth's behavior in a Behavior Report form

Living Unit Supervisor/Watch Commander/Sergeant

1. Proceeds to the location where the spit hood/mask has been applied to a youth
2. Evaluates the use of a spit hood/mask
3. Authorizes continued use or denies further use of the spit hood/mask
4. Ensures documentation for use of the spit hood/mask in the Living Unit Log and Behavior Report form
5. Indicates the reason and duration for which the spit hood/mask may be worn
6. Observes the continued placement of the spit hood/mask on the youth
7. Ensures the spit hood/mask does not impair breathing or blood circulation of the youth

Watch Commander/Sergeant

Documents the youth's behavior and use of spit hood/mask in the facility's Daily Operations Report

Use of Force: Emergency Response Team

Immediate response from additional on-duty Correctional Peace Officers may be required in certain incidents.

Each Superintendent shall develop and maintain an Emergency Response Team (ERT) plan that identifies:

- ERT members
- Conditions under which the ERT will be used
- Who can authorize its use
- Training of each ERT member
- Additional safety equipment for ERT deployment



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Each facility ERT Plan will be submitted and approved by the Director of Juvenile Facilities annually.

Use of Force: Required Medical Evaluation

When force is used or a youth is involved in a physical altercation, a medical evaluation shall be provided to the youth as soon as practical. Health care professionals are the only staff authorized to accept a youth's declination of medical attention after a use of force incident.

Use of Force: Documentation Requirement

Every employee has an ethical and legal responsibility to report what they believe to be an incident of unnecessary or excessive force. Any employee observing unnecessary or excessive force shall make reasonable efforts to stop the violation and immediately report it to the Watch Commander/Supervisor verbally and follow up with a written report of their observations.

Any employee who uses or witnesses force, which appears greater than that required for un-resisted searching, escorting, or handcuffing, must complete applicable reports and document all observations prior to departure from the facility.

See Appendix C, Written Report Guidelines, for additional information on completing documentation.

Use of Force: Video Recorded Interview

A Lieutenant will conduct a video recorded interview of the youth when one (1) of the following criteria is met:

- When there is a significant injury and the youth is admitted to the Out-Patient Housing Unit (OHU) or hospital
- When there is an injury to the youth's head
- When an allegation of unnecessary or excessive use of force has been made

The Watch Commander will decide under which of the above criteria the interview is to be conducted. In the event that the Watch Commander was involved in the use of force incident requiring the video recorded interview of the youth, a Lieutenant other than the Watch Commander shall conduct the interview. All video recorded interviews shall occur within 48 hours of discovery of injury or allegation and follow the Report of Findings Youth Interview form format. Results of the video recorded interview shall be documented on the Report of Findings Youth Interview form along with the youth's written statement.

Immediate Use of Force: Authorization

Any DJJ employee may use immediate force in self-defense or in the defense of others, or when the behavior of a youth constitutes an imminent threat to the security of the facility. (See Appendix B for examples of situations where the use of immediate force may be necessary.) The force used by an employee in these situations must be reasonable force as defined in this policy.

When immediate force is appropriate, any DJJ employee is authorized to use reasonable and necessary force without prior supervisory approval. If time permits, a youth will be given a warning that force will be used if the youth's behavior does not stop immediately.



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Use of immediate force must be verbally reported to a supervisor as soon as it is reasonable and safe to do so, and documented as described in the Reporting procedures of this policy.

Immediate Use of Force

Employee Using Immediate Force

1. Activates personal alarm and/or makes an immediate verbal notification via radio to summon assistance
2. Initiates dialogue and verbal commands

Responding Correctional Peace Officer

1. Responds in the safest and quickest manner possible
2. Maintains proximity control supervision of the incident area including an assessment of:
 - Youth involved
 - Sufficient response of Correctional Peace Officers for incident control purposes
 - Application of reasonable force to gain compliance

Reporting Non-Deadly Force

Responding Correctional Peace Officer

1. Once the incident is under control, contacts a Health Care Professional to evaluate and treat youth injuries and provide emergency treatment to staff
2. Advises the Health Care Professional of the type of force used and possible injury caused by the force
3. Once the Watch Commander is on the scene, verbally reports:
 - Any force used or observed
 - Any known injuries to employees or youth
 - The identity of all employees involved
 - Any allegations heard or special observations made

Controlled Use of Force: Authorization

A controlled use of force is appropriate when the presence or conduct of a youth poses a threat to safety or security, and the youth is located in an area that can be controlled or isolated. These situations do not normally involve the imminent threat to other persons or a significant breach of facility security. The Superintendent shall designate a pool of Correctional Peace Officer managers that can authorize a controlled use of force. A controlled use of force requires the presence of a Superintendent's designee which shall not be less than that of a Lieutenant.

Examples of situations that can lead to controlled use of force include, but are not limited to:

- Dangerous contraband removal



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- Securing a food port
- Large area/dayroom group disturbance
- Administration of medication ordered by medical staff

During non-business hours, if a youth's behavior in a dayroom, education area, treatment area, or recreational area significantly interrupts other youth's access to treatment, mandated services, and/or program activities, the supervisor responsible for the facility shall report to the area, assess the situation to determine if efforts at verbal intervention and de-escalation have occurred, and may authorize the immediate use of force to regain control of the area. The supervisor's decision will be evaluated by the Force Review Committee to determine if it was reasonable.

A controlled use of force shall be authorized and documented by a Chief of Security/Executive Officer (COS/EO). The COS/EO authorizing a controlled use of force shall be from a pool of Correctional Peace Officer managers designated by the Superintendent. The COS/EO shall ensure a briefing from the Watch Commander is conducted and the youth was afforded a cool-down period of reasonable length to allow the youth to comply with the employee's instructions and internalize the employee's intervention efforts.

All controlled uses of force shall be video recorded and shall include the cool-down period.

Verbal warnings shall be given prior to the controlled use of force.

Controlled Use of Force: Special Considerations for Youth with Known or Identified Mental Health/Disability Issues

Consideration of alternative de-escalation techniques should be given for mental health and disabled youth as they may respond differently in crisis situations.

The Superintendent shall ensure each youth with mental health/disability issues is:

- Clearly identified in such a manner that all employees are aware of the designation and the need for an accommodation when considering the use of force
- Assessed by the appropriate Health Care/Mental Health Professional for accommodations and that the accommodations required are documented and made available to all Correctional Peace Officers during the use of force

The Superintendent shall ensure that a system is in place at the facility which monitors, documents, accounts for, and ensures compliance with the Crisis Prevention and Management policy and procedures in the use of force used by Correctional Peace Officers on a youth with known or identified mental health/disability issues.



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At a minimum, this system shall include lists of youth names that are:

- Identified as mental health youth
- Presently taking psychotropic medication
- Identified as having a disability

These lists shall be retained in the facility Control Center for reference purposes on a need to know basis in the event of a controlled use of force.

When Correctional Peace Officers are considering use of force on a youth with mental health/disability issues requiring an accommodation, the following factors shall be considered:

- Health Issues including but not limited to:
 - Respiratory Impairments (such as severe asthma)
 - Heart Murmur
 - Seizure Disorder
- Mental Health Issues
- Pregnancy
- Placement on Suicide Watch
- Prescription Medications

In a controlled use of force situation, if the time needed does not create an additional safety and security issue or significantly interfere with the operations of the facility, Correctional Peace Officers shall consult with a licensed Health Care/Mental Health Professional regarding the mental and physical impairments of a youth with disabilities prior to using force.

Whenever possible, prolonged dialogue and verbal persuasion shall be used prior to the use of force. A youth with disabilities who has specific language, cognitive and/or hearing impairments shall be provided:

- Clear and understandable warnings of the rule violation and the consequences of further non-compliance
- A sufficient and reasonable amount of time after the warning is given for the youth with a disability to respond
- Use of an interpreter or Staff Assistant to establish or enhance communication as necessary

Correctional Peace Officers shall give reasonable warning prior to applying force to a youth with disabilities and shall consider reasonable alternatives under direction of the supervisor in charge when applying force options. Reasonable alternatives that may be considered include but are not limited to:

- Specific Chemical Agents/OC to be approved or restricted by a medical doctor
- Specific or alternative physical strengths and holds approved by a medical doctor
- Approval or restriction from the use of mechanical restraints



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- Specific target areas approved for less lethal force (a youth who has been identified with a bad knee would not be targeted in the knee area)

Controlled Use of Force: Use of Chemical Agents/OC

Prevention techniques should be used prior, during, and after the point in which force measures become necessary. All prevention and de-escalation measures, such as the use of Conflict Resolution Teams, Psychologists, Teachers, Interns, Clergy, Nurses, Recreation Therapists, and ADA Coordinators should be considered and utilized when possible and practical. Reasonable efforts to de-escalate and prevent force should be made.

Chemical Agents/OC may be used during controlled use of force incidents. Use of Chemical Agents/OC will be consistent with training and the restrictions within this policy.

Chemical agents shall not be deployed on a youth prescribed psychotropic medications in a controlled use of force situation.

In addition, some individuals who are very aggressive, agitated, intoxicated, or suffer from a severe mental illness may have altered perceptions and responses to pain, and therefore may not respond as desired and may become more agitated by exposure to Chemical Agents/OC.

A licensed Health Care/Mental Health Professional must be consulted prior to the authorization of Chemical Agents/OC on a youth.

During non-business hours, on-duty Health Care Professional Staff will obtain the youth's Unified Health Record (UHR) and contact either the on-call physician or on-call psychiatrist for consultation.

If, during the consultation, the attending physician/psychiatrist expresses concerns regarding a specific Chemical Agent/OC option, the Superintendent/designee and attending physician/psychiatrist will discuss the matter to determine the best course of action. The attending physician/psychiatrist shall be aware that in providing their consultation, consideration must be given to the potential for injury during the use of force, as well as the medical implication of the selected force option.

If the decision is made to go forth with the use of Chemical Agents/OC, the consulting physician/psychiatrist is responsible for ensuring proper medical equipment and trained medical personnel are available during and after the application of the Chemical Agents/OC to treat the youth for any adverse reaction due to exposure.

After the consultation, the final decision to use reasonable force will rest with the Superintendent's designee which shall not be less than that of a Lieutenant. The Watch Commander shall document the results of the consultation and the basis for the final decision in the Use of Force Incident Review form, Section 1, Watch Commander Review. The attending physician/psychiatrist shall ensure the results of the consultation and the basis for the final decision are documented in the UHR for the medical record.

If Chemical Agents/OC were administered to the youth prior to consideration and preparation for a controlled use of force, the additional application of Chemical Agents/OC may not be necessary if the prior application proved ineffective at achieving compliance from the youth. In these instances, other force options need to be considered in lieu of additional Chemical Agents/OC application.



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Controlled Use of Force: Extractions

Extractions occur when the youth is in a confined area such as a room, holding room/area, shower area, or small exercise area. The Superintendent shall ensure that a list of trained Correctional Peace Officers is maintained in the event an Extraction Team is needed. See Appendix D for staffing and equipment requirements.

Controlled Use of Force: Extraction Preparation

A secure area extraction shall not be conducted without the physical presence of a Health Care Professional unless there is only single post coverage at the Out-Patient Housing Unit. In the event that there is only single post coverage, a UHR review and medical consultation shall occur prior to an extraction commencing. The Superintendent and Chief Medical Officer shall be responsible to ensure contact protocols are in place for appropriate response.

Prevention techniques should be used during the cool-down period. All prevention and de-escalation measures, such as the use of Conflict Resolution Teams, Psychologists, Teachers, Interns, Clergy, Nurses, Recreation Therapists, and ADA Coordinators should be considered and utilized when possible and practical.

A cool-down period shall be utilized in order to allow the youth sufficient time to:

- Be counseled by employees
- Reflect on their behavior
- Comply with the Correctional Peace Officer's instructions

The length of the cool-down period can vary depending upon the circumstances. The Chief of Security or Facility Manager/Executive Officer will determine the length of the cool-down period. Whenever possible and circumstances permit, efforts to persuade the youth to voluntarily come out of the area should continue during the cool-down period.

Correctional Peace Officers shall give reasonable warning prior to applying force to a youth with disabilities and shall afford reasonable accommodation under direction of the supervisor in charge when applying force options.

During normal business hours, a Mental Health Professional shall be present if the youth is presently assigned to a mental health caseload. The Mental Health Professional will provide clinical intervention prior to extraction of the youth. Outside normal business hours, a clinician shall be contacted for consultation. The purpose of the intervention and/or consultation will be to evaluate the youth's present level of mental health functioning in an effort to achieve compliance.

Mental Health Professional

1. Attempts to verbally counsel and persuade the youth to voluntarily come out of the area without force and assesses the potential mental health impact of force options available
2. Consults with the Watch Commander regarding the planned extraction and expresses any concerns about the method of extraction or use of force option
3. Documents the results of the Mental Health Professional's efforts on a supplementary Behavior Report form (to be included in the Incident Report Package)



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Controlled Use of Force: Standard Extractions

Facility Manager

1. Receives a briefing from the Watch Commander concerning the circumstances involving the youth under consideration of the controlled use of force
2. After the briefing, provides authorization to the Watch Commander to proceed with the controlled use of force or denies the request

Watch Commander

1. Personally supervises the extraction
2. Conducts a briefing, including possible tactics to be used, with the Extraction Team. The briefing will be video recorded and should be completed away from the presence of any youth.
3. Verifies that the Extraction Team does not include an employee who was involved in the incident precipitating the need for extracting the youth

Video Camera Operator

Continues to record as directed in the Video Camera procedures below

Watch Commander

1. States name and title
2. Identifies the youth involved
3. Recaps the circumstances of the proposed extraction on camera

Extraction Team Member, Health Care/Mental Health Professional, and Managerial Employee

Identifies self by stating name, title, and role

Facility Manager, Watch Commander, Health Care Professional, Extraction Team and Video Camera Operator

Proceeds to the area where the proposed extraction is to take place. The Extraction Team should be assembled away from the immediate area of the proposed extraction, i.e. in the dayroom area or outside, until summoned by the Watch Commander.

Extraction Team Member

Puts on a blood borne pathogen protective suit and other protective equipment

Watch Commander

1. Gives the youth a final opportunity to comply with the orders prior to using force by reading the Extraction Advisement Card to the youth and provides reasonable accommodations for a youth with disabilities



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2. Directs the Extraction Team to administer reasonable force. The application of reasonable force options will be consistent with training in an effort to accomplish the removal of the youth.

Facility Manager

Reviews the incident to ensure all employee actions were consistent with the Crisis Prevention and Management policy and procedures

Controlled Use of Force: Room Extractions

If the youth is located in a room, all water to the room will be shut off to minimize potential injury to staff or the youth.

Watch Commander

1. If the youth refuses to comply with the final instructions to submit to handcuffing, directs the Extraction Team, Health Care Professional, and the Video Camera Recording Officer to move into position
2. Directs the Extraction Team to administer reasonable force
3. After reasonable force options have been administered, continues to give the youth instructions to persuade the youth to submit to handcuffs and exit the area
4. If the youth complies with orders to submit to handcuffs, calls for the Mechanical Restraint Officer to restrain the youth and remove the youth from the room
5. If the youth does not submit to handcuffs, makes a determination to physically extract the youth from the room

Extraction Team

1. Prepares for entry into the room
2. With the Shield Officer in front, lines up

Watch Commander

Directs one on the Extraction Team members to open the door

Designated Extraction Team Member

Opens the door

Extraction Team

1. Enters the room and physically restrains the youth. This will be accomplished per room extraction training.
2. Places the youth in handcuffs and leg restraints
3. Escorts the youth from the room. If Chemical Agents/OC were used, the youth will be decontaminated using procedures outlined in the Decontamination process.



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Health Care Professional

Examines the youth for injuries

Correctional Peace Officer

1. If determined necessary by Health Care Professional, escorts the youth to the Out-Patient Housing Unit for treatment
2. After the youth is decontaminated, secures the youth

Employee

Every employee who was involved in or witnessed a Use of Force Incident, documents the use of force per the reporting procedures of this policy

Controlled Use of Force: Double Occupant Room Extractions

In the event one (1) of the youth is compliant with the instructions, the youth will be placed into handcuffs if a food port is available and if in the judgment of the Watch Commander it is safe to open the room door, the youth will be removed. If the situation is volatile, the youth will be instructed to remain on the bunk for the duration of the incident.

The procedures for a room extraction where two (2) youth are in the room remain the same as above except with the following changes:

Watch Commander

1. Determines if additional Extraction Team members are necessary due to the presence of the second youth
2. If additional members are necessary, assigns additional Correctional Peace Officers to the Extraction Team

Controlled Use of Force: Secured Outdoor Recreation Area Extractions

Reasonable force may be used to place the youth on the ground to enable the application of mechanical restraints.

In the event two (2) youth are to be extracted from the same area refer to Double Occupant Room Extraction section above.

The procedures for an outdoor extraction remain the same as a room extraction except as follows:

Watch Commander

Prior to implementation of extraction procedures, deems the area is secure for an extraction

Controlled Use of Force: Group Area Extractions/Tactical Considerations/Staff Deployment

When a group of three (3) or more youth refuses to return to a designated location when instructed by a Correctional Peace Officer, all reasonable efforts shall be made to de-escalate the situation and gain compliance through the use of



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dialogue/verbal persuasion. The goal is to gain compliance utilizing reasonable force to ensure the safety of employees, youth, and the public. Group area extractions in a controlled situation require video recording.

If a group's continued refusal to follow instructions requires the response of additional Correctional Peace Officers, intervention must be well planned, organized, and uniform.

Considerations when confronted with such groups include, but are not limited, to the following:

- Group Dynamics
- Current Activities
- Reason for the Activity
- Weapons/Potential Weapons
- Planned or Spontaneous Event
- Volatility of the Group
- Motivating Factors
- Size of the Group
- Group Leaders

The Watch Commander will determine how teams will be deployed. This will vary depending on the location, size and activities of the group. The Watch Commander will authorize reasonable force, unless an immediate threat exists that warrants an immediate force response by the Correctional Peace Officers at the scene of the incident.

The procedures for a Group Area Extraction remain the same as Standard Extraction procedures except as follows:

Living Unit Employee

1. Provides the youth with clear instructions and expectations
2. Proceeds to a telephone, where possible, and notifies the Control Sergeant of the situation, including the number of youth, location of the group, and current activities
3. If the group is located in an area where a telephone is not accessible, uses the radio to relay information
4. Maintains a position of safety and observation
5. Prepares to brief the Watch Commander by identifying involved and uninvolved youth
6. Waits for back up

Control Sergeant

1. Immediately notifies the Watch Commander of the situation
2. Freezes all movement and places the remainder of the facility on lock-down if necessary
3. Dispatches the Search and Escort Officers and the Extraction Team/Emergency Response Team (ERT) to the location



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4. Instructs the Search and Escort Officers and the Extraction Team/ERT to standby
5. Identifies a staging area

Search and Escort Officer

1. Responds to the identified location
2. Waits for a briefing from the Watch Commander
3. Does not enter the location unless there is imminent danger to employees or youth

Extraction/Emergency Response Team

1. Secures youth on their Living Units
2. Responds to identified staging location simultaneously as instructed by the Control Sergeant
3. Takes a respirator, safety equipment, and available radio
4. Waits for briefing and direction from the Watch Commander

Watch Commander

1. Responds to the location
2. Assesses the situation to determine the cause and what resolution is appropriate
3. Notifies the Watch Sergeant of the potential situation
4. Immediately conducts a briefing with the Living Unit employees
5. Divides Extraction Team/ERT members into at least two (2) teams
6. Assigns each team a leader
7. If compliance is not gained through dialogue/verbal persuasion and intervention, briefs and deploys at least two (2) Extraction Teams from the identified staging area
8. Ensures that entry and exits are protected and containment is maintained

Extraction/Emergency Response Team Leader

1. Provides direction to the Extraction Team/ERT members as directed by the Watch Commander
2. Ensures control is maintained at all times

Extraction/Emergency Response Team

Maintains discipline and acts under the direction of the Team Leader

Watch Sergeant

Notifies the facility management team



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Once the incident is concluded, facility programming shall return to normal as soon as safely possible.

Controlled Use of Force: Video Recording Requirements

Each controlled use of force will be video recorded (tape, digital, CD, DVD). The purpose of video recording a controlled use of force incident is to protect the employees and youth involved, and provide a video record of the incident. Following an incident involving the use of video recording, notice to the Superintendent, Assistant Superintendent, Chief of Security, and Executive Officer is required prior to the Watch Commander departing the facility. The Superintendent or Chief of Security will store the video recording, with a copy of the Behavior Report form, Use of Force form, and any other related documents for a period of five (5) years from the date of the incident.

Video equipment, including the camera, batteries, digital storage device (CD, DVD, memory card, flash drive), and blank tapes shall be stored in the Watch Commander's office or the Security Control Center.

A digital storage device may be used to record more than one controlled use of force incident. However, each controlled use of force recorded incident shall be transferred to a separate recording medium for incident review purposes (i.e. if the incident involves more than one youth, the extraction of each youth may be recorded separately on the same digital storage device and then transferred to a separate recording medium).

Video Camera Recording Officer

1. Secures the camera, tape, backup tape, digital storage device, and backup battery from the Watch Commander's office or the Security Control Center
2. Ensures only the proper date and time is displayed on the camera while looking through the viewfinder
3. Begins the video recording and states name, rank, date, time, and location of the controlled use of force
4. Begins recording the Watch Commander's briefing

Watch Commander

1. States name and title
2. Identifies the youth involved
3. Recaps the circumstances of the proposed extraction on camera

Extraction Team Member, Medical/Mental Health Professional and Managerial Employee

Clearly and calmly identifies self by stating name, title, and role

Video Camera Recording Officer

1. Continues video recording at the scene of the proposed controlled use of force and records the events
2. If the video recording is interrupted for any reason once the incident has begun, gives an explanation verbally while video recording. The entire incident must be video recorded in one segment or scene.
3. Continues video recording as long as the youth is resistive of Correctional Peace Officers or combative



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4. If chemical agents were used and the youth is allowed to decontaminate, ensures the decontamination is video recorded in the appropriate manner and in accordance with training
5. If the youth refuses an offer to decontaminate, video records the refusal, if possible
6. Continues recording as Health Care Professional conducts an initial evaluation of the youth to verify medical attention was provided.

The Watch Commander will determine when the incident has been concluded.

7. Upon conclusion of the extraction process, video records the Watch Commander's summary and de-briefing

Watch Commander

Provides a verbal summary of the incident on video recording

Video Camera Recording Officer

1. Labels the Audio/Video recording including the:
 - Date
 - Time
 - Youth's name and YA number
 - Video Operator's name
 - DDMS case number
2. Immediately delivers the recording to the Watch Commander

Watch Commander

Ensures the Audio/Video recording is delivered to the Chief of Security/Assistant Superintendent's Office immediately following the incident and prior to departing the facility

Chief of Security/Assistant Superintendent

1. Views the recording within three (3) business days, to initially evaluate the use of force
2. If the Superintendent has not received the recording and Use of Force Incident Review-Section 2, Chief of Security Review form within four (4) business days of the incident, contacts the applicable Chief of Security to ascertain the status of the recording.

All video recording and applicable reports shall be made available to the Division of Juvenile Facilities upon request.

Immediate and Controlled Use of Force Written Report Requirements

Written reports regarding both immediate and controlled use of force will be documented on a Behavior Report and Use of Force form. See Appendix C, Written Report Guidelines, for additional report guidelines.



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Employee

Prior to leaving the facility, every employee who was involved in or witnessed a Use of Force Incident, completes and submits a Behavior Report and Use of Force form. If the employee is unable to complete the required documentation due to an injury, the employee may dictate the information to a Correctional Peace Officer Supervisor by proxy. This can be accomplished in person or via telephone.

Supervisor

Prior to leaving the facility:

1. Reviews each Behavior Report and Use of Force report form
2. If any violation of this policy has occurred, immediately reports the violation to the Watch Commander
3. Issues a Report Review Notice form to gather any additional information required when appropriate. The report shall be submitted in the form of a supplemental Behavior Report form prior to the employee departing the facility.

Health Care Professional

Prior to leaving the facility:

1. Completes and submits an applicable Behavior Report form
2. Documents in Section Five (5) of the Use of Force form if medical attention was or was not rendered including the following:
 - Date, time, and location of medical attention
 - The reason and type of medical attention
 - A quote of the youth's own words in the patient description section
 - Witnesses' names and their summary of occurrence and injury
 - Specific examination and documentation of observations of the area of the youth where force was applied
 - Description and extent of the injuries sustained, medical treatment rendered and disposition
 - Documentation of any refusal of medical examination and/or treatment by the youth
 - The name of the Health Care Professional (type or print) and their signature
 - If a review of the youth's Unified Health Record was completed prior to the facilitation of a Controlled Use of Force incident, checks the appropriate box
3. Enters all information in the WIN System with the exception of the employee's signature

Watch Commander

1. Completes a Behavior Report form (if necessary)



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2. Ensures each employee prepares and submits all documentation applicable to the incident prior to leaving the facility unless the employee is physically unable to prepare the report due to having been injured. Documentation includes all of the following:
 - Behavior Report form
 - Use of Force Report form
 - Report Review Notice form
 - Youth Interview Format form (if necessary)
 - Report of Findings-Youth Interview form (if necessary)
 - Use of Force Incident Review-Section 1, Watch Commander Review form
 - State Compensation Insurance Fund Staff Report of Occupational Injury or Illness form (if necessary)
 - Staff Claim for Worker's Compensation Benefits form (if necessary)
 - Department of Health Services Report of Request and Decision for HIV Testing form (Applicable to incidents involving potential exposure to blood borne pathogens.) (if necessary)
 - Bloodborne Pathogen Exposure form (if necessary)
3. Gathers required written documentation from employees involved in a use of force incident
4. Reviews documentation for content and clarity
5. If further information is needed, issues a Report Review Notice form to the employee
6. Obtains applicable documentation from the Health Care Professional, and inspects the documentation to determine if all relevant information is present
7. If further information is needed, issues a Report Review Notice form to the Health Care Professional
8. If the youth has made an allegation of unnecessary or excessive force during or subsequent to the incident, follows the process located in the Reporting Allegations of Unnecessary or Excessive Force procedures
9. Completes the Report of Findings-Youth Interview form
10. If the youth's interview was not held within 48 hours, explains the delay on the comment section of the form
11. If the youth sustained a head injury or other serious injury that could have been caused by an employee's use of force, conducts a video recorded interview with the youth within 48 hours. When the injuries are the obvious result of the actions of the youth, or other youth, an interview is not necessary. If it is clearly discernible that the injury did not result from an employee's use of force, the source of the injury should be explained in the primary and supplementary Behavior Report forms prepared by those employees involved.
12. Ensures all video recordings related to use of force incident youth interviews and controlled force are forwarded to the Chief of Security for review
13. Reviews all applicable reports, clarifications, and forms regarding the incident
14. Uses own judgment to determine if the force was appropriate and in compliance with the Crisis Prevention and Management policy, procedures, and training prior, during, and following the use of force
15. Documents evaluation of the incident in the Use of Force Incident Review-Section 1, Watch Commander Review form



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16. Submits the Incident Report Package to the Chief of Security within two (2) calendar days of the incident
17. If the package is submitted after the two (2) calendar day guideline, explains the delay in the comment section of the Use of Force Incident Review-Section 1 Watch Commander Review form.

Chief of Security

This level of review is to ensure the quality, accuracy and credibility of all reports.

1. Reviews the incident report package, normally within two (2) business days of receipt from the Watch Commander
2. Reviews the Use of Force Incident Review-Section 1, Watch Commander Review form as well as all other documents related to the incident. The standard to be used in determining if the use of force was within policy will be based on the criteria contained in the Use of Force Incident Review-Section 2, Chief of Security Review form.
3. In the event the Chief of Security believes an inquiry/investigation may be necessary, marks the appropriate box found in the Use of Force Incident Review, Section 2 Chief of Security Review form

Superintendent/ Assistant Superintendent

1. Reviews the incident report package, normally within two (2) business days of receipt from the Chief of Security. The standard to be used in determining if the use of force was within policy will be based on the criteria contained in the Use of Force Incident Review-Section 3, Superintendent/ Assistant Superintendent/ Designee Review form.
2. After review, forwards the incident packet to the designated Use of Force Coordinator for the qualitative review analysis preparation processing
3. Convenes a Force Review Committee meeting to determine if all aspects of documentation gathering have been completed
4. Determines if any corrective action recommended by subordinates in relation to the incident is appropriate
5. Performs an appropriate analysis to determine if the use of force described in the Incident Report Package was within the guidelines of the Crisis Prevention and Management policy, procedures and training. The analysis should address violations of the policy.
6. Ensures the Facility Force Review Committee Analysis-Use of Force Incident form is completed and included in the Incident Report Package for review

Deadly Use of Force: Reporting

When deadly force is used in the community, local law enforcement shall take charge of the scene. Any employee who observes the use of deadly force will document their observations in a memorandum format. The Deadly Force Review Board shall convene as soon as possible after the investigation is completed.

A Correctional Peace Officer shall not report normal discharging of a firearm occurring on a shooting range unless an injury or death results.



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Correctional Peace Officer

Upon using deadly force and/or discharging a division-approved firearm, whether on or off duty:

1. Notifies local law enforcement immediately
2. Ensures that a Supervisor is verbally notified of the incident without delay
3. Gives an oral Public Safety Statement (PSS) to a Supervisor. As the need for the statement is immediate, the employee is not entitled to a representative at the time it is requested. It is also not acceptable for the employee to submit a written report as an alternative to the statement.
4. Follows any other directions and/or instructions as directed by local law enforcement or a Supervisor

Supervisor

Upon learning or being informed that a Correctional Peace Officer has been involved in the use of deadly force and/or the discharge of a division-approved firearm:

1. Requests the Correctional Peace Officer to provide a PSS addressing the following questions:
 - What happened
 - Where did it happen
 - When did it happen
 - Are there any victims
 - How many
 - Who are they
 - Where are they now
 - How many suspects are there
 - Where are they now
 - Did any escape or leave the area
 - Were shots fired
 - How many
 - Were there any warning shots
 - In what direction
 - From where were they fired
 - Where did they strike
 - Youth weapons
 - Did you see any
 - Who had them
 - What type of weapons



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- Where are they
- What is the scene
 - How large is the area

The PSS should not include, and the Correctional Peace Officer should not be asked to provide, a step-by-step narrative of the incident or a motive for the employee's actions.

2. Captures the oral statement in writing and submits to the Watch Commander. This report will serve as the report for the employee using deadly force in a deadly force Incident Review Packet.
3. Ensures local law enforcement has been notified of the incident
4. Verbally notifies site Administrative employees of the incident without delay
5. Documents and submits a written report of the incident unless instructed otherwise by local law enforcement or a Department Administrator
6. If the incident is in a DJJ facility, goes to the location and ensures that the scene is protected
7. Follows any other directions and/or instructions pertaining to documentation, surrendering of the firearm, etc., as directed by local law enforcement or a DJJ Administrator

Division of Juvenile Justice Administrator

Upon learning or being informed that a Correctional Peace Officer has been involved in the use of deadly force and/or the discharge of a division-approved firearm:

1. Notifies the Chief Deputy Secretary and the Assistant Secretary of Internal Affairs of the incident without delay
2. Ensures all documentation pertaining to the incident is completed and forwarded to the Chief Deputy Secretary for review, unless instructed otherwise by local law enforcement or by the Chief Deputy Secretary
3. Follows any other directions and/or instructions pertaining to documentation, surrendering of the firearm, etc., as directed by local law enforcement or the Chief Deputy Secretary

Chief Deputy Secretary

Upon being informed that a Correctional Peace Officer has been involved in the use of deadly force and/or the discharge of a division-approved firearm:

1. Notifies the Secretary of the California Department of Corrections and Rehabilitation and the Assistant Secretary of Internal Affairs of the incident without delay
2. Ensures a Shooting Review Board is convened to review the incident
3. Ensures all cooperative and investigative procedures are followed in conjunction with local law enforcement, unless directed otherwise by the Department or local law enforcement

Assistant Secretary of the Office of Internal Affairs or Designee

1. Designates a Special Agent to act as a liaison with local law enforcement, as well as lead and coordinate the correctional investigation



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Special Agent

1. Ensures the Watch Commander has established a secure perimeter of the crime scene
2. Ensures the appropriate investigative employees are assembled
3. Ensures all necessary investigative procedures and coordination with affected law enforcement entities is accomplished

The product of the investigation will be a report to the Chief Deputy Secretary with conclusion concerning the extent to which the use of force did or did not comply with the law.

Decontamination

Any youth directly exposed to chemical agents shall be afforded an opportunity to decontaminate as soon as practical and shall only decline medical attention to a Health Care Professional.

A youth may be indirectly exposed to chemical agents when in an adjacent room or in the general area where chemical agents are used. Decontamination of a youth indirectly exposed will be determined by the Watch Commander in conjunction with an assessment by a Health Care Professional. The decision to decontaminate will be based upon obvious physical effects of the chemical agent. A Use of Force Report is not required in these circumstances as the medical attention document will suffice.

Decontamination shall include the following:

- Removal from the affected area
- Medical attention
- Shower
- Clean laundry/linen

The need to medically treat a youth for serious injury may supersede the need to decontaminate from the effects of exposure to chemical agents.

Methods of decontamination include:

- Standard Decontamination
- In-Room Decontamination
- Large Area Decontamination

If a youth refuses to decontaminate, the refusal to decontaminate shall be stated by the youth to the on-duty Health Care Professional and documented in the youth's Unified Health Record.

Decontamination: Standard

Correctional Peace Officer/Employee

1. Removes the youth from the contaminated area



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2. Requests Health Care Professional staff examine the youth as soon as safely possible
3. Escorts the youth to a fully operational shower, as soon as safely possible
4. If a spit hood/mask was applied, removes the spit hood/mask when the youth is showered. A new spit hood/mask will be issued if necessary.
5. If safe to do so, the youth removes clothing prior to showering
6. Instructs the youth to flush the contaminated area of the body thoroughly with cool water
7. If a youth continues to complain of effects of Chemical Agents/OC, provides the youth an additional shower and has the youth re-examined by Health Care Professional staff
8. Issues the youth clean clothing after the youth has showered

Decontamination: In-Room

In-room decontamination may be used when the Watch Commander determines that allowing a youth to decontaminate in a shower is a safety concern. An example would be a youth who is extremely agitated, or a youth on whom force was used to place the youth into the room or secure the food port.

A youth shall be afforded the opportunity to shower if appropriate.

Health Care Professional

1. Advises the youth how to self-decontaminate in the youth's room using water from the sink. If a sink is not available, decontamination will take place outside of the room, when safe to do so.
2. Monitors the youth at least every 15 minutes for a period of not less than 45 minutes starting from the time the youth was last exposed to the chemical agent
3. Documents the fact that the youth was given instructions and the approximate times of the 15-minute observations in the Unified Health Record and on the Use of Force form. If the youth is under medical supervision, such as in the Outpatient Housing Unit, the documented 15-minute observations are not necessary.

Decontamination: Large Area

Decontamination of affected Living Units or other large areas will be accomplished by the use of portable exhaust fans. If necessary, a maintenance employee may be called if the air ventilation system requires a maintenance employee to operate it. Floors may be mopped, if necessary.

If eye burning persists after decontamination, refer the youth to Health Care Professional staff for treatment.

Reasonable efforts can be made to decontaminate the existing assigned room prior to re-housing or to place a youth in another room, if available, if the room the youth was removed from has not been or is unable to be decontaminated.

Allegations of Unnecessary or Excessive Force: Reporting

Any employee observing unnecessary or excessive use of force shall make reasonable efforts to stop the violation.



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Any employee witnessing or receiving information alleging an incident of unnecessary or excessive use of force shall immediately report the incident verbally to the Watch Commander, Chief of Security, or Executive Officer. The verbal report will be followed by appropriate documentation as outlined in the procedures of this policy. In the event the Watch Commander is the subject of the allegation the employee will notify the Chief of Security or Executive Officer.

Each involved employee shall document all details regarding any allegations or observations of unnecessary or excessive use of force. The documentation may be submitted via e-mail, but shall be followed up with a memorandum, to include the writer's signature. This memorandum will include:

- A quote of the youth's words, if applicable
- What transpired including observations of any apparent injuries
- The name of each employee who was present
- The name of the reporting employee's work area supervisor
- The name of the Watch Commander, Chief of Security, or Executive Office that the employee reported the allegation to

If it is unclear whether the youth is making an allegation of unnecessary or excessive force, the employee shall ask the youth directly and include the question and the response in their report.

Each witness of the reported allegation is also required to submit a separate memorandum detailing the youth's statement and the employee's own observations and actions.

All reports shall be submitted to the Watch Commander, Chief of Security, or Executive Officer.

In the event that a youth submits a staff misconduct complaint alleging excessive or unnecessary force on their person by a DJJ employee, the Facility Youth Grievance Coordinator (FYGC) shall contact the Chief of Security to verify if a use of force incident occurred. If the related incident report(s) exists, the FYGC shall note the corresponding DDMS case number on the staff misconduct complaint and submit the staff misconduct complaint to the Superintendent's office for administrative review within three (3) calendar days. If there are no related reports of the incident, the FYGC shall forward the complaint to the Superintendent's office for appropriate action.

If the youth has suffered serious injury or Great Bodily Injury, the Watch Commander, in consultation with the Superintendent, shall notify the Office of Internal Affairs (OIA) and the Bureau of Independent Review (BIR) as soon as possible, but no later than one hour after all safety, security, and control response measures have been implemented following incident discovery. In instances where the allegation was submitted through the youth staff misconduct complaint process and there is no corresponding Behavior Report/Use of Force form, the FYGC shall, in consultation with the Superintendent, notify the OIA and BIR.

Allegations of Unnecessary or Excessive Force: Employee Interviews

All inquiries shall follow policies and procedures outlined in the California Department of Corrections and Rehabilitation's Operations Manual, Chapter 3, Article 14.



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Allegations of Unnecessary or Excessive Force: Youth/Parolee Interviews

Youth and parolees under the jurisdiction of the DJJ shall participate in recorded interviews conducted by the Superintendent/Site Administrator or designee. The Superintendent/Site Administrator or designee will utilize interviewing techniques that will extract pertinent information regarding the situation/incident reported. During an inquiry, a youth may be questioned directly concerning possible employee misconduct. However, questioning will be limited to the scope of the inquiry.

Allegations of Unnecessary or Excessive Force: Report of Inquiry

Information collected by the Superintendent/Site Administrator or designee shall be assembled in a written Report of Inquiry. The investigative case file will contain the following:

- Written statements prepared by employees present and/or involved
- Photographs of victims, participants, and the incident site
- Audio/Video recordings
- Physical evidence
- Applicable documents
- Written summaries of interviews conducted

Once all pertinent information has been gathered, the Superintendent/Site Administrator or designee will forward the Report of Inquiry to the Office of the Superintendent/Site Administrator for review.

Use of Force violations of statute, regulation, policy, and procedures are subject to administrative, criminal, and civil sanctions if deemed appropriate and necessary.

Employee

1. Immediately reports allegations of unnecessary or excessive force verbally to the Watch Commander, Chief of Security, or Executive Officer
2. In the event the Watch Commander is the subject of the allegation, notifies the Chief of Security or Executive Officer.
3. Completes appropriate documentation

Supervisor

Reviews the reports for accuracy and clarity

Watch Commander

1. Verbally notifies the Chief of Security as soon as practical
2. If there are injuries, arranges for the youth to be medically examined and requests a full medical assessment of the injuries



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3. Ensures that a Health Care Professional evaluates the youth
4. Interviews the examining Health Care Professional regarding the extent of the injuries and requests an evaluation of whether the injuries are consistent with the degree of force alleged
5. Ensures the Use of Force Report form, section five has been properly completed
6. Ensures each employee who witnessed the allegation and/or each employee who witnessed the event leading to the allegation immediately submits a report in memorandum format
7. Interviews the youth following the Youth Interview Format regarding the allegation as soon as practical, but no later than 48 hours after receipt of notification of the allegation. The interview will be video recorded if the youth has injuries. Photographs are to be taken of the youth's anatomy where the youth alleges the injury occurred. Results of the interview shall be documented on the Report of Findings – Youth Interview form.
8. Submits an Incident Review Package including all of the following documents relating to the allegation to the Chief of Security:
 - Behavior Report form
 - Use of Force Report form
 - Youth Injury Report form
 - Youth Interview Format form
 - Report of Findings-Youth Interview form
 - Use of Force Incident Review form
 - Related e-mails
 - Related memorandums, signed by the writer

At times a youth may make allegations of excessive or unnecessary force during or immediately after a controlled force incident and then refuse to participate in a video recorded interview. When this occurs, a Report of Findings-Youth Interview form is not needed. Instead, the Watch Commander will note the youth's refusal in the comment section of the Use of Force Incident Review-Section 1, Watch Commander Review form providing an analysis of whether the force used was in compliance with the Crisis Prevention and Management policy and procedures. The Watch Commander will afford the youth an opportunity to submit a written or verbal statement when the youth refuses to participate in the video recorded interview.

Chief of Security

When informed of allegations, makes an initial assessment of the information received and determines whether the seriousness of the allegations and/or extent of the reported injuries warrant immediate notification to the Superintendent/Site Administrator. All allegations shall be reported to the Superintendent within one (1) business day.

Superintendent/Site Administrator

1. Reviews written reports submitted by the Chief of Security or other sources



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2. Determines whether the reported incident and/or situation did occur and which of the following actions is required:
 - No action needed
 - Conduct an inquiry
 - Recommend a formal Internal Affairs Investigation
3. If an inquiry is required, appoints a designee to conduct the inquiry. The designee shall be a Correctional Peace Officer Manager/Middle Manager, Lieutenant, or a classification equal to or above those noted and shall be familiar with existing mandates relative to employee rights and other applicable rules, regulations, and laws.
4. Ensures the inquiry is completed within 45 days of assignment
5. Forwards a recommendation to the Director of Juvenile Facilities for review

Designee

1. Upon being assigned to complete an inquiry, completes and signs a Conflict of Interest Statement form. The completed statement shall accompany the completed Report of Inquiry.
2. Completes the inquiry within 45 days of Superintendent's Review of the complaint/report of misconduct

Superintendent/Site Administrator

1. If an inquiry is not concluded in 45 days, requests a 30-day Extension from the Director of Juvenile Facilities. The request shall include justification for the inquiry exceeding the mandated time frames and a revised projected completion date. Any requests for an extension beyond the initial 30 day request shall be made through the Director of Juvenile facilities and approved by the Chief Deputy Secretary (CDS). Inquiry time limits are subject to a maximum restriction of six (6) months.
2. Notifies the Director of Juvenile Facilities at the end of 90 days if the inquiry is not yet completed
3. Notifies the CDS at the end of 150 days if an inquiry is not yet completed



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FORM(S)

1. Conflict of Interest Statement, DJJ 11.250
2. Department of Health Services Report of Request and Decision for HIV Testing, CDPH 8459
3. Employee Consent/Declination for Postexposure Hepatitis B Vaccination Series, DJJ 8.276
4. Employee Bloodborne Pathogen Exposure Incident Report, DJJ 8.279
5. Facility Force Review Committee Analysis – Use of Force Incident, DJJ 8.443
6. Level 2 Intermediate Misconduct Behavior Report, DJJ 8.403A
7. Level 3 Serious Misconduct Behavior Report, DJJ 8.403B
8. Manager's Report of Controlled Use of Force, DJJ 8.436
9. Report of Findings – Youth Interview, DJJ 8.438
10. Report Review Notice, DJJ 8.435
11. Staff Claim for Worker's Compensation Benefits, SCIF 3301
12. State Compensation Insurance Fund Staff Report of Occupational Injury or Illness, SCIF 3067
13. Use of Force Incident Review, DJJ 8.440
14. Use of Force Report, DJJ 8.412
15. Youth Interview Format, DJJ 8.437
16. Youth Injury Report, DJJ 8.407



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Appendix A Authorized Security Equipment

Mechanical Restraint Equipment

- Handcuffs/Key (Peerless, Smith & Wesson)
- Waist Chain
- Martin Chain (Peerless, Smith & Wesson)
- Handcuff Covers and Padlocks
- Leg Irons (Peerless, Smith & Wesson)
- Flex Cuffs
- Leather/Soft Restraints (Medical personnel authorization-four/five point secure in clinical licensed facility)
- Emergency Restraint Chair (Medical personnel authorization in clinical licensed facility)
- Control Strap for Vehicle Transportation
- Humane Leg Restraints

Chemical Agent/OC Delivery Systems

- DT 1073/1083 Military Maximum Smoke Outdoor
- CTS 8220 Tactical Pocket Grenade (CN) Outdoor
- CTS 6221 Triple Chaser (CN) Outdoor
- DT 1044 Instantaneous Blast (OC) Indoor/Outdoor
- CTS 5420/5440 - DT 2040/2041 Flameless Expulsion (CN) (OC) Indoor/Outdoor
- CTS 3420/3440 - DT 1140 Muzzle Blast (CN) (OC) Indoor/Outdoor
- DT 1171 SKAT-Shell (CN) Direct Fire Prohibited Outdoor (75-100 meters)
- DT 1181 Long Range Spede-Heat-37 (CN) Direct Fire Prohibited Outdoor (80-150 meters)
- CTS MK 40 L1/L2 - DT MK 4 OC, CN, and OC/CN Blend Indoor/Outdoor (stream/fogger)
- CTS MK 90 L1/L2 - DT MK 9 Fogger/Streamer OC, Indoor/Outdoor
- CTS 1640/1642 - DT 5846L MK 46 Horizontal Live OC Indoor/Outdoor
- Zarc International Z305, Z505 OC Indoor/Outdoor
- OC Pepper Ball Projectiles Indoor/Outdoor (red)
- CTS 9592 Sting-Ball Grenade CN Indoor/Outdoor



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Chemical Agent/OC Delivery Systems cont.

- CTS 9594 Sting-Ball Grenade OC Indoor/Outdoor
- DT 1089 Stinger Grenade V OC Indoor/Outdoor

(CS) containing products are not approved for use in DJJ.

*DT: Defense Technology

**CTS: Combined Tactical Systems

Less Lethal

- 37/38 mm Launcher
- DT 1315 Shoulder Launcher Single Indoor/Outdoor
- DT 1319 Composite Stock L/8 Multi-Launcher Indoor/Outdoor
- CTS 3555 - DT 1178 Foam Baton (5) Indoor/Outdoor
- CTS 3555R - DT 1177/6064 Rubber Baton (5) Indoor/Outdoor (Tactical Team use only)
- CTS 3581 Super Sock Indoor/Outdoor
- DT 1225 Bean Bag Single Indoor/Outdoor
- DT 1270 37mm Launching Cartridge Indoor/Outdoor
- Armor Holdings Omni Blast
- CTS 7290/7290M Flash Bang (Tactical Team use only)
- DT 7000 Multi-Port Plus Distribution Device Indoor/Outdoor
- Pepper Ball Projection System Indoor/Outdoor
- OC Pepper Ball Projectiles Indoor/Outdoor (red)
- Pepper Ball Projectiles Marking Indoor/Outdoor (green)
- Side Handle Baton Indoor/Outdoor
- DT 6296 Short RB .32 Cal Stinger 37mm Impact Indoor/Outdoor
- DT 1197 Long RB .32 Cal Stinger 37mm Impact Indoor/Outdoor
- DT 6297 Short RB .60 Cal Stinger 37mm Impact Indoor/Outdoor
- DT 1199 Long RB .60 Cal Stinger 37mm Impact Indoor/Outdoor
- CTS 3553 Short RB .31 Cal Sting-Ball 37mm Impact Indoor/Outdoor
- CTS 3556 Long RB .31 Cal Sting-Ball 37mm Impact Indoor/Outdoor
- CTS 3558 Short RB .60 Cal Sting-Ball 37mm Impact Indoor/Outdoor
- CTS 3559 Long RB .60 Cal Sting-Ball 37mm Impact Indoor/Outdoor
- DT 1090 RP Stinger Grenade Indoor/Outdoor



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Less Lethal cont.

- CTS 9590 RP Sting-Ball Grenade Indoor/Outdoor
 - *DT: Defense Technology
 - **CTS: Combined Tactical Systems

Authorized Lethal/Firearms

Refer to section 2902 Institutions and Camps Manual.



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Criteria Related to the Use of Approved Chemical Agents/Impact Munitions

Reference Number	CTS – Combined Tactical Systems DT – Defense Technologies	Name	Indoor/Outdoor Use	Minimum Deployment Distance	Amount
Aerosol Agents					
DT FD MK 4 CTS MK 40 L1, L2	-DT/CTS	Mk IV OC, CN or OC/CN Blend Mk IV OC (Stream/Fogger Only)	Indoor/Outdoor	<u>3 feet</u>	Reasonable amount to effect custody, subdue an attacker, overcome resistance or gain compliance with a lawful order.
DT FD MK 9 CTS MK 90 L1, L2	-DT/CTS	Mk IX OC (Stream/Fogger Only)	Indoor/Outdoor	<u>6 feet</u>	
CTS 1640/1642 DT 5846L	-DT/CTS	Mk 46 OC (horizontal)	Indoor/Outdoor	<u>15 feet</u>	
Z305	-ZARC	Cap-Stun Standard Duty	Indoor/Outdoor	<u>3 feet</u>	
Z505	-ZARC	Cap-Stun Crowd Control	Indoor/Outdoor	<u>5 feet</u>	
Grenades					
DT 1073-1083		Military Maximum Smoke	Outdoor Only	15-40 meters	Reasonable
CTS 8220		Tactical Pocket Grenade (CN)	Outdoor Only	N/A	Reasonable
CTS 6221		Triple Chaser (CN)	Outdoor Only	N/A	Reasonable
DT 1044	-	Instantaneous Blast (OC)	Indoor/Outdoor	3-10 meters	Reasonable
CTS 5420/5440 DT 2041/2040		Flameless Expulsion (CN or OC)	Indoor/Outdoor	1-10 meters	Reasonable
CTS 9590	-	Sting-Ball Grenade (RP)	Indoor/Outdoor	50 feet maximum	Reasonable
CTS 9592	-	Sting-Ball Grenade (CN)	Indoor/Outdoor	50 feet maximum	Reasonable
CTS 9594	-	Sting-Ball Grenade (OC)	Indoor/Outdoor	50 feet maximum	Reasonable
DT 1089	-	Stinger Grenade V (OC)	Indoor/Outdoor	50 feet maximum	Reasonable
DT 1090	-	Stinger Grenade (RP)	Indoor/Outdoor	50 feet maximum	Reasonable
37mm Blast Dispersion					
CTS 3420/3440 DT 1140		Muzzle Blast (CN or OC)	Indoor/Outdoor	10 feet	Reasonable
37mm Projectiles					
DT 1181		Long Range Spede-Heat-37 (CN)	Outdoor Only	Direct Fire Prohibited 80-150 meters range	Reasonable
DT 1171		SKAT Shell Multi Projectile (5)	Outdoor Only	Direct Fire Prohibited 75-100 meters range	Reasonable
37mm Less Lethal Impact Projectiles					
CTS 3555/DF-SF DT 1178/DF-SF CTS 3555R DT 1177/6064	DF-Direct fire SF-Skip fire	Foam Baton Round (5) Rubber Baton (Tactical Team)	Indoor/Outdoor	10-20 feet 40-150 feet	Reasonable
DT 6297/SF CTS 3558/SF		37 mm .60-Cal Stinger/ Sting-Ball Cartridge Short	Indoor/Outdoor	15-40 feet	Reasonable
DT 1199/SF CTS 3559/SF		37 mm .60-Cal Stinger/ Sting-Ball Cartridge Long	Indoor/Outdoor	15-25 feet	Reasonable
DT 6296/SF CTS 3553/SF		37 mm .32/.31-Cal Stinger/ Sting-Ball Cartridge Short	Indoor/Outdoor	15-25 feet	Reasonable
DT 1197/SF CTS 3556/SF		37 mm .32/.31-Cal Stinger/ Sting-Ball Cartridge Long	Indoor/Outdoor	15-25 feet	Reasonable
CTS 3581/DF-SF DT 1225/DF-SF		Super Sock Single Bean Bag	Indoor/Outdoor	15-35 feet	Reasonable
37mm Launching Cartridge					
DT 1270		Launching Cartridge	Indoor/Outdoor	Direct Fire Prohibited	Reasonable
Distraction Device					
Armor Holdings CTS 7290/7290M DT 7000		Omni Blast Flash bang Multi Port Plus Distraction	Indoor/Outdoor	5 – 30 feet	Reasonable
PepperBall Launcher System Projectiles					
-PC3-R90/R375 -PP-W375 -PC3-P375		-OC PepperBall Projectiles- RED -Marking Projectiles- GREEN -Training only projectile- PURPLE	Indoor/Outdoor	3-10 feet Never target at a person's face, eyes, throat or spine	Reasonable

* Inventory that includes munitions with the previous reference numbers may be used until shelf life expires or inventory is depleted. The munitions referenced above are at or above manufacturer's specifications for indoor/outdoor use and minimum deployment distance.



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Appendix B

Incidents That May Require Use of Immediate Force

This appendix identifies some of the more common situations and gives guidance on handling these incidents. The issues identified below are not to be construed as the only instances where immediate force can be used.

Youth Fighting

Participants of a fight must be separated. After assessing the situation, an employee may use immediate force if, in the employee's judgment, force is necessary to separate the combatants. Normally, prior to the use of force, the responding Correctional Peace Officers would begin with Dialogue/Verbal Persuasion. The responding Correctional Peace Officers may then deploy available use of force options in a reasonable manner in response to an immediate force incident.

Youth Confined in Rooms

- Roommates involved in a fight in the room (See In-Room Assaults below)
- A youth attempting to seriously damage the structure of the room such as:
 - Jumping up and down on the room desk, stool, or sink
 - Attempting to break windows or light fixtures
 - Forceful kicking of the room door
 - Slamming the food port up and down in an apparent attempt to break it
 - Damaging state property in an attempt to make a weapon
- Any attempt to make the door inoperable or to create a barrier for employees from entering the room or significantly damaging the structure of the door
- A youth causing self-injurious behavior such as:
 - Head banging on solid surface with force
 - Cutting on self with sharp object

On the Living Unit (large open area)

- A youth is assaulting another youth with a vile substance, a gassing, etc., and fails to heed the orders of an employee to stop.
- A youth is approaching an employee or the Youth Correctional Counselor (YCC) Station with what appears to be a vile substance, and/or with clinched fists with the potential to assault an employee
- Two (2) or more youth are involved in a fight or an assault, one or more youth are observed to have a weapon, one youth is clearly unable to defend his or her self or the potential for great bodily injury is present.

During Escorts

If dialogue to resolve the escort issue has been unsuccessful, immediate force may be used during escorts when the youth fails to continue with the escort, (i.e. the youth stops and either refuses to continue or sits down.) Immediate



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force may be used to gain control and compliance of the youth or to temporarily confine the youth in a secure holding room/area. A verbal order will be given by the escorting Correctional Peace Officer to continue. If the youth refuses, the Correctional Peace Officer will summon assistance. If the youth resists, reasonable force may be used, including hands-on escort in order to gain compliance from the youth to complete the escort.

In-Room Assaults

In all instances during in-room assaults, the room door will not be opened until two (2) or more Correctional Peace Officers are present to assist with the situation.

Any Living Unit employee discovering an in-room assault will activate their personal alarm and order the youth to stop fighting. At least one employee will remain at the room to continue observation of the incident, acting as a witness to possible criminal misconduct for documentation purposes until the arrival of sufficient Correctional Peace Officers as outlined above.

If the youth continue to fight or one youth continues to assault the other, the Correctional Peace Officers are authorized to use reasonable force to stop the incident.

Youth complying with the Correctional Peace Officer's instructions will be placed in restraints through the food port, if available, prior to removal from the room.

This does not preclude the on-scene Correctional Peace Officers from using discretion in ordering the opening of the room without both youth restrained in handcuffs. This discretion would apply in the event of incapacitating injuries.



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Appendix C Use of Force Written Report Guidelines

Written reports regarding both immediate and controlled use of force will be documented on a Behavior Report and Use of Force form. Reports are to be written in the first person. Identify important information in the contents of the report as follows.

- Date, time and location
- Describe in detail, the de-escalation efforts attempted
- Describe in detail, the actions of the youth and circumstances leading to the use of force
- Explain why the force was used and describe any threat perceived
- Describe the specific force used or observed
- If Chemical Agents/OC were used, identify the type and distance, and describe the application as, i.e. “continuous or multiple burst of OC from a MK-IV from approximately three feet.”
- If physical strengths and holds were administered, identify what actions were taken, i.e. “placed both hands on youth shoulders, wrapping both arms around youth torso, grasping clothing, placing youth on the floor”
- Describe the youth’s level of resistance
- Describe any observed employee or youth injuries and the cause of the injury, if known
- Identify the employee who observed decontamination of chemical agents/OC or medical attention given to the youth
- Reports are not to contain clichés, buzzwords, slang terms, or abbreviations except as a direct quote
- Use descriptive terms to describe the actions step-by-step, do not use the names of techniques or say, “I used a departmental approved control hold.” Instead say, “I placed my hands on the youth’s shoulders, wrapping both arms around youth torso, etc.”
- List the identities of any employee who observed or participated in the use of force

Reports must be prepared by the employee participants and witnesses prior to the employee departing the facility.

An employee may seek supervisory advice and assistance during the preparation of the reports. However, once the report has been signed and submitted to the employee’s supervisor for review and signature, the supervisor shall not change the body of the employee’s report. The employee may make a correction by striking through the error and initialing and dating the changed item. Other additions, deletions, corrections and clarification shall only be made on a supplemental report.

Employees shall not collaborate with each other in the preparation of reports.

Reports are to be typed by the employee and entered into the Ward Information Network (WIN) system prior to departure from the facility.

If the employee is unable to complete the required documentation due to an injury, the employee may dictate the information to a Correctional Peace Officer Supervisor by proxy. This can be accomplished in person or via



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telephone. The report shall include the nature of the injury or condition that caused the employee to dictate the report to a Correctional Peace Officer Supervisor.

The Watch Commander will include in the Comments section of the Use of Force Incident Review - Section 1, Watch Commander Review form, the nature of the injury or condition that caused the employee to dictate their report to a Correctional Peace Officer Supervisor.

The Correctional Peace Officer Supervisor who actually prepares the report shall certify that the report is an accurate and complete representation of what was dictated by signing the report. Upon the injured employee's return to duty or as soon as practical, the employee shall co-sign the dictated report.

Section One of the Use of Force form contains informational fields and provides critical information for data collection. After the report has been submitted, the reporting employee may complete information inadvertently left out of the informational fields. Minor corrections made to the original document must be made by the reporting employee, initialed, dated and lined through so that the original language remains legible. However, once the report has been signed and submitted to a Correctional Peace Officer Supervisor, no substantive changes will be made to the narrative portion of the original document.



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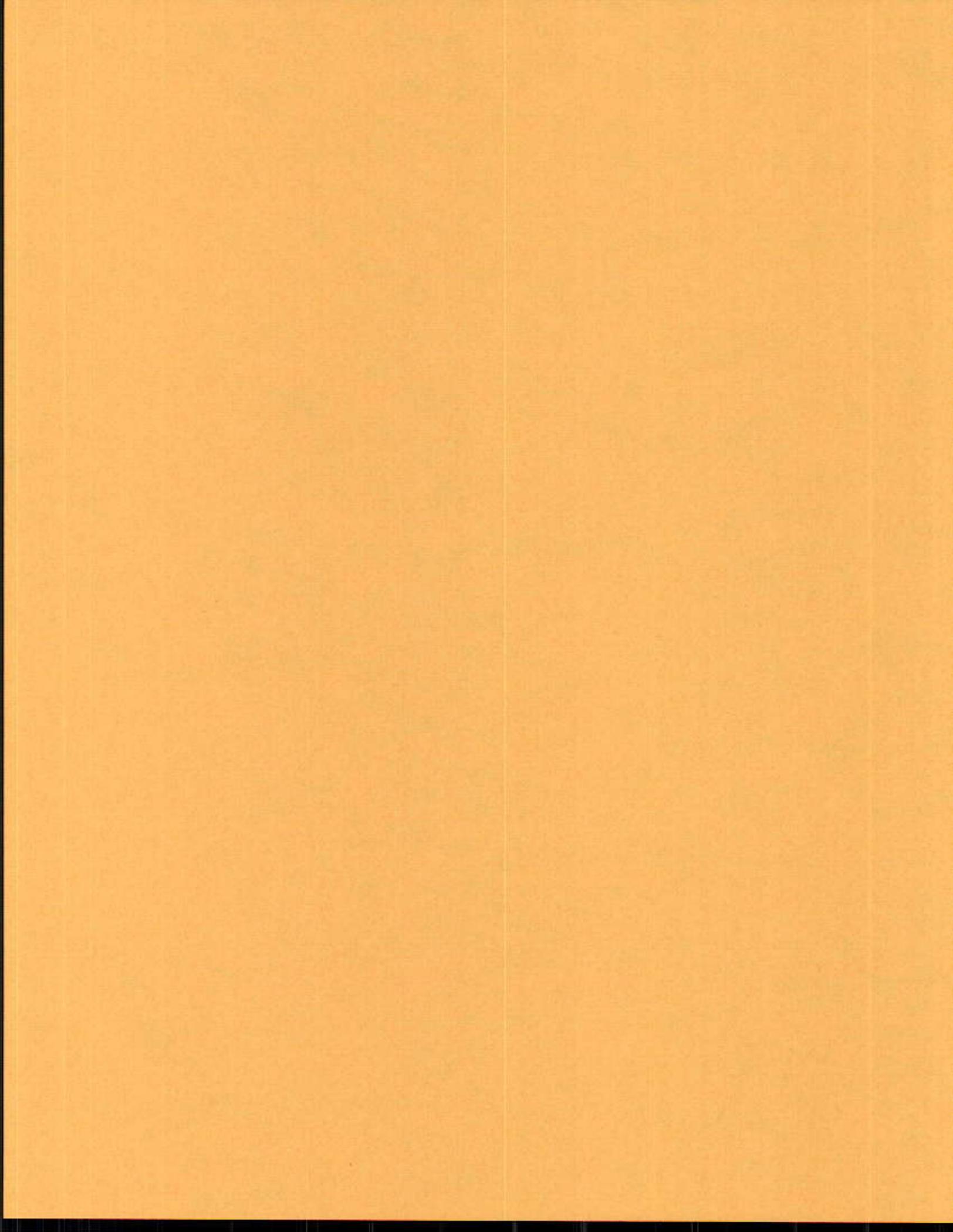
Appendix D **Extraction Team Staffing and Equipment**

Members of the extraction team may have dual roles excluding the Video Recording Officer. The Watch Commander will designate extraction team duty assignments prior to implementation of the extraction. An Extraction Team consists of the following members:

- Video Camera Recording Officer
- Shield Officer
- Physical Restraint Officer (may be more than one)
- Mechanical Restraint Application Officer
- Chemical Agent Officer (if necessary and appropriate)

Each Extraction Team member shall be fully suited in appropriate extraction attire prior to entry and implementation of the extraction process. Equipment consists of the following:

- Protective helmet with face shield
- Protective vest
- Breathing mask
- Elbow and shin protectors
- Gloves
- Blood borne pathogen protective suit
- Polycaptor plexiglass protective shield, approximately 22" wide and 48" long
- Handcuffs and leg restraints
- Video camera with a backup battery
- Pepperball launcher, 37mm gas gun, baton, and flex cuffs/cutter



*Crisis Prevention and
Management/Use of Force
Policy Training*

INTRODUCTION

In recent years, the Division of Juvenile Justice has dedicated an enormous amount of resources to the Use of Force. In previous years, there was minimal direction on force related issues to more recent directives expecting staff to use Chemical Agents until the incident was under control and prior to intervening with physical force to where the DJJ is today.

The Farrell Safety and Welfare Remedial Plan require the DJJ to develop a continuum of prevention, intervention, and use of force methods that includes, at minimum:

- 1. Prevention*
- 2. Dialogue/verbal persuasion*
- 3. Verbal intervention by a person not involved in the incident*
- 4. Commands/authoritative warnings*
- 5. Deferral of action pending supervisory presence for a controlled use of force*
- 6. Containment or isolation*
- 7. Controlled show of force*
- 8. Minimal reliance on the use of physical, chemical or mechanical restraints to reduce threats to safety of staff and youth.*

Therefore, we are here today to provide you with information related to placing a much greater emphasis on prevention and intervention as an effort to reduce use of force incidents in our facilities.

DJJ staff has become well versed in the application, documentation and reviewing the use of force involving the youth population. Now DJJ staff needs to become just as well versed in prevention and intervention techniques outlined in this policy.

Crisis Prevention and Management

Use of Force

Policy Training

The California Department of Corrections and Rehabilitation, Division of Juvenile Justice operates under a Crisis Prevention and Management policy emphasizing a philosophy of proper prevention and intervention strategies to accomplish the treatment, education, and supervision functions with discretion and minimal reliance on the use of force.

Crisis Prevention and Management

Use of Force

Policy Training

All Division of Juvenile Justice staff have the responsibility to emphasize a continuum of prevention and de-escalation strategies in order to effectively minimize crisis situations including but not limited to communication, assessments, relationship/rapport building, presence, planning and instructions.

Crisis Prevention and Management

Use of Force

Policy Training

Correctional Peace Officers may use reasonable force as required in the performance of their duties, but shall not use unnecessary or excessive force. When other less restrictive non-force options have failed or are not practicable under the circumstances existing at the time, reasonable force may be applied. The force used is predicated on the totality of the circumstances including the amount of resistance presented by the youth. Under no circumstances shall the force used be greater than reasonably necessary to achieve control of the youth and maintain safety and order. If staff should, at any point, determine the situation can be resolved without the use of force, the use of force process should be terminated and staff will return to the use of preventative and de-escalation techniques.

Crisis Prevention and Management Use of Force Policy Training

This policy, in conjunction with related procedures and training, defines staff responsibilities concerning prevention and intervention strategies, and limitations on the use of force. Procedures and training are used to assist in applying and interpreting policy and ensuring the timely investigation of possible unnecessary or excessive use of force. All employees shall comply with this Crisis Prevention and Management policy and applicable laws. Staff found culpable of violations of the Crisis Prevention and Management Policy, Use of Force Section will be subject to disciplinary (preventive, corrective, or adverse action) procedures.

Crisis Prevention/Management Options

Prevention

Crisis Prevention Support Plan

Dialogue

De-Escalation

Responsibilities Regarding CPM/Use of Force

- It is the responsibility of all managers and supervisors to ensure that employees receive appropriate training and understand the CPM/Use of Force policy, including both the application and subsequent documentation.
- It is the responsibility of all employees to understand and comply with the CPM/Use of Force policy, related procedures, ongoing training, and applicable law.

Quality Assurance

Supervisory Evaluation of UOF reports:

- Crisis prevention and management techniques used, if applicable
- Any efforts and/or resources used to minimize the use of force
- The need for the application of force
- The relationship between that need and the amount of force used
- The threat reasonably perceived by the employees involved
- Extent of the injuries suffered

Force Review Committee (FRC):

A facility team tasked with evaluating and monitoring force and is comprised of the Superintendent/Assistant Superintendent, Chief of Security, a Mental Health Professional at a supervisory level and at least one manager selected on a rotational basis.

Division Force Review Committee (DFRC):

A team of representatives designated by the Chief Deputy Secretary to ensure employee actions are in accordance with the Crisis Prevention and Management policy.

Violence Reduction Committee

Each DJJ facility shall establish a Violence Reduction Committee (VRC) consisting of facility staff of various disciplines (i.e., Custody, Education, Health Care, Mental Health). The VRC shall review, map, and evaluate all incidents of violence. This information will be used to create a Violence Reduction Plan for each Living Unit Treatment Team at the facility to reduce youth-on-youth and youth-on-staff violence. The VRC's will submit their Violence Reduction Plans to the DJJ's Chief of Security Office for review, monitoring, and to share with other DJJ facilities, the practices found to be the most effective. The VRCs will measure and report the impact of these efforts in violence reduction by Living Unit and by facility.

Crisis Prevention and Management

Prevention is a critical step in dealing with the management of crises situations and behavior. Prevention of violence begins with organized programs and staff who know and relate professionally with the youth population. Through these relationships, staff develop rapport and recognize behaviors and situations which have the potential of escalating and may lead to violent or acting out behavior.

Crisis Prevention and Management

Prevention techniques should be used prior, during and after the point in which force measures become necessary. All prevention and de-escalation measures, such as the use of Conflict Resolution Teams, Psychologists, Teachers Interns, Clergy, Nurses, Recreation Therapists, ADA Coordinators, etc. should be considered and utilized when possible and practical. Although not a right, all efforts to de-escalate and prevent force should be made to advance rehabilitation measures as force does not change behavior and rehabilitation measures are diminished when force is used.

Crisis Prevention and Management

Through oversight, training, and development, staff maintain a productive and positive environment which aids in reducing the potential for crisis situations. Implementing and adhering to policies, procedures, program structures and daily routines helps to meet the basic needs of the youth and enhances prevention efforts.

Crisis Prevention and Management

Prevention strategies include, but are not limited to:

- Building Appropriate Relationships
- Consistency and Routine Program Service Delivery
- Assessment of a Youth
- Assessing the Environment

Crisis Prevention and Management

Prevention strategies include, but are not limited to:

- Assessing Youth Behavior
- Crisis Prevention Support Plan - This is a plan created in advance of any crisis situation by the treatment team and individuals familiar with a youth. It is continually modified as staff become more familiar with a youth. The plan identifies key factors and effective strategies which staff can utilize for resolving crisis situations. Some of the factors might be:

Crisis Prevention and Management

Prevention strategies include, but are not limited to:

- Potential medical and mental health risks
 - Youth history – past events, trauma's, anxieties, or other issues which might impact crisis behavior
- Youth response to force interventions, and which interventions have been most successful
- Successful resources: individuals or resources which might help avert the escalation of force

Crisis Prevention and Management

Areas of Crisis Prevention Support Plan:

- Why does this youth need a Support Plan? (what crisis type behaviors does this youth demonstrate?)
- What should staff consider when this youth is in a crisis? (medical, mental health, disability, anxieties, violence concerns?)
- What helps to prevent crisis situations with this youth? (What helps motivates this youth?)
- What helps de-escalate this youth? (successful intervention techniques, tone, MI skills, anger management techniques?)
- When there appears to be no other alternative: What physical interventions are appropriate for this individual (from least to most restrictive)? Response to touch or chemical? Physical limitations or concerns. Will additional staff (security) escalate the situation?

Crisis Prevention and Management

Staff Self-Assessment

Staff's ability to self-assess and understand how their own challenges might impact their actions in a situation is critical to the success of resolving crisis situations. There are many variables which could impact a staff's ability to effectively resolve crisis situations and it is critical for staff to be aware of what they are so that they can either effectively resolve their own challenges or seek the assistance of other staff.

Crisis Prevention and Management

De-escalation Strategies

De-escalation strategies which are trained, practiced, and used in everyday interactions with youth, which most commonly have the intent of reducing potentially escalating interactions. The following are some areas and resources which might help staff to focus, develop, or increase their skills to de-escalate crisis situations.

Crisis Prevention and Management

De-escalation Strategies

- Dealing with power struggles and non-compliance
- Verbal and nonverbal interventions
- Reflective Listening
- Empathy
- Motivational Interviewing Skills
- Dealing with low-function youth, mental health youth, and youth with disabilities
- Mediation or Conflict Resolution

Crisis Prevention and Management

Follow-up or Debriefing Strategies

Strategies which when used correctly can assist in the re-occurrence of crisis situations. Staff should consider using the strategies listed below following a crisis situation:

- Debrief with co-workers to determine what went well, what didn't, and what could be done differently
- Utilize a supervisor's review to develop a "Lesson's Learned" from the debriefing
- Update the Crisis Prevention Support Plan with successful outcome information
- Documentation
- Communication with the youth's Treatment Team
- Proper referrals – Medical, Mental Health

Crisis Prevention and Management

Conflict Resolution Team Strategies

- Extensive daily contacts and motivational interviews with facility youth
- Small and large group counseling/training on issues and topics related to positive peer interactions and pro-social decision-making
- Ongoing communication with staff throughout the facility concerning existing and potential conflicts

Force Definitions

Unnecessary Force:

The use of force that an objective, trained, and competent Correctional Peace Officer faced with similar facts and circumstances, would consider unnecessary to subdue an attacker, overcome resistance, effect custody, or gain compliance with a lawful order.

Excessive Force:

The use of more force than is objectively reasonable to accomplish a lawful purpose.

Deadly Force:

Any use of force that is likely to result in death.

Great Bodily Injury:

An injury that creates a substantial risk of death.

Non-Conventional Force:

Force that utilizes techniques or instruments that are not specifically authorized in policy, procedures, or training. Depending on the circumstances, non-conventional force can be necessary and reasonable; it can also be unnecessary or excessive.

Serious Injury : Serious injury means a serious impairment of physical condition, including, but not limited to the following:

Loss of consciousness

Concussion

Bone fracture

Protracted loss or impairment of function of any bodily member or organ

A wound requiring extensive suturing

Serious disfigurement

Force Definitions

Reasonable Force:

The amount of force that an objective, trained, and competent Correctional Peace Officer, faced with similar facts and circumstances, would consider necessary and reasonable to:

- Subdue an attacker
- Overcome resistance
- Effect custody, or
- Gain compliance with a lawful order

Use of Force: Authorized Use of Force Options

Authoritative Warnings/Commands

Chemical Restraint

Firearms

Less-Lethal Weapons

Mechanical Restraint

Physical Strengths and Holds

Authoritative Warnings/Commands

Commands and authoritative warnings issued to youth when other preventive measures have been unsuccessful prior to use of a force option.

Limits on the Use of Force

Correctional Peace Officers may use reasonable force as required in the performance of their duties, but unnecessary or excessive force shall not be used.

Force shall be used only when reasonably necessary to:

- Subdue an attacker
- Overcome resistance
- Effect custody
- Gain compliance with a lawful order

Limits on the Use of Force

At no time is an employee permitted to use force against a youth for punishment, retaliation or discipline.

- Any employee observing unnecessary or excessive force shall attempt to stop the violation and immediately report it to the Watch Commander/Supervisor verbally and follow up with a written report of the employee's observations.
- The un-resisted application of authorized equipment is not considered to be a use of force.

Deadly Force

- Deadly force shall only be used when it is reasonable force and is needed to defend individuals from the immediate threat of death or great bodily injury.

Note: A firearm shall not be discharged if there is reason to believe that persons other than the intended target will be injured.

Chemical Restraint

Refers to a Correctional Peace Officer's use of a division-approved Chemical Agent (CN)/ Oleoresin Capsicum (OC)

- All use of chemical restraint must be consistent with Department policies.
- Staff shall only administer the reasonable amount and type of chemical agent to accomplish the control objective.
- Any use of chemical agent (including accidental discharge) must be reported.

Chemical Restraint, cont.

- Due to potential medical complications, Chemical Agents/OC shall not be used on any youth in a controlled use of force incident who is presently on psychotropic medications.
- A Correctional Peace Officer may only be issued and use Chemical Agents/OC after training on the proper use of the Chemical Agents/OC and their effects on youth who are exposed.

Chemical Restraint, cont.

Decontamination: the removal of chemical agent after exposure.

Any youth directly exposed to chemical agents shall be afforded an opportunity to decontaminate as soon as practical and shall only decline medical attention to a Health Care Professional.

Firearms

Only designated Department

- Canine Handlers
- Transportation Officers
- Tactical Team Officers
- Field Parole Agents
- And other authorized peace officers who have successfully completed the California Penal Code 832 course and the Department's firearms training program, and who successfully qualify with the firearm (I/C Manual 2900-2909, Parole Services Manual 2800)

Mechanical Restraint

Refers to a Correctional Peace Officer's use of division-approved mechanical restraint equipment and may be used only under the following circumstances:

- When transporting, escorting, and/or detaining a youth between locations
- When there is a reasonable likelihood of becoming violent or attempt to escape

Mechanical Restraint, cont.

- When directed by Health Care Professional staff, to prevent a youth from attempting suicide or self-injurious behavior.

Mechanical Restraints shall not be:

- Used as punishment, retaliation, or for disciplinary purposes.
- Placed around a youth's neck.
- Applied in a way likely to cause undue physical discomfort or restrict blood flow or breathing.

Mechanical Restraints shall not be:

- Used to secure a youth to a fixed object unless directed by a Health Care Professional in a licensed clinical facility.
- Used to secure a youth to a fixed object, except as a temporary emergency measure . However, a youth who is being transported shall not be secured in any manner to any part of the transporting vehicle.
- Used to lift a youth.

Mechanical Restraint, cont.

Only division-approved mechanical restraints are authorized for use in a manner consistent with the manufacturer's application instructions and this Crisis Prevention and Management policy.

Mechanical Restraint, cont.

- Mechanical restraints may be used when escorting a youth inside the facility. While not required to maintain physical control of the ward, the peace officer is still responsible for the youth's safety.
- BR and UOF form are not needed when mechanical restraints are used solely for escorting.

Mechanical Restraint, cont.

- All youth are subject to transport in mechanical restraints in the facility if deemed necessary.

Exception: transportation for public speaking, fire fighting, public service, and work furlough.

- Upon arrival at a secure facility, the mechanical restraints are to be removed as soon as safely possible.

Physical Strengths and Holds Restraint

Refers to a Correctional Peace Officer's ability to use techniques of physical strengths and holds to:

- Subdue an attacker
- Effect custody
- Overcome resistance, or
- Gain compliance with a lawful order.

Physical Strengths and Holds Restraint

The need for physical force shall be justified and documented in clear concise detail on the Behavior Report and Use of Force forms. Correctional Peace Officers will be required to apply reasonable physical force followed by accurate documentation of the actual physical force administered. In reporting, the Correctional Peace Officer will describe the physical strengths and holds actions used to gain control of the youth.

Less Lethal Restraint

Refers to a Correctional Peace Officer's use of division-approved security equipment, which includes weapons that fire less-lethal projectiles.

- Use caution
- Know Department and facility policy
- Be trained in proper use

Emergency Response Teams (ERT)

Immediate response from additional on-duty Correctional Peace Officers may be required in certain incidents.

Each Superintendent shall develop and maintain an Emergency Response Team (ERT) plan that identifies:

- ERT members
- Conditions under which the ERT will be used

Emergency Response Teams (ERT) cont.

- Who can authorize its use
- Training of each ERT member
- Additional safety equipment for ERT deployment

Each facility ERT Plan will be submitted and approved by the Director of Juvenile Facilities annually.

Required Medical Evaluation

When force is used or a youth is involved in a physical altercation, a medical evaluation shall be provided to the youth as soon as practical. A youth shall only decline medical attention to a Health Care Professional.

Decontamination

Decontamination shall include the following:

- Removal from the affected area
- Medical attention
- Shower
- Clean laundry/linen

If a youth refuses to decontaminate, the refusal to decontaminate shall be stated by the youth to the on-duty Health Care Professional and documented in the youth's Unified Health Record.

Force Documentation Requirement

- Every employee has an ethical and legal responsibility to report what they believe to be an incident of unnecessary or excessive force. Any employee observing unnecessary or excessive force shall attempt to stop the violation and immediately report it to the Watch Commander/Supervisor verbally and follow up with a written report of their observations.
- Any employee who uses or witnesses force, which is greater than that required for unresisted searching, escorting, or handcuffing, must complete applicable reports and document all observations prior to departure from the facility.
- Staff shall not collaborate with each other in the preparation of reports.

Reporting of Non-Deadly Force

- An employee who uses force greater than Authoritative Warnings/Commands to overcome resistance or gain compliance with an order shall document that fact by preparing and submitting the applicable report prior to departure from the facility.
- The report shall identify any known employee witnesses to the incident and describe the circumstances leading to the use of force, the nature and extent of the force used, the resistance by the ward, and any observed injuries.

Reporting of Non-Deadly Force

Each employee witness to the use of force shall submit a separate supplemental report detailing his/her observation.

Also, each employee witness must be prepared to verbally report the following – upon request – to the watch commander:

- Any force used or observed.
- Any known injuries to employees or youth.
- The identities of all employees involved.
- Any allegations heard or special observations made.

Reporting of Non-Deadly Force

Employee

Prior to leaving the facility:

1. Completes and submits a Behavior Report and Use of Force form. If the employee is unable to complete the required documentation due to an injury, the employee may dictate the information to a Correctional Peace Officer Supervisor by proxy. This can be accomplished in person or via telephone.

Reporting of Non-Deadly Force

Supervisor

Prior to leaving the facility:

1. Reviews each Behavior Report and Use of Force report form
2. Issues a Report Review Notice form to gather any additional information required when appropriate. The report shall be submitted in the form of a supplemental Behavior Report form prior to the employee departing the facility.

Reporting of Non-Deadly Force

Health Care Professional prior to leaving the facility:

1. Completes and submits an applicable Behavior Report form
2. Documents in Section Five (5) of the Use of Force form if medical attention was or was not rendered including the following:
 - Date, time, and location of medical attention
 - The reason and type of medical attention
 - A quote of the youth's own words in the patient description section
 - Witnesses' name and their summary of occurrence and injury
 - Specific examination and documentation of observations of the area of the youth where force was applied
 - Description and extent of the injuries sustained, medical treatment rendered and disposition
 - Documentation of any refusal of medical examination and/or treatment by the youth
 - The name of the Health Care Professional (type or print) and their signature
 - If a review of the youth's Unified Health Record was completed prior to the facilitation of a Controlled Use of Force incident by checking the appropriate box
3. Enters all information in the WIN System with the exception of the employee's signature

Supervisory Advice and Assistance

- An employee may seek supervisory advice and assistance during the preparation of the reports.
- However, once the report has been signed and submitted to the employee's supervisor for review and signature, the supervisor shall not change the body of the employee's report.
- The employee may make a correction by striking through the error, and initialing and dating the changed item. Other additions, deletions, corrections, and clarification shall only be made on a supplemental report.

Requirements of Reports

These must contain only the facts of what happened, no personal opinions or conclusions. There are 4 principles to a well-written report:

- **I**mpartiality
- **A**ccuracy
 - **B**revity
- **C**ompleteness

Impartiality

- Report and document the facts; don't judge.
- Do not conceal or withhold info.
- Maintain an open, unbiased mind regarding the incident.
- Report only what you determine through your 5 senses.

Accuracy

Who, what, where, when, and how!

Choose your words carefully. Use words that are not likely to be misconstrued or manipulated.

Brevity

Be concise. Use the best and most effective words to convey your meaning.

Just the facts, please!

Completeness

Include all relevant facts and observations.

Place events in chronological order; arrange the facts in the order of occurrence.

Keys to Writing Behavior Reports

- State date, time and location.
- Describe in detail, the intervention/de-escalation efforts attempted.
- Describe in detail, the actions of the youth and circumstances leading to the use of force.
- Explain why the force was used and describe any threat perceived.

Keys, cont.

- Describe the specific force used or observed in detail.
- If chemical agents/OC were used, identify the type and distance of application.
- If physical strengths and holds were administered, identify what actions were taken in detail.

Keys, cont.

- Describe the youth's level of resistance.
- Describe any observed employee or youth injuries and the cause of the injury, if known.
- Identify the employee who observed decontamination of chemical agents/OC or medical attention given to the youth.

Keys, cont.

- Behavior/UOF reports, state whether youth was placed on TD.
- Write your own BR or Supplemental.
- Do not use clichés, buzzwords, slang terms, or abbreviations **except** as a direct quote.

Keys, cont.

- List only one incident per report and write a separate report for each ward involved in an incident.
- List the identities of any employee who observed or participated in the use of force.
- Use descriptive terms to describe the actions step-by-step, do not use the names of techniques.

Keys, cont.

- Do not rely on anyone else to report what you witnessed.
- Do not editorialize.
- Do not cite prior rule violations (unless report is for repeated rule violations).
- Use clear, simple words, and terminology.

Preparation of Reports by Proxy

If staff member is unable to complete the required documentation due to injury, the employee may dictate the information to a Correctional Peace Officer Supervisor by proxy. This can be accomplished:

- In person or via telephone.

Use of Force: Video Recorded Interview

A Lieutenant will conduct a video recorded interview of the youth when one (1) of the following criteria is met:

- When there is a significant injury and the youth is admitted to the Out-Patient Housing Unit (OHU) or hospital
- When there is an blow to the youth's head
- When an allegation of unnecessary or excessive use of force has been made

The Watch Commander will decide under which of the above criteria the interview is to be conducted. In the event that the Watch Commander was involved in the use of force incident requiring the video recorded interview of the youth, a Lieutenant other than the Watch Commander shall conduct the interview. All video recorded interviews shall occur within 48 hours of discovery of injury or allegation and follow the Youth Interview form format. Results of the video recorded interview shall be documented on the Report of Findings Youth Interview form along with the youth's written statement and interviews of any youth witness.

Application of Force

Immediate Use of Force: Authorization

- Any DJJ employee may only use immediate force in self-defense or in the defense of others, when the behavior of a youth constitutes an imminent threat to the security of the facility.
- The force used by an employee in these situations must be reasonable force as defined in this policy.

Application of Force

Controlled Use of Force:

- A controlled use of force is appropriate when the presence or conduct of a youth poses a threat to safety or security, and the youth is located in an area that can be controlled or isolated. These situations do not normally involve the imminent threat to other persons, or a significant breach of facility security.

Controlled Use of Force: Authorization

- A controlled use of force requires authorization by a Chief of Security/EO level manager and presence of Superintendent's designee which shall not be less than that of a Lieutenant.
- An extraction shall not be conducted without the physical presence of a Health Care Professional unless there is only single post coverage at the Out-Patient Housing Unit during first watch hours.

Controlled Use of Force:

Special Considerations for Youth with Known or Identified Mental Health/Disability Issues;

Consideration of alternative de-escalation techniques should be given for mental health and disabled youth as they may respond differently in crisis situations.

The Superintendent shall ensure each youth with mental health/disability issues is:

Clearly identified in such a manner that all employees are aware of the designation and the need for an accommodation when considering the use of force.

Assessed by the appropriate Health Care/Mental Health Professional for alternatives and that the alternatives required are documented and made

available to all Correctional Peace Officers during the use of force.

Controlled Use of Force:

Special Considerations for Youth with Known or Identified Mental Health/Disability Issues;

The Superintendent shall ensure that a system is in place at the facility which monitors, documents, accounts for, and ensures compliance with the Crisis Prevention and Management policy and procedures in the use of force used by Correctional Peace Officers on a youth with known or identified mental health/disability issues.

At a minimum, this system shall include lists of youth names who are identified as mental health youth, are presently taking psychotropic medication, and/or are identified as having a disability. These lists shall be retained in the facility Control Center for reference purposes.

Controlled Use of Force:

Youth with Disabilities

In a controlled use of force situation, if the time needed does not create an additional safety and security issue or significantly interfere with the operations of the facility, Correctional Peace Officers shall consult with a licensed Health Care/Mental Health Professional regarding the mental and physical impairments of a youth with disabilities prior to using force.

Controlled Use of Force:

Youth with Disabilities

Whenever possible, prolonged dialogue and verbal persuasion shall be used prior to the use of force. Alternatives for a youth with disabilities who has specific language, cognitive and/or hearing impairments shall include but are not limited to:

Clear and understandable warnings of the rule violation and the consequences of further non-compliance.

A sufficient and reasonable amount of time after the warning is given for the youth with a disability to respond.

Use of an interpreter or Staff Assistant (SA) to establish or enhance communication as necessary.

Controlled Use of Force:

Youth with Disabilities

Correctional Peace Officers shall give reasonable warning prior to applying force to a youth with disabilities and shall afford alternatives under direction of the supervisor in charge when applying force options to a youth with disabilities. Alternatives that may be required include but are not limited to:

- Specific Chemical Agents/OC to be approved or restricted by a medical doctor
- Specific or alternative physical strengths and holds approved by a medical doctor
- Approval or restriction from the use of mechanical restraints
- Specific target areas approved for less lethal force

Controlled Use of Force:

Youth with Disabilities

When Correctional Peace Officers are considering use of force on a youth with mental health/disability issues requiring alternatives, the following factors shall be considered:

Health Issues including but not limited to:

- Respiratory Impairments (such as severe asthma)
- Heart Murmur
- Seizure Disorder
- Mental Health Issues
- Pregnancy
- Placement on Suicide Watch
- Medication

Controlled Use of Force, cont.

- During normal business hours, a controlled use of force extraction involving mental health youth, a mental health professional shall be present if the youth is presently assigned to a mental health caseload.
- Outside normal business hours, a clinician shall be contacted for consultation.

Controlled Use of Force: Video Recording Requirements

Each controlled use of force will be video recorded (tape, digital, CD, DVD, etc).

- The purpose of the video recording a controlled use of force incident is to protect the employees and youth involved, and provide a video record of the incident.
- The video recording shall include a cool-down period of reasonable length to allow the youth to comply with employee instructions. Verbal warnings shall be given prior to the controlled use of force.

Evaluating Use of Force

All use of force shall be reviewed at a supervisory level and by the IFRC. The following factors must be evaluated:

- Crisis prevention and management techniques used, if applicable.
- Any efforts and/or resources used to minimize the use of force.
- The need for the application of force.
- The relationship between that need and the amount of force used.
- The threat reasonably perceived by the employees involved.
- Extent of the injuries suffered.

Watch Commander Responsibilities

- Completes a Behavior Report form (if necessary)
- Ensures each employee prepares and submits all documentation prior to leaving the facility.
- Gathers required written reports from employees involved in the use of force incident.
- Reviews all reports for content and clarity and determines if all relevant information is present. If not, issues a Report Review Notice form.
- Review all applicable reports and forms regarding the incident, using the Use of Force Incident Review form “Section 1” and submit incident review package to Chief of Security within (2) calendar days of the incident.

Watch Commander Responsibilities

If the youth sustains a head injury or other serious injury that ***could*** have been caused by an employee's use of force, the watch commander must ensure that a video recorded interview is conducted with the youth within 48 hours of the report of injury.

If it is clearly discernible that the injury did not result from an employee's use of force, the source of the injury should be explained in the reports prepared by those employees involved.

Chief of Security Responsibilities

The Chief of Security reviews the Use of Force Incident Review package, normally within two (2) business days of receipt from the Watch Commander, as well as all other documents related to the incident, and completes “Section 2” of the Chief of Security Review form.

Superintendent/ Assistant Superintendent

The Superintendent/Asst. Supt reviews the report package, normally within two (2) business days of receipt from the chief of Security, to determine if all aspects of documentation gathering have been completed and if any corrective action is appropriate.

Section 3 of the form is completed to determine if the use of force described was within the guidelines of policy.

Monitoring of Non-Deadly Force

All use of force shall be reviewed at a supervisory and managerial level. The following factors must be evaluated:

- The extent of injuries suffered
- The need for the application of force
- The relationship between that need and the amount of force used.
- The threat reasonably perceived by the employees involved, and any efforts made to temper the severity of the force used.

Force Review Committee

- The FRC meets at least on a monthly interval to review all use of force incidents.
- The FRC team is made up of the Supt/Asst. Supt, Chief of Security, Mental Health representative and at least one other manager. Other staff may attend as invited guests to observe the process.
- Reviews include an examination of documents and video recordings.
- FRC examines each use of force statute, regulation, policy, procedures, and training issue involved in each incident.

Use of Force Database and Audits

- Each facility shall maintain a database containing use of force information.
- The Division Force Review Committee (DFRC), designated by the Director, is to select a minimum of 10% of use of force incidents to ensure employee's actions are in accordance with Crisis Prevention and Management policy, procedures, and training.

Monitoring of Deadly Force

- In circumstances where a person is injured or killed as the result of the use of deadly force, the supervisor shall ensure that all appropriate notifications and administrative measures are initiated.
- If the incident occurs in an institution/facility, the supervisor shall respond to the location and ensure that the scene is preserved.
- Deadly Force Review Board shall be convened as soon as possible after investigation is completed.
- Refer to I/C Manual section 2900-2909, Parole Services Manual 2800

Reporting Allegations of Unnecessary or Excessive Force

- Any employee witnessing or receiving information alleging an incident of unnecessary or excessive use of force shall immediately report the incident verbally to the Watch Commander, Chief of Security or Executive Officer.
- Details shall be submitted via e-mail and shall be followed up with a signed memo.
- A copy of the e-mail and memo also shall be given to the employee's work area supervisor.

Responsibilities

Watch Commander:

Notify Chief of Security, arrange for medical exam, gather and review reports from all employees who witnessed the allegation. Interviews the youth regarding the allegation no later than 48 hours after notification.

Chief of Security:

Assess allegations and notify Supt./Asst. Supt. Within (1) business day.

Superintendent/Assistant Administrator:

Review all reports and determine action to be taken. (none, inquiry, or request OIA investigation)

Knowledge Review

1. Immediate
2. Controlled
3. Prevention/Intervention/De-escalation techniques
4. Excessive
5. Any departmental employee
6. Chief of Security or equal position
7. To allow the youth to comply with employee instructions.
8. All employee's present
9. Decontamination

SCENARIO #1

It is 1550 hours on a Tuesday. A youth is presently on SRR status in an OHU environment and has refused their current prescribed psychotropic medication. One staff is assigned to provide one on one supervision coverage. The youth is asking for a phone call and is told no by the custody staff providing supervision. The youth then begins to escalate behavior by raising voice at the custody staff complaining about not receiving a phone call. Custody staff instructs youth to back away from the door, youth complies and the door is secured. Custody staff then maintains supervision through a window. Youth begins making statements that he wants to die and wishes to kill himself. Youth then begins to jump up and down in the room at the furthest point away from the door. Custody staff then radio control for assistance. What is an appropriate response?

SCENARIO #1 Responses

PREVENTION

- What did you do to build rapport
- Talk to youth
- Interview Skills (OARS)
- Roll with resistance
- Ask about issues, medication and SRR

ROUTINE:

- What is routine for P/C SSR – med refusal
- Has Psych been contacted to come?

ASSESSMENT:

- Youth refusal to take medication
- The impact?
- How well if at all, do you know youth
- Crisis Prevention Support Plan will help
- Is youth hurting their self

SCENARIO #1 Responses

ENVIRONMENT:

- Concerns –audience
- Self harm risks

STAFF SELF ASSESSMENT:

- What is your response to a youth on SRR
- Hypersensitive? Avoidant
- Willing to talk?
- Appropriate response
- Work to de-escalate youth
- Have back up plan in event youth escalates to point of self harm
- Request clinical staff support during regular working hours
- Be aware of P/C limitations
- Facilitate a P/C it okay to do so once youth is calm or arrange alternatives
- Continue to monitor as youth jumps up and down
- Intervene if needed due to risk
- Continue to attempt dialogue and distraction appropriate
- Show empathy

SCENARIO #2

It is 1942 hours on a Friday. A youth was throwing liquid substances out of an open tray slot on a unit. Unit staff initially responds by applying OC spray and were able to secure the tray slot. An assessment was conducted by a mental health clinician and due to this youth's present state (youth is threatening the attack the first staff that opens the door), a consultation was conducted with the Psychiatrist who in turn ordered a medicine injection to assist the youth with calming their behavior. An extraction team is assembled. During the briefing the mental health clinician and the medical staff report that this youth has asthma and recommend CA/OC is not used as a force option. What is an appropriate response?

SCENARIO #2 Responses

- **Make sure youth does not have audience**
- **What is reasonable course of action**
- **Use Crisis Prevention Support Plan if time permits**
- **Controlled force is authorized by who**
- **What force option would be reasonable**
- **Get staff with relationship with youth**
- **Did youth receive bad news?**
- **Other preventive measures once in room.**
- **Set limits once in the room**
- **Assessment**
- **De-escalation**
- **No chemical agents needed as physical force should be enough to get youth from point A to point B.**
- **Follow up with debrief with staff present on what preventive measures could have been used.**
- **SRSQ might be needed once in room once incident complete.**

SCENARIO #3

It is 2115 hours on a Sunday. A youth is in the unit dayroom refusing to return to their room/bed area. All three unit staff has attempted intervention with the youth with no success. Responding security personnel arrive and continue intervention efforts without success. The Watch Commander then arrives and is briefed on the incident. The youth's posture appears agitated but not threatening. What is an appropriate response?

SCENARIO #3 Responses

- **What is youth doing in dayroom at this time in program, include briefing from unit staff.**
- **Did youth exhibit this behavior previously**
- **What have unit staff attempted with respect to interventions**
- **Has a review of the Crisis Prevention Support Plan been completed**
- **Has a cool down period been used**
- **Has youth been asked to voluntary move to room**
- **Effect escort with force after briefing or is it appropriate to contract with youth to agree on method to place in room without force**



California Department of Corrections & Rehabilitation
 Division of Juvenile Justice

Proof of Practice
Document Submission

Date: 11/25/2009

The following information is being provided to the Expert(s), the Special Master, and/or other Stakeholders for the following reason(s):

- INFORMATIONAL PURPOSES ONLY
- INFORMATIONAL PURPOSES AND **FEEDBACK REQUESTED**. DUE DATE FOR REQUESTED FEEDBACK: _____
- APPROVAL FROM EXPERT(S) REQUIRED**. DUE DATE FOR REQUESTED FEEDBACK: _____
 SEE THE _____ REMEDIAL PLAN, PAGE NUMBER _____.
- SPECIAL REQUEST FROM _____

Name	Section #	Item #	Due Date	Description	
Remedial Plan	Safety & Welfare	8.6	4d	06/30/07	System developed to report net time added & restored
			4e	06/30/07	Time adds and reasons analyzed
			4f	06/30/07	Plan developed to reduce the frequency and duration of time adds based on inadequate access to programs

Name and Description of Submitted Document(s)	1 – "Report on the Monthly Tracking of Disciplinary Decision-Making System (DDMS), Projected Board Date (PBD), Extensions and Restorations, and PBD Extensions for Treatment/Training and Program Credits for First Admissions and Recommitments and Parole Violators to Division of Juvenile Justice (DJJ) Facilities," Office of Research, Juvenile Research Branch, November 2009" (214 pages). <p style="text-align: right;">TOTAL NUMBER OF PAGES: 214</p>
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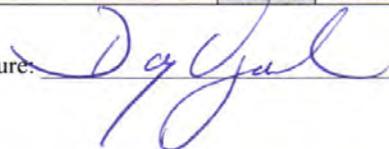
Justification for Providing Document(s)	These documents are being submitted to the Safety & Welfare Expert and the Office of the Special Master under the auspices of the audit items from the Safety & Welfare Standards and Criteria as cited above. This submission is for informational purposes.
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Document(s) Submitted to:	Barry Krisberg	Title	Safety & Welfare Expert
	Donna Brorby	Title	Special Master

Area Manager	Tammy McGuire	Title	Safety & Welfare Team Supervisor
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Signature:  Date: 11/25/09

DJJ Litigation Rep.	Doug Ugarkovich	Title	Farrell Litigation Coordinator
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Signature:  Date: 11/25/09

Report on the Monthly Tracking of
Disciplinary Decision-Making System (DDMS)
Projected Board Date (PBD)
Extensions and Restorations and
PBD Extensions for Treatment/Training and
Program Credits
for
First Admissions and Recommitments
and
Parole Violators
to
Division of Juvenile Justice (DJJ) Facilities



State of California
Department of Corrections and Rehabilitation

Office of Research
Juvenile Research Branch

November 2009

State of California
Department of Corrections and Rehabilitation
Office of Research
Juvenile Research Branch

Steven F. Chapman, Ph.D.
Assistant Secretary
Office of Research

L. J. Carr, Ph.D.
Chief
Juvenile Research Branch

Brenda Grealish
Research Manager II
Research and Evaluation Unit
Juvenile Research Branch

Cathi Negri
Research Manager I
Offender-Based Information Tracking System (OBITS)
Juvenile Research Branch

Tonya Lindsey
Research Program Specialist I
Research and Evaluation Unit
Juvenile Research Branch

Alice Chen
Research Analyst I
Research and Evaluation Unit
Juvenile Research Branch

Dominic Hatfield
Research Analyst I
Offender-Based Information Tracking System (OBITS)
Juvenile Research Branch

Minerva Reyes
Research Analyst I
Offender-Based Information Tracking System (OBITS)
Juvenile Research Branch

California Department of Corrections and Rehabilitation
Office of Research
Juvenile Research Branch
4241 Williamsbough Drive, Suite 122, Sacramento, CA 95823
Telephone: (916) 262-1485

We extend special thanks to the DJJ Administrative Staff.

Executive Summary

BACKGROUND

To comply with requirements specified in the CDCR Division of Juvenile Justice (DJJ) Safety and Welfare Remedial Plan, the Office of Research, Juvenile Research Branch (JRB), is responsible for producing a monthly report to monitor the Disciplinary Decision-Making System (DDMS) Projected Board Date (PBD) extensions and restorations and PBD extensions for treatment/training and program credits for youth who are housed in DJJ facilities/camps, the Department of Mental Health (DMH), and the Division of Adult Institutions (DAI).

This report provides the DDMS and Program data that were processed into the Offender-Based Information Tracking System (OBITS) from July 2008 to July 2009 and tracks the DDMS and Program time extended to / subtracted monthly from PBDs for first admissions and recommitments, as well as for parole violators.

FINDINGS

DJJ Facilities/Camps

- ✓ The overall annualized trend shows a decrease in the number of youth who received DDMS PBD extensions. The greatest number of youth received DDMS PBD extensions in October 2008 (187 youth) and the least number of youth received DDMS PBD extensions in June 2009 (44 youth). The average number of months extended per youth remained stable throughout the year, ranging from 1.60 to 2.64 months.

- ✓ The number of youth with DDMS PBD restorations fluctuated throughout the year, with the greatest number of youth receiving DDMS PBD restorations in October 2008 (11 youth). The average number of months restored per youth remained stable, ranging from 1.09 to 1.62 months.
- ✓ The overall annualized trend shows a decrease in the number of youth who received PBD extensions for treatment/training. With the exception of July, August and December 2008 and April 2009, less than 50 youth per month received PBD extensions. The average number of months extended per youth remained stable throughout the year, ranging from 2.94 to 4.67 months. The majority of treatment/training PBD extensions were attributed to “youth” reasons or parole being denied. Few extensions were attributed to “staff” or “extended” (i.e., EPRD past PBD and WIC 1800) reasons.
- ✓ The overall annualized trend shows an increase in the number of youth who received program credits. The least number of youth received program credits in January 2009 (19 youth) and the greatest number of youth received program credits in April 2009 (65 youth). With few exceptions, the average number of months credited per youth remained stable throughout the year, ranging from 2.00 to 2.64 months.

Division of Adult Institutions (DAI)

- ✓ Only 23 youth incarcerated in the DAI received DDMS PBD extensions. The

average number of months extended per youth ranged from 1 to 5.5 months.

- ✓ No DDMS time was restored for youth incarcerated in the DAI.
- ✓ Less than ten youth per month housed in the DAI received PBD extensions for treatment/training. (The exception was in March 2009, when 11 youth received a treatment/training PBD extension.) Overall, the average number of months extended per youth was higher for those in DAI than in DJJ, ranging from a low of 2.75 to a high of 9 months. The majority of treatment/training PBD extensions were attributed to “youth” or “extended” reasons. Few were attributed to staff reasons or parole being denied.
- ✓ Only 13 youth incarcerated in the DAI received program credits. The average number of months credited ranged from 1 to 3 months.

Department of Mental Health (DMH)

- ✓ No DDMS time was extended for youth living in a DMH facility.
- ✓ No DDMS time was restored for youth living in a DMH facility.
- ✓ Only 8 youth received a PBD extension for treatment/training, with the average number of months extended ranging from 5.33 to 6 months. All treatment/training PBD extensions were attributed to “youth” reasons.
- ✓ Only 3 youth living in DMH facilities received program credits from July 2008 to July 2009. One youth received a 1 month credit, one youth received a 3 month credit, and one youth received a 4 month credit.

Parole Violators

- ✓ On December 15, 2008, DJJ complied with the LH lawsuit mandates for parole violators by tracking *revocation extensions* in lieu of *DDMS extensions*.

Since this date, 13 youth have received revocation extensions, with the average number of months added to revocation release dates (RRDs) ranging from 1.5 months to 6 months.

- ✓ The overall annualized trend shows and increase in the number of parole violators who received program credits. Through March 2009, less than 10 youth per month received program credits. From April through June 2009, the number almost doubled each month and then leveled off in July 2009. The average number of months credited per parole violator remained stable, ranging from 1 to 2 months.

DISCUSSION

These findings show that the DJJ is making substantial progress in the areas of DDMS PBD extensions, as well as treatment/training program credits, as set forth in the Farrell Safety and Welfare Remedial Plan.

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BACKGROUND

While in the Division of Juvenile Justice (DJJ), youthful offenders may have time extended to or subtracted from their facility commitment [as measured by their projected board dates (PBDs), formerly referred to as parole consideration dates]. Adjustments to a youth's PBD are most often based on his/her willingness to follow the rules and participate in rehabilitative programming. However, in the past, adjustments were also made based on system-level issues unrelated to youth performance during incarceration. The Farrell vs. Hickman (currently Farrell vs. Cate) lawsuit served as an impetus to bring this issue forward. To support the efforts of the Farrell reform requirements, DJJ targeted the PBD adjustment process for quality improvement in the CDCR DJJ Safety and Welfare Remedial Plan¹:

There is no tracking system in place to measure changes in the net amount of time added to Projected Board Dates. Acceleration of Projected Board Dates through the Ward Incentive Program should be considered an offset to time adds. To measure this, DJJ will develop a system to simultaneously report on time extensions by type of time add and accelerated projected board dates. A separate report will be prepared every month for each facility and for the division as a whole. Each report will show the total number of months of time adds by type of time add for that month and for the year to date, the total number of months of accelerated projected board dates as a result of earned program credits and restoration of disciplinary time for that month and for the year to date, and the net amount of disciplinary time added (or subtracted) for the month and for the year. These reports will show data both numerically and graphically and be included as part of the regular agenda at staff meetings at facilities and headquarters (p. 74).

Beginning in July 2008, the CDCR Office of Research, Juvenile Research Branch (JRB), was tasked with initiating the production of monthly reports designed to satisfy these requirements. To produce these reports, data were extracted from the Offender-Based Information Tracking System (OBITS), which records youth demographics, tracks youth movement within and between facilities, tracks the occurrence and processing of youth behavioral violations [called Disciplinary Decision-Making System (DDMS) incidents], and collects other important information including time extended to or subtracted from PBDs based on program participation. After one year, DJJ and JRB staff convened to assess the utility, accuracy, content and format of these reports to identify and target areas for improvement. This report reflects the feedback generated from this collaborative effort.

¹ California Department of Corrections and Rehabilitation, Division of Juvenile Justice, Safety and Welfare Remedial Plan: Implementing Reform in California, July 10, 2006, http://www.cdcr.ca.gov/Juvenile_Justice/docs/SafetyWelfarePlan.pdf.

Report Description

This report is composed of several data summary tables and charts showing monthly DDMS and Program time added/subtracted to youth PBDs. Specifically, summaries are provided for the following:

- All DJJ Facilities Combined
- Each Individual Facility/Camp:
 - Southern Youth Correctional Reception Center and Clinic
 - N.A. Chaderjian Youth Correctional Facility
 - O.H. Close Youth Correctional Facility
 - Preston Youth Correctional Facility
 - Heman G. Stark Youth Correctional Facility
 - Ventura Youth Correctional Facility
 - Pine Grove Youth Conservation Camp
 - Sylvester Carraway Public Service and Fire Center (also known as Ventura Camp)
- The Division of Adult Institutions (DAI)
- The Department of Mental Health (DMH)

Each sub-report produced is comprised of the following:

- A table tracking the monthly PBD extensions/restorations due to DDMS behavioral infractions for *first commitments and recommitments*.

Based on the information shown in this table, separate bar charts are provided to summarize:

- the number and percentage of youth who received a DDMS PBD extension for *first commitments and recommitments*.
- the number of youth who received DDMS PBD restorations for *first commitments and recommitments*.
- the net number of months of DDMS PBD extensions and restorations for *first commitments and recommitments*.
- the average number of DDMS PBD extension months added per youth for *first commitments and recommitments*.
- the average number of DDMS PBD months restored per youth for *first commitments and recommitments*.

- A table tracking the monthly PBD extensions for treatment/training (also referred to as “program”) / program credits for *first commitments and recommitments*.

Based on the information shown in this table, separate bar charts are provided to summarize:

- the number and percentage of youth who received a treatment/training PBD extension for *first commitments and recommitments*.
 - the number of youth who received treatment/training PBD credits for *first commitments and recommitments*.
 - the net number of months of treatment/training PBD extensions and credits for *first commitments and recommitments*.
 - the average number of treatment/training PBD extension months added per youth for *first commitments and recommitments*.
 - the average number of program credits per youth for *first commitments and recommitments*.
 - the PBD extensions by the reason for the extensions.
- A table tracking the monthly revocation extensions and program credits for *parole violators*.
 - A table tracking the monthly time added due to rehabilitative programming (referred to as “program”) for *parole violators*. (Note: Data are only available through December 2008 as parole violators stopped receiving treatment/training extensions as of December 15, 2008.)

The DDMS table for the first commitments / recommitments shows the average daily population (ADP)² for “YA” (or DJJ) cases only, the number of DDMS PBD extension/restoration hearings, the number of youth who had a DDMS PBD extension/restoration, and the number of months extended/restored for the DDMS. Averages are calculated for the number of DDMS PBD extension/restoration months per hearing and per youth. The bar charts summarize the DDMS PBD extensions/restorations for first commitments and recommitments for each month examined.

The Program table shows the average daily population (ADP)² for “YA” (or DJJ) cases only, the number of PBD extensions for treatment/training and program credit hearings, the number of youth who had PBD extensions for treatment/training and program credits, and the number of months extended for treatment/training and subtracted for program credits. Averages are calculated for the number of Program months extended/credited per hearing and per youth. These results are presented for both first commitments / recommitments, as well as for parole violators. (Note: As of December

² ADP was not calculated for DMH parole violators since parole violators are not returned to DMH.

15, 2008, parole violators no longer receive PBD Extensions for DDMS or treatment/training.) The bar charts summarize the PBD extensions for treatment/training and program credits for first commitments and recommitments for each month examined.

To support DJJ oversight activities, the PBD extensions for treatment/training were further categorized by the reason for the extension. Program PBD extensions for treatment/training may be given for youth reasons (i.e., risk to re-offend or danger to public; additional time needed to accomplish / gain / demonstrate progress; additional time needed to develop education and/or employability skills; and current needs cannot be met on parole), facility staff reasons (i.e., board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending), parole being denied, or extended reasons [i.e., dual commitment with estimated possible release date (EPRD) past PBD and WIC 1800].

Finally, the monthly revocation extensions and program credits table for *parole violators* tracks the average daily population (ADP)³ for “YA” (or DJJ) cases only, the number of revocation extension / program credit hearings, the number of youth who had revocation extensions/ program credits, and the number of months either extended as a result of the revocation or credited. Averages are calculated for the number of revocation extensions / program credits months per hearing and per youth. (Note: A table tracking the monthly time added due to rehabilitative programming is included for historical purposes. Parole violators stopped receiving treatment/training extensions as of December 15, 2008.)

JRB Contact Information

This report was produced by the CDCR Office of Research, Juvenile Research Branch (JRB) on November 23, 2009. Questions regarding this report may be directed to the JRB at JRB_Requests@cdcr.ca.gov.

³ ADP was not calculated for DMH parole violators since parole violators are not returned to DMH.

Section I:

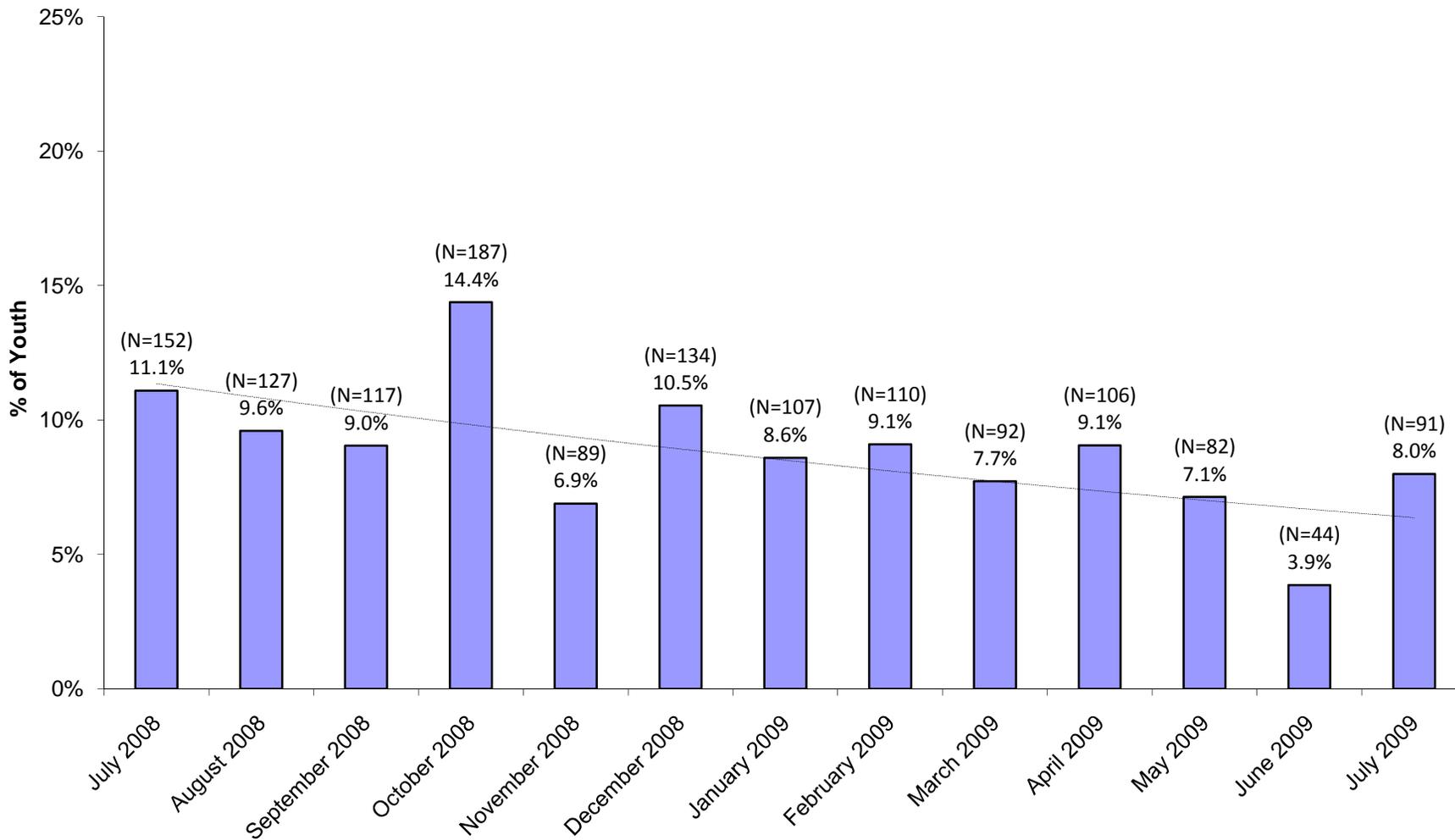
All DJJ Facilities Combined

**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
DJJ Facilities**

Year/ Month	ADP ¹	DDMS									
		PBD Extensions					Restorations				
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# PBD Extension Months Added	Average Number of PBD Extension Months Added per Hearing	Average Number of PBD Extension Months Added per Youth	# of PBD Extension Time Restore Hearings	# Youth Who Had PBD Extension Time Restored	# PBD Extension Months Restored	Average Number of PBD Extension Months Restored per Hearing	Average Number of PBD Extension Months Restored per Youth
2008											
July	1,370	196	152	357	1.82	2.35	0	0	0	0.00	0.00
August	1,324	168	127	295	1.76	2.32	0	0	0	0.00	0.00
September	1,293	135	117	267	1.98	2.28	2	2	3	1.50	1.50
October	1,301	250	187	409	1.64	2.19	11	11	12	1.09	1.09
November	1,291	114	89	176	1.54	1.98	0	0	0	0.00	0.00
December	1,272	173	134	261	1.51	1.95	1	1	1	1.00	1.00
2009											
January	1,245	124	107	201	1.62	1.88	5	5	6	1.20	1.20
February	1,210	149	110	251	1.68	2.28	2	2	2	1.00	1.00
March	1,192	118	92	174	1.47	1.89	1	1	1	1.00	1.00
April	1,170	147	106	254	1.73	2.40	4	4	5	1.25	1.25
May	1,149	93	82	131	1.41	1.60	7	7	8	1.14	1.14
June	1,138	47	44	104	2.21	2.36	0	0	0	0.00	0.00
July	1,138	121	91	240	1.98	2.64	8	8	13	1.62	1.62

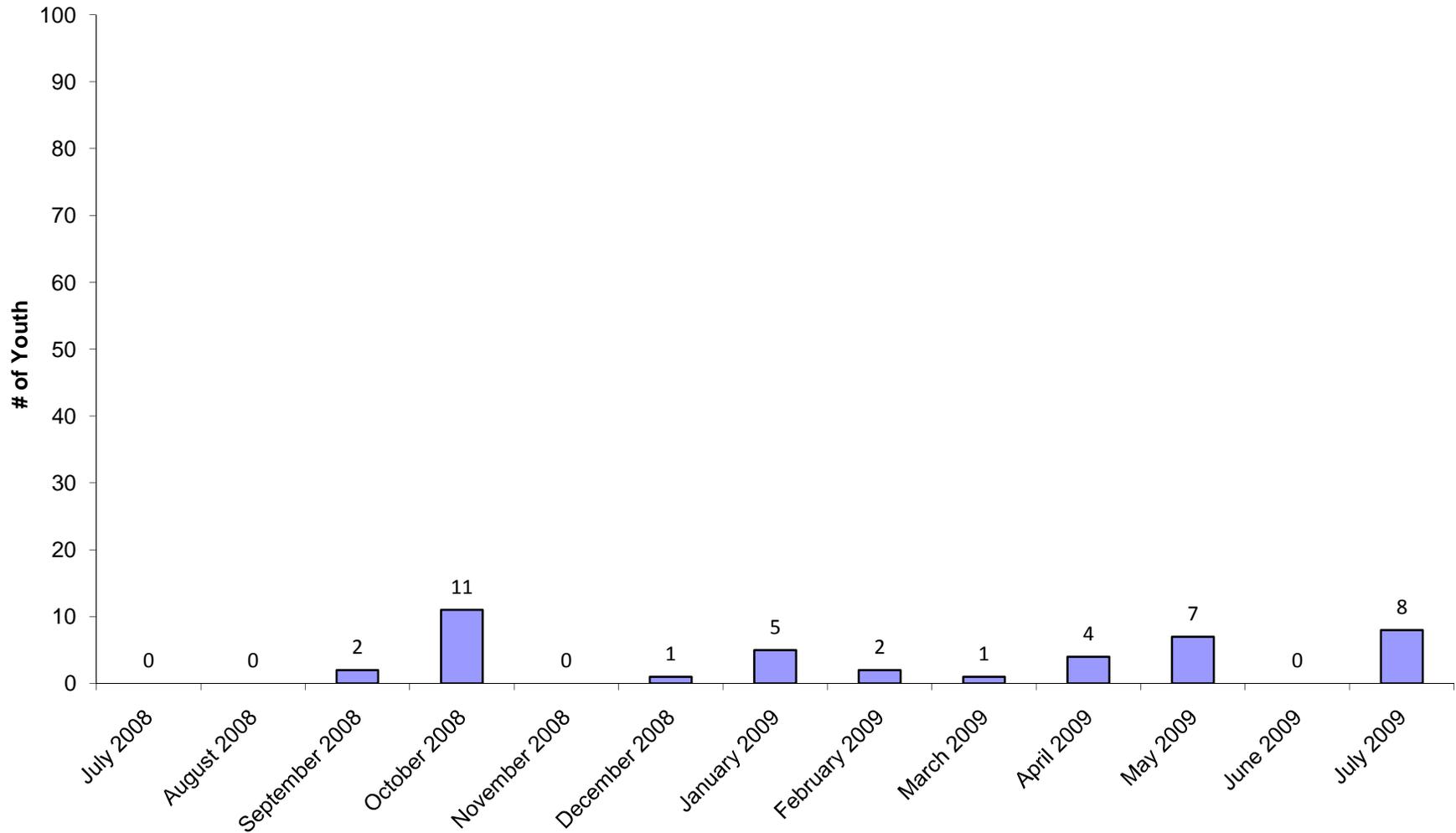
1 Average Daily Population (ADP) for YA cases only.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Percentage of Youth Who Received a Projected Board Date (PBD) Extension for
First Admissions and Recommitments to
DJJ Facilities

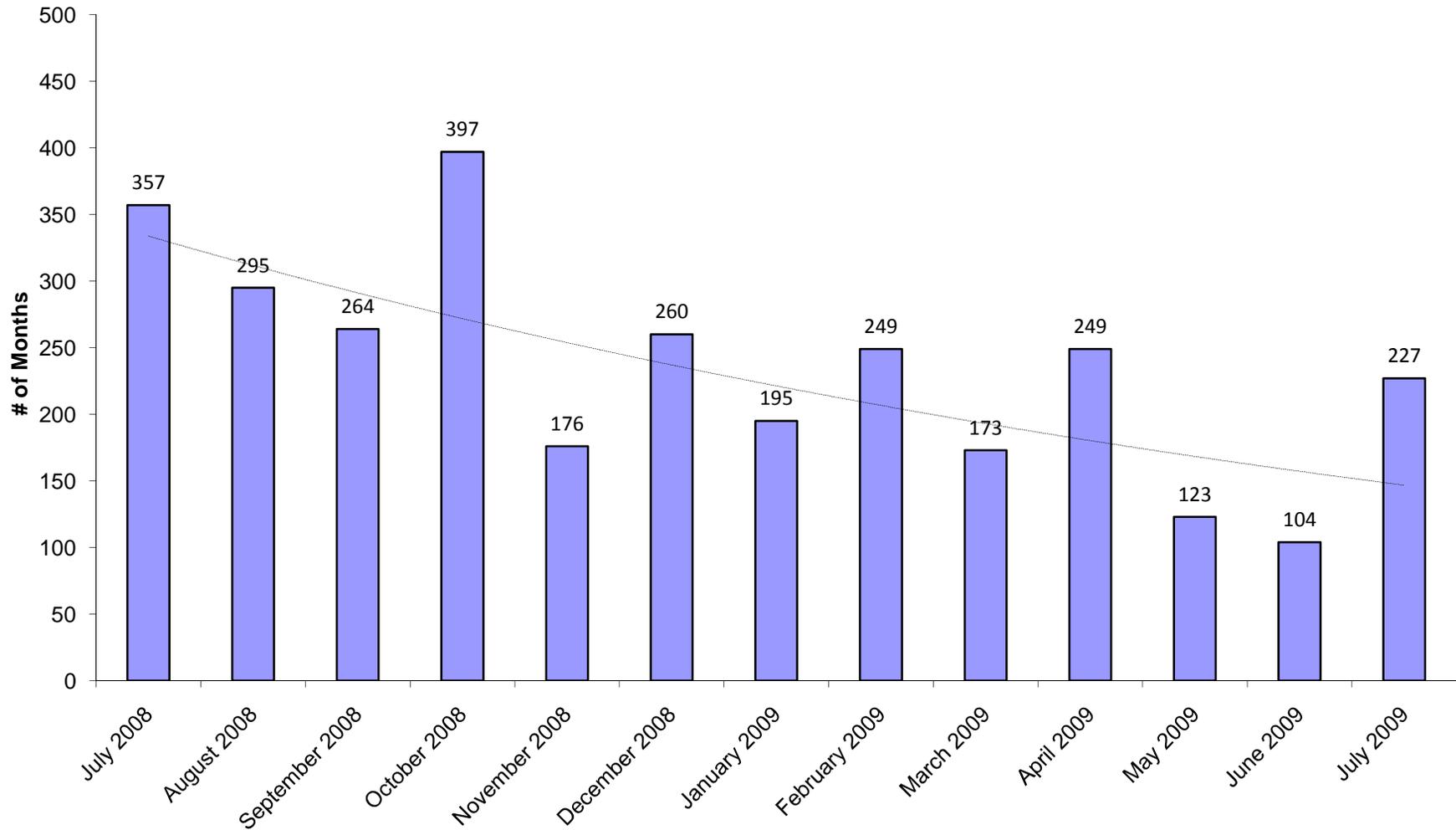


Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Number of Youth Who Received Projected Board Date (PBD) Time Restorations for
First Admissions and Recommitments to
DJJ Facilities

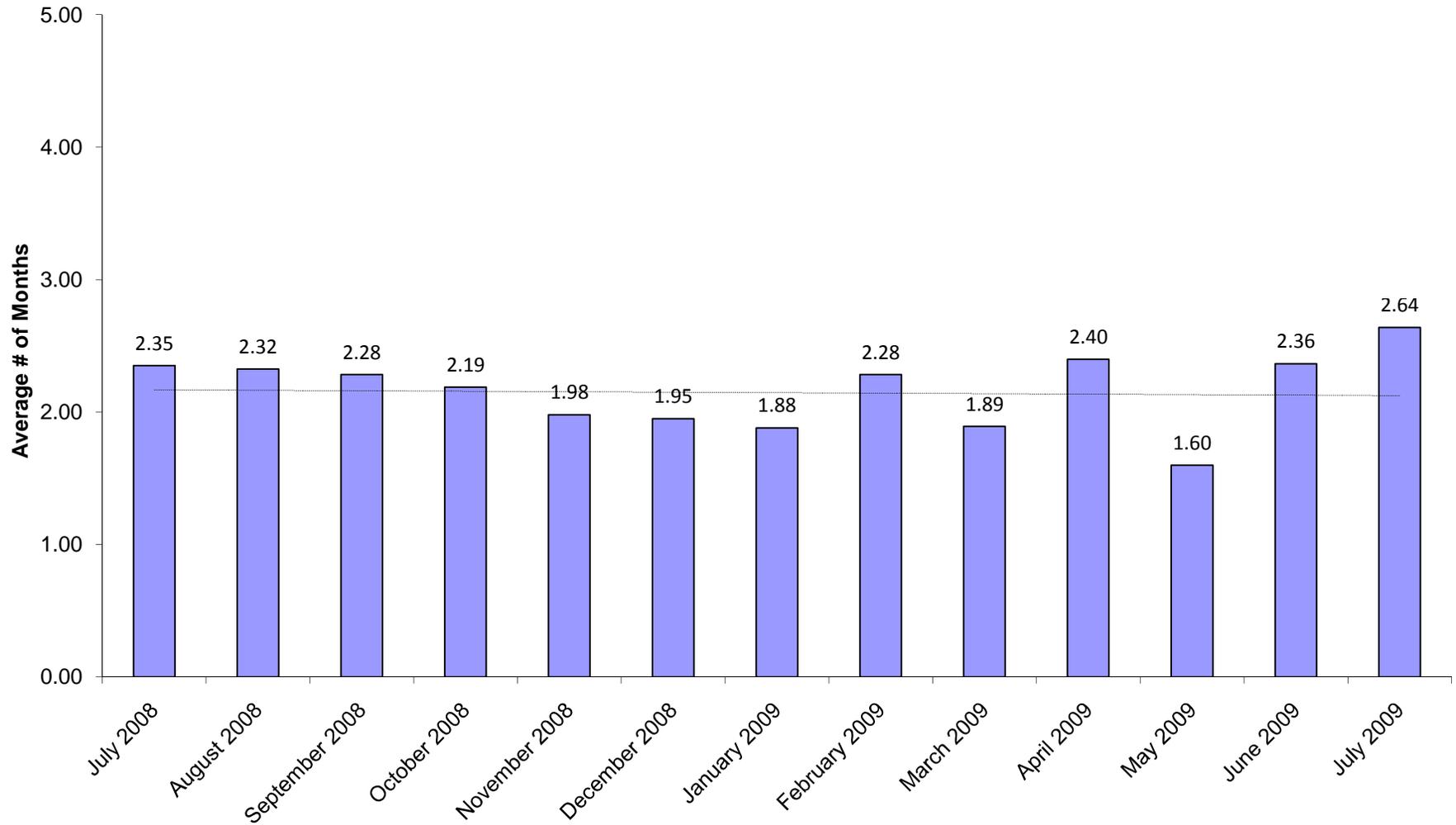


CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Net Number of Months of Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
DJJ Facilities



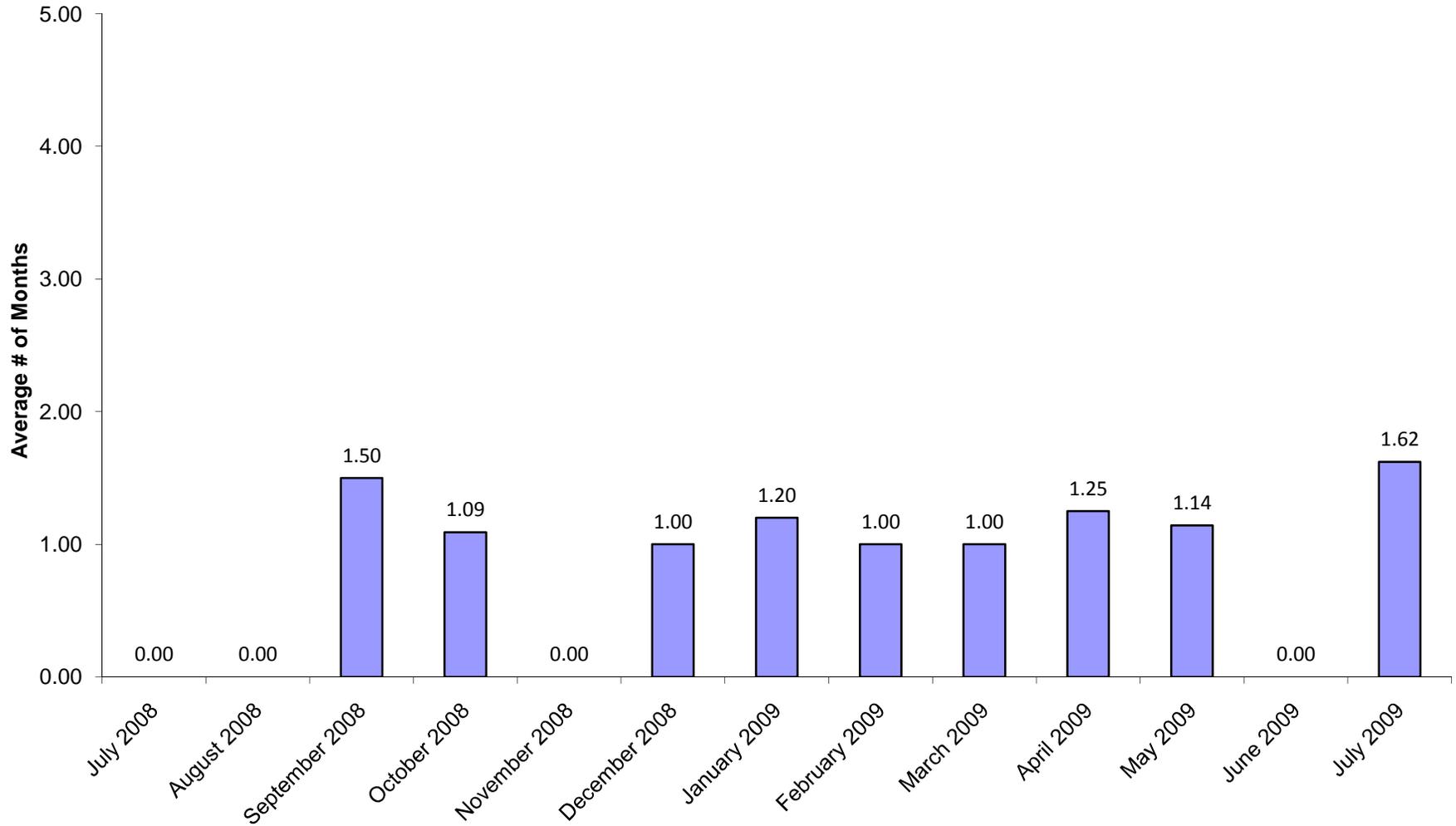
Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Extension Months Added per Youth for
First Admissions and Recommitments to
DJJ Facilities



Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Months Restored per Youth for
First Admissions and Recommitments to
DJJ Facilities



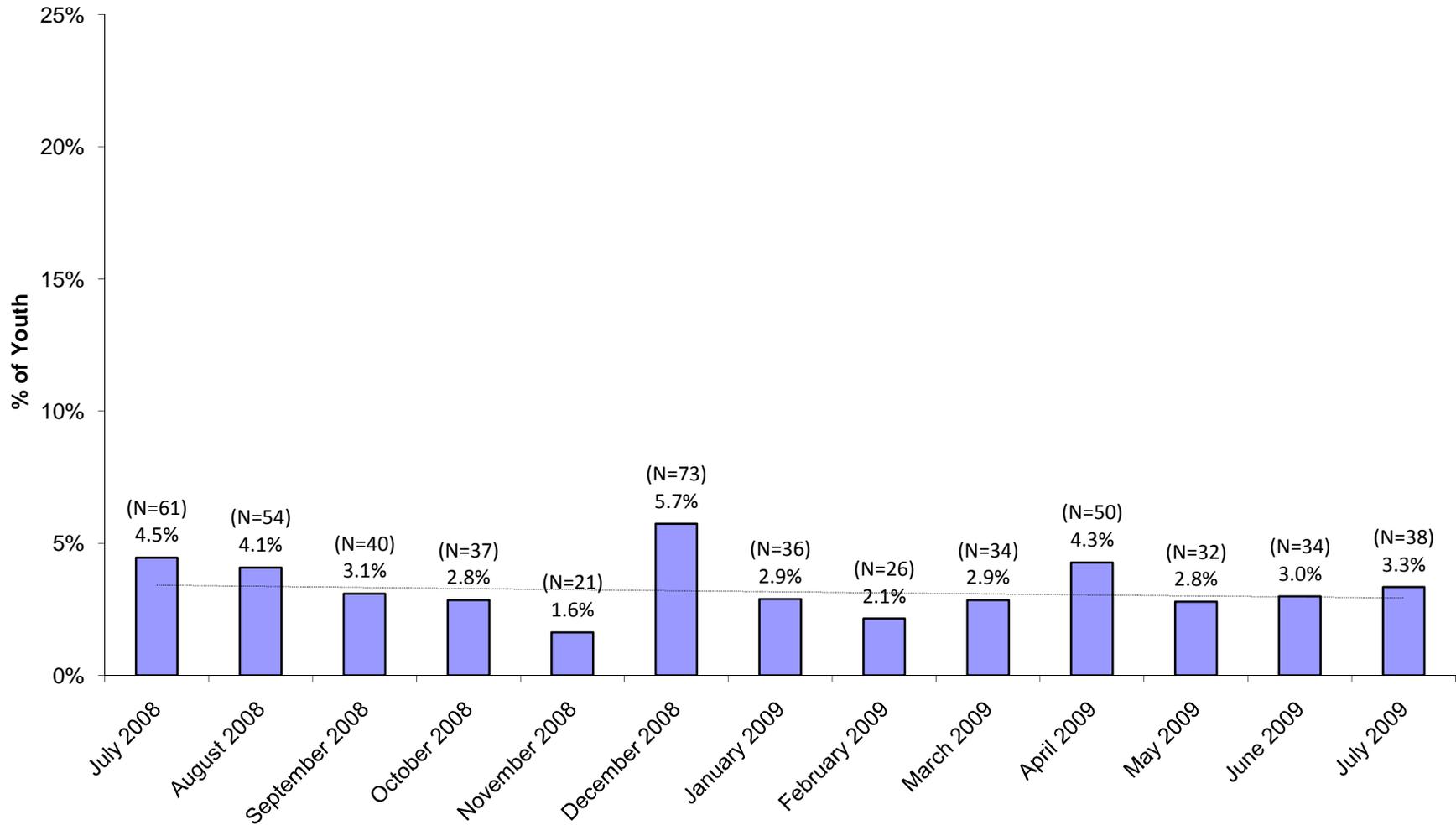
California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Monthly Tracking of
 Projected Board Date (PBD) Extensions for Treatment/Training and Program Credits for
 First Admissions and Rec commitments to
 DJJ Facilities

Year/ Month	ADP ²	Program ¹							
		PBD Extensions				Credits			
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# of PBD Extension Months Added	Average Number of PBD Extension Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Months Program Months Credited	Average Number of Program Months Cut per Youth
2008									
July	1,370	61	61	254	4.16	25	25	60	2.40
August	1,324	54	54	209	3.87	34	34	64	1.88
September	1,293	40	40	157	3.93	29	29	58	2.00
October	1,301	37	37	161	4.35	31	31	51	1.65
November	1,291	21	21	98	4.67	25	25	66	2.64
December	1,272	73	73	307	4.21	48	48	114	2.38
2009									
January	1,245	36	36	143	3.97	19	19	44	2.32
February	1,210	26	26	102	3.92	31	31	65	2.09
March	1,192	34	34	113	3.32	43	43	99	2.30
April	1,170	53	50	186	3.72	65	65	149	2.29
May	1,149	32	32	94	2.94	56	56	118	2.11
June	1,138	35	34	150	4.41	50	50	110	2.20
July	1,138	38	38	162	4.26	44	44	95	2.16

1 WIC-1800 time adds included; Additional Commitment time adds not included.

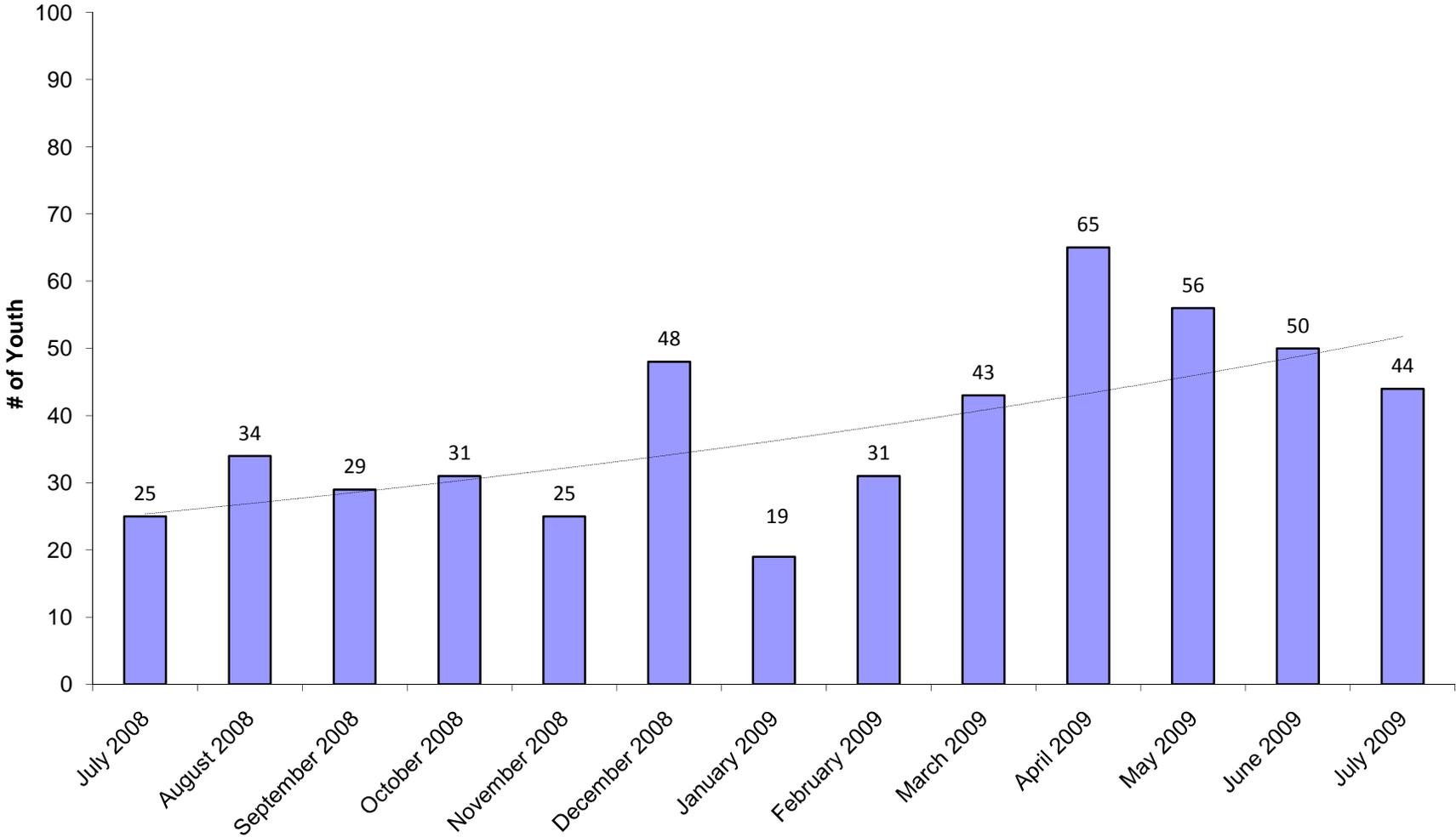
2 Average Daily Population (ADP) for YA cases only.

CDCR DJJ
Monthly Tracking of Treatment/Training
Percentage of Youth Who Received a PBD Extension for
First Admissions and Recommitments to
DJJ Facilities



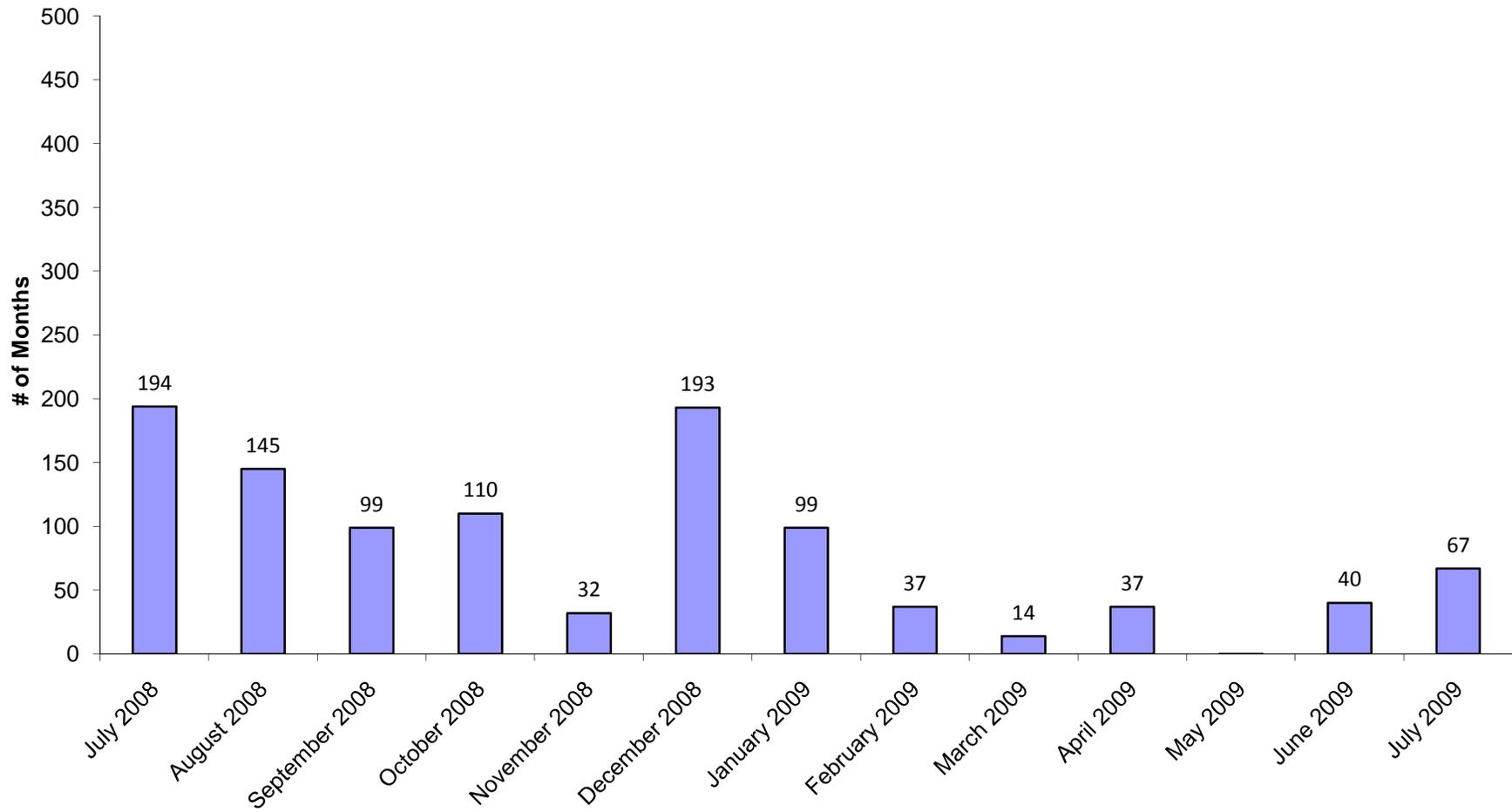
Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Treatment/Training
Number of Youth Who Received Program Credits for
First Admissions and Recommitments to
DJJ Facilities

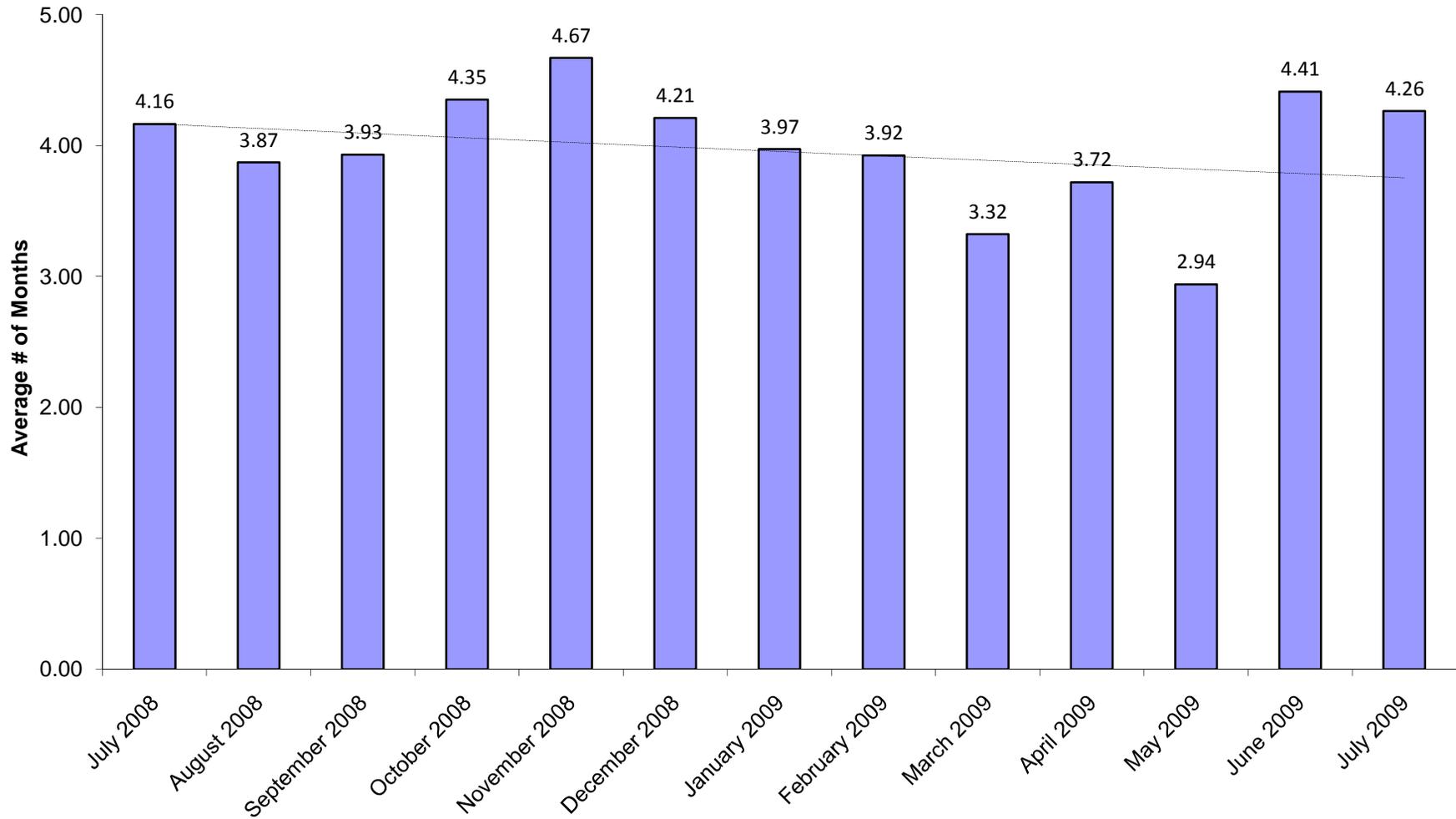


Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Treatment/Training
Net Number of Months for Program PBD Extensions / Credits for
First Admissions and Recommitments to
DJJ Facilities

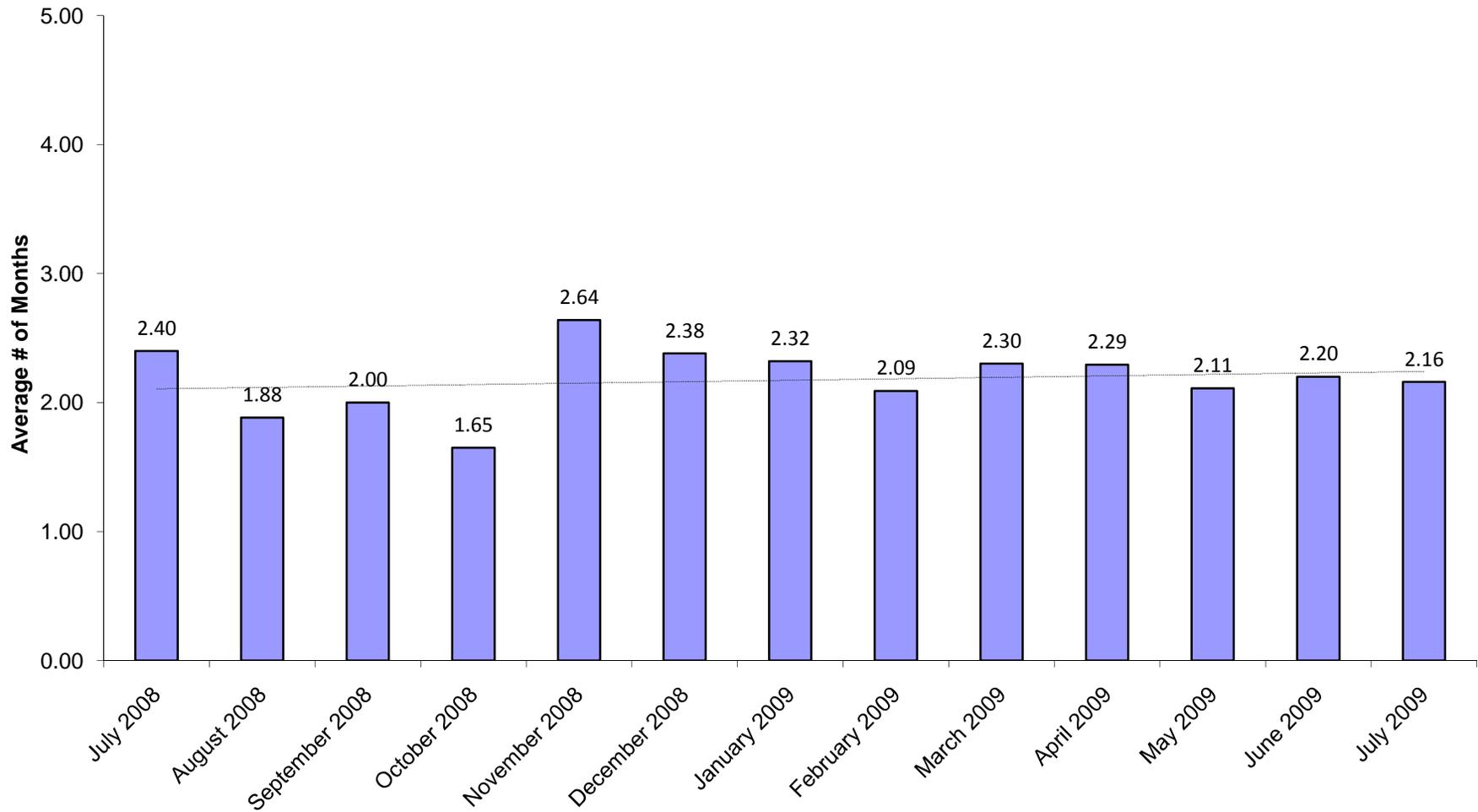


**CDCR DJJ
 Monthly Tracking of Treatment/Training
 Average Number of PBD Extension Months Added per Youth for
 First Admissions and Recommitments to
 DJJ Facilities**



Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of Program Credits per Youth for
First Admissions and Recommitments to
DJJ Facilities



Note: This chart depicts an "exponential" trend line.

**California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
 DJJ Facilities**

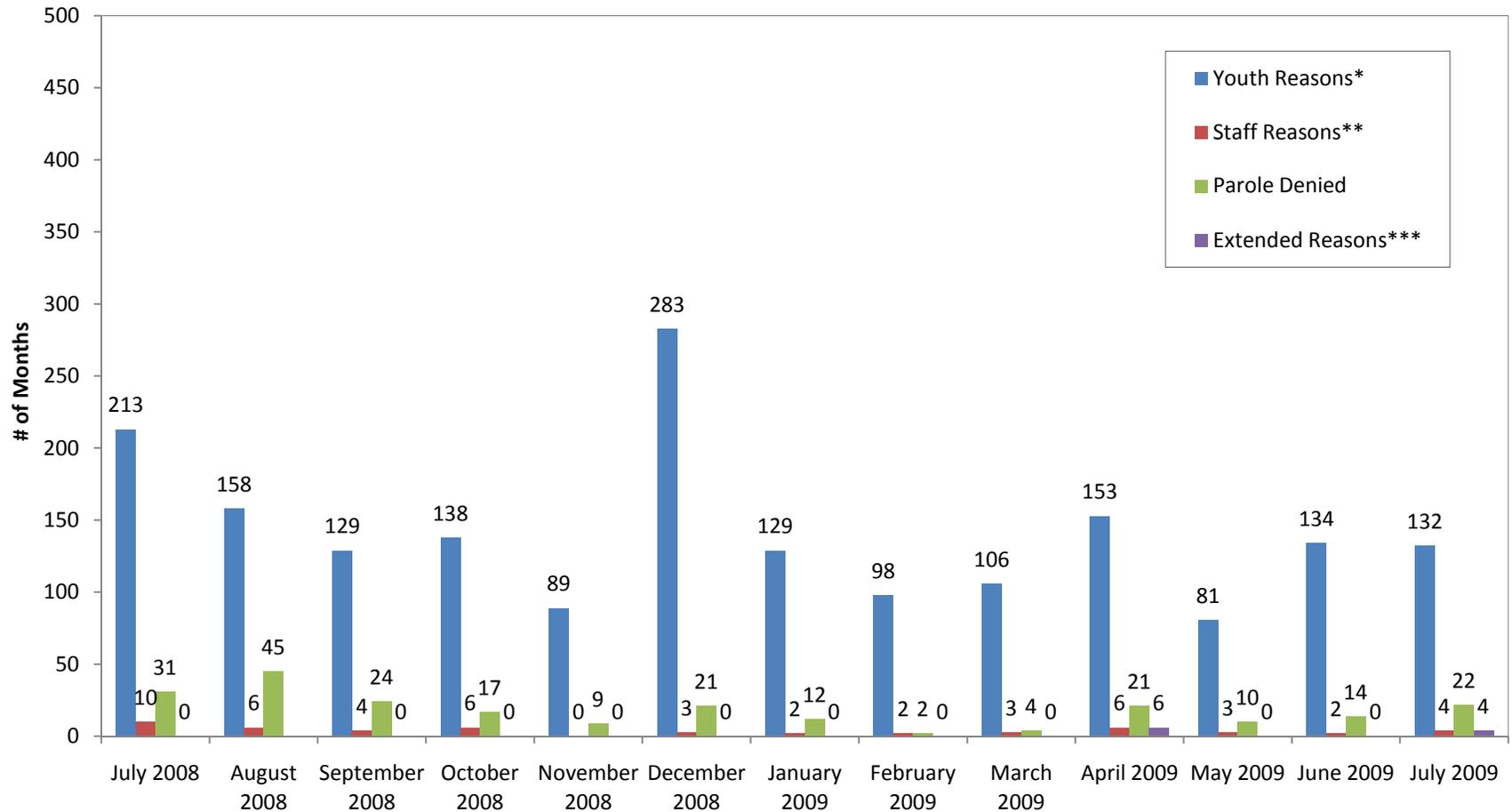
	Youth Reasons*	Staff Reasons**	Parole Denied	Extended Reasons***	Total
July 2008	213	10	31	0	254
August 2008	158	6	45	0	209
September 2008	129	4	24	0	157
October 2008	138	6	17	0	161
November 2008	89	0	9	0	98
December 2008	283	3	21	0	307
January 2009	129	2	12	0	143
February 2009	98	2	2	0	102
March 2009	106	3	4	0	113
April 2009	153	6	21	6	186
May 2009	81	3	10	0	94
June 2009	134	2	14	0	150
July 2009	132	4	22	4	162

* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.

** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.

***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

CDCR DJJ
Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
DJJ Facilities



* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.
 ** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.
 ***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Revocation Extensions (Rev-Ext)* and Program Credits for
Parole Violators in
DJJ Facilities**

Year/ Month	ADP ¹	Revocation Extensions					Program Credits				
		# of Rev-Ext Hearings	# of Youth Who Had a Rev-Ext	# Rev-Ext Months Added	Average Number of Rev-Ext Months Added per Hearing	Average Number of Rev-Ext Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Program Months Credited	Average Number of Program Months Credited per Hearing	Average Number of Program Months Credited per Youth
2008											
July	162	18	15	40	2.22	2.67	9	9	10	1.11	1.11
August	159	7	7	11	1.57	1.57	0	0	0	0.00	0.00
September	158	10	9	20	2.00	2.22	7	7	7	1.00	1.00
October	158	16	15	31	1.94	2.07	2	2	2	1.00	1.00
November	160	9	7	15	1.67	2.14	4	4	4	1.00	1.00
December	154	7	7	8	1.14	1.14	4	4	8	2.00	2.00
2009											
January	139	0	0	0	0.00	0.00	3	3	4	1.33	1.33
February	121	2	2	5	2.50	2.50	8	8	9	1.13	1.13
March	121	2	2	3	1.50	1.50	7	7	8	1.14	1.14
April	139	2	2	9	4.50	4.50	11	11	11	1.00	1.00
May	149	4	4	10	2.50	2.50	21	21	31	1.48	1.48
June	164	3	2	12	4.00	6.00	40	40	58	1.45	1.45
July	175	1	1	6	6.00	6.00	49	49	57	1.16	1.16

* Prior to implementation of the LH lawsuit on December 15, 2008, Revocation Extensions were referred to as "DDMS extensions".

**California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Monthly Tracking of Program* Projected Board Date (PBD)
 Extensions for Treatment/Training (Pre L.H. Lawsuit) for
 Parole Violators in
 DJJ Facilities**

Year/ Month	ADP ²	Program				
		Time Adds ¹				
		# of Program Time Add Hearings	# of Youth Who Had Program Time Added	# of Program Months Added	Average Number of Program Months Added per Hearing	Average Number of Program Months Added per Youth
2008						
July	162	24	24	86	3.58	3.58
August	159	12	12	39	3.25	3.25
September	158	9	9	35	3.89	3.89
October	158	13	12	62	4.77	5.17
November	160	8	8	18	2.25	2.25
December	154	12	12	26	2.17	2.17
2009						
January	139	0	0	0	0.00	0.00

* As of December 15, 2008, parole violators no longer receive PBD Extensions for DDMS or treatment/training.
 Due to processing time frames, the youth reported in December 2008 reflect orders/hearings that originated prior to December 15, 2008.

1 WIC-1800 time adds included; Additional Commitment time adds not included.

2 Average Daily Population (ADP) for YA cases only.

Section II:

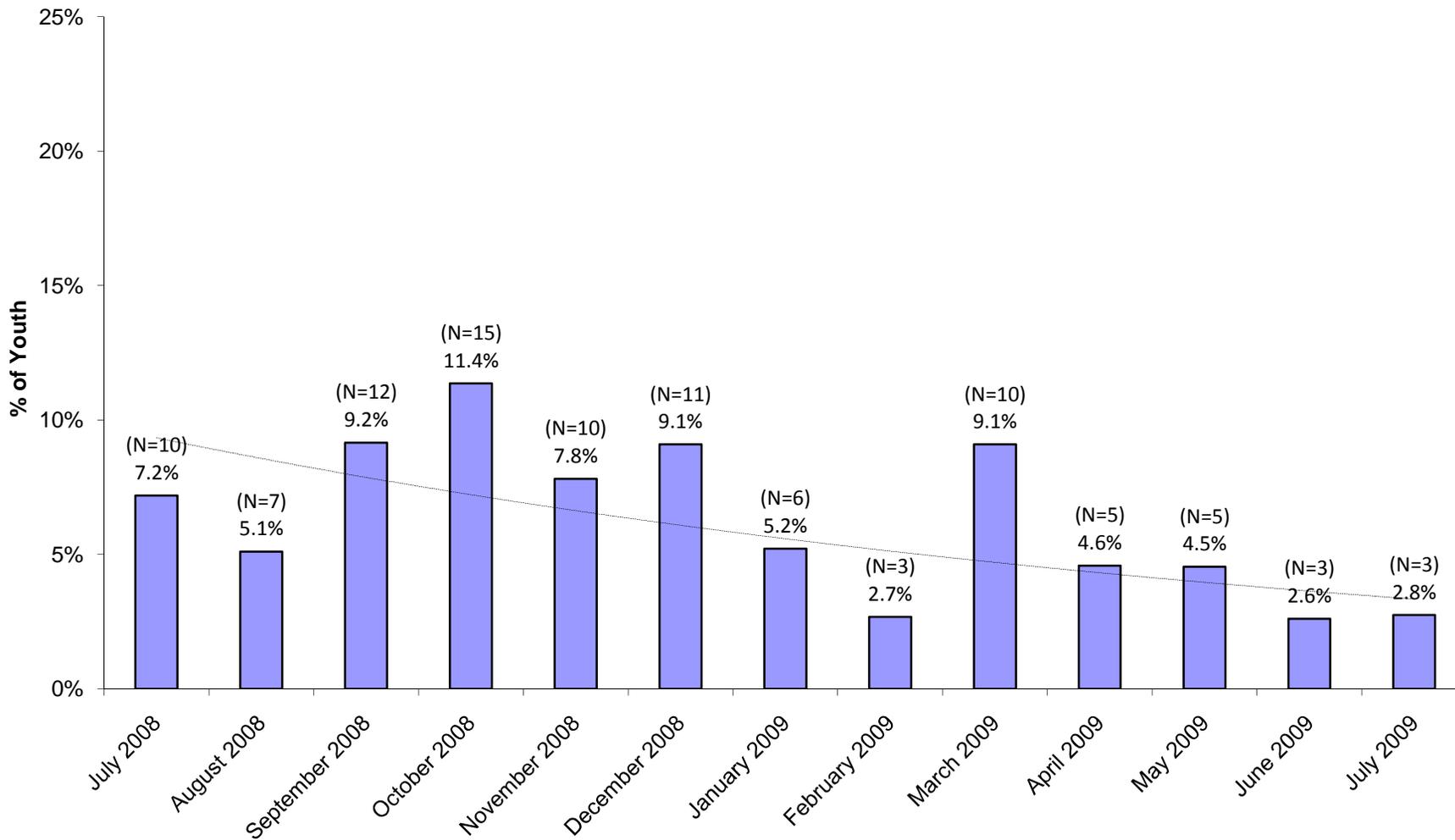
**Southern Youth Correctional
Reception Center and Clinic
(SYCRCC)**

**California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Monthly Tracking of Disciplinary Decision-Making System (DDMS)
 Projected Board Date (PBD) Extensions and Restorations for
 First Admissions and Recommitments to
 Southern Youth Correctional Reception Center and Clinic**

Year/ Month	ADP ¹	DDMS									
		PBD Extensions					Restorations				
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# PBD Extension Months Added	Average Number of PBD Extension Months Added per Hearing	Average Number of PBD Extension Months Added per Youth	# of PBD Extension Time Restore Hearings	# Youth Who Had PBD Extension Time Restored	# PBD Extension Months Restored	Average Number of PBD Extension Months Restored per Hearing	Average Number of PBD Extension Months Restored per Youth
2008											
July	139	15	10	25	1.67	2.50	0	0	0	0.00	0.00
August	137	8	7	10	1.25	1.43	0	0	0	0.00	0.00
September	131	15	12	41	2.73	3.42	0	0	0	0.00	0.00
October	132	20	15	26	1.30	1.73	0	0	0	0.00	0.00
November	128	12	10	14	1.17	1.40	0	0	0	0.00	0.00
December	121	14	11	15	1.07	1.36	0	0	0	0.00	0.00
2009											
January	115	6	6	8	1.33	1.33	0	0	0	0.00	0.00
February	112	5	3	13	2.60	4.33	0	0	0	0.00	0.00
March	110	14	10	15	1.07	1.50	0	0	0	0.00	0.00
April	109	6	5	12	2.00	2.40	0	0	0	0.00	0.00
May	110	6	5	8	1.33	1.60	0	0	0	0.00	0.00
June	115	3	3	4	1.33	1.33	0	0	0	0.00	0.00
July	109	4	3	6	1.50	2.00	1	1	2	2.00	2.00

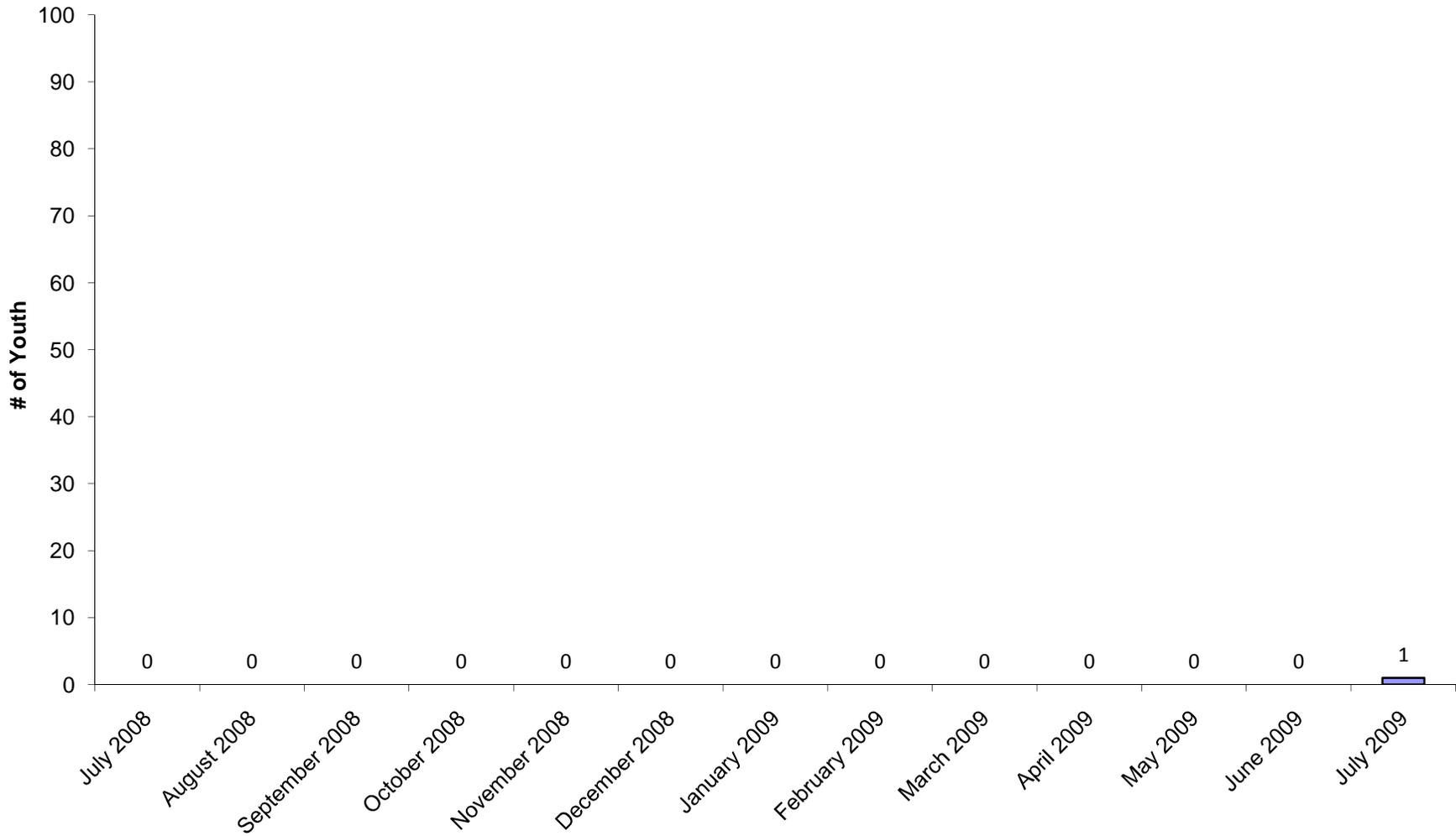
1 Average Daily Population (ADP) for YA cases only.

**CDCR DJJ
 Monthly Tracking of Disciplinary Decision-Making System (DDMS)
 Percentage of Youth Who Received a Projected Board Date (PBD) Extension for
 First Admissions and Recommitments to
 SYCRCC**

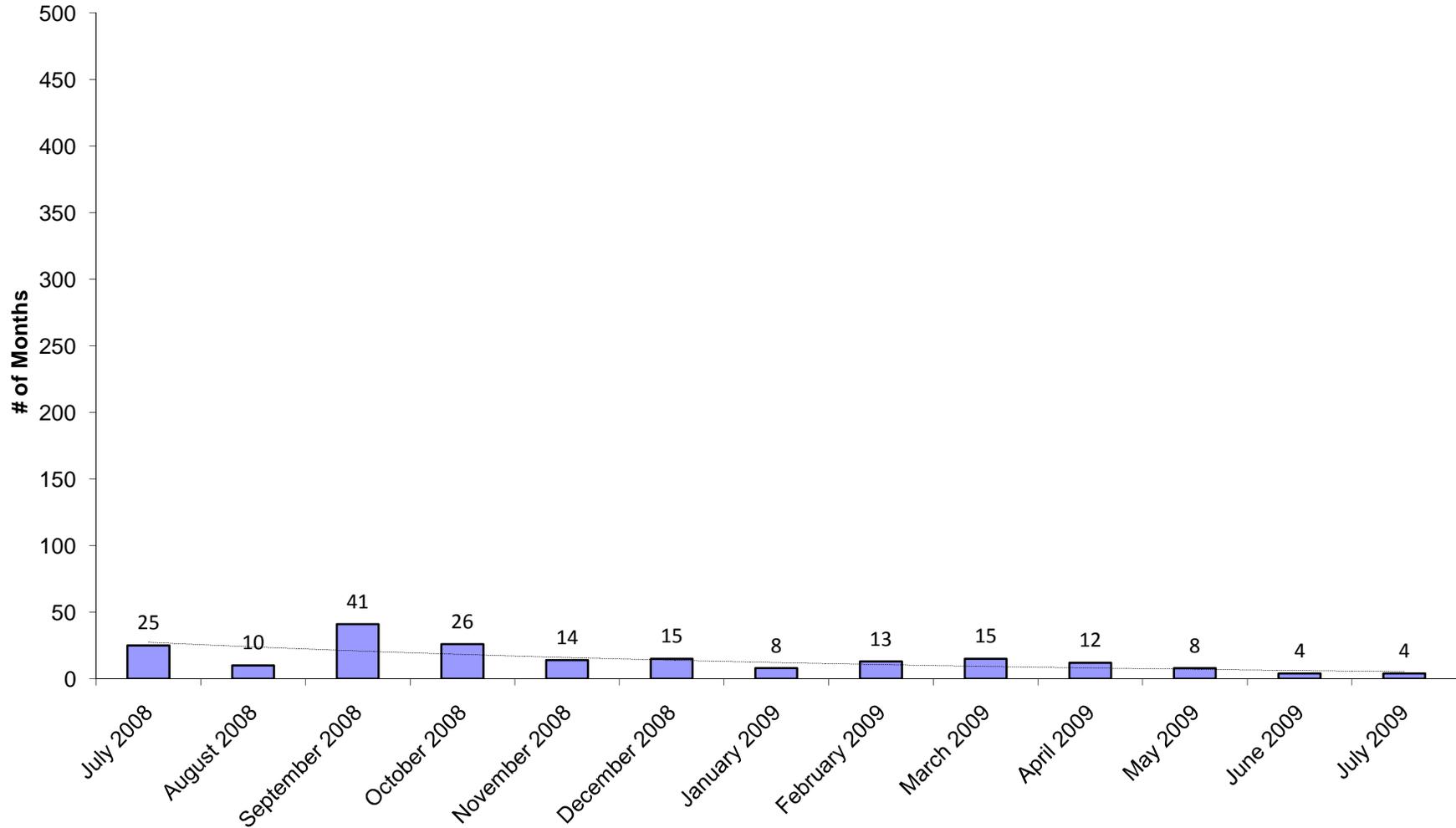


Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Number of Youth Who Received Projected Board Date (PBD) Time Restorations for
First Admissions and Recommitments to
SYCRCC

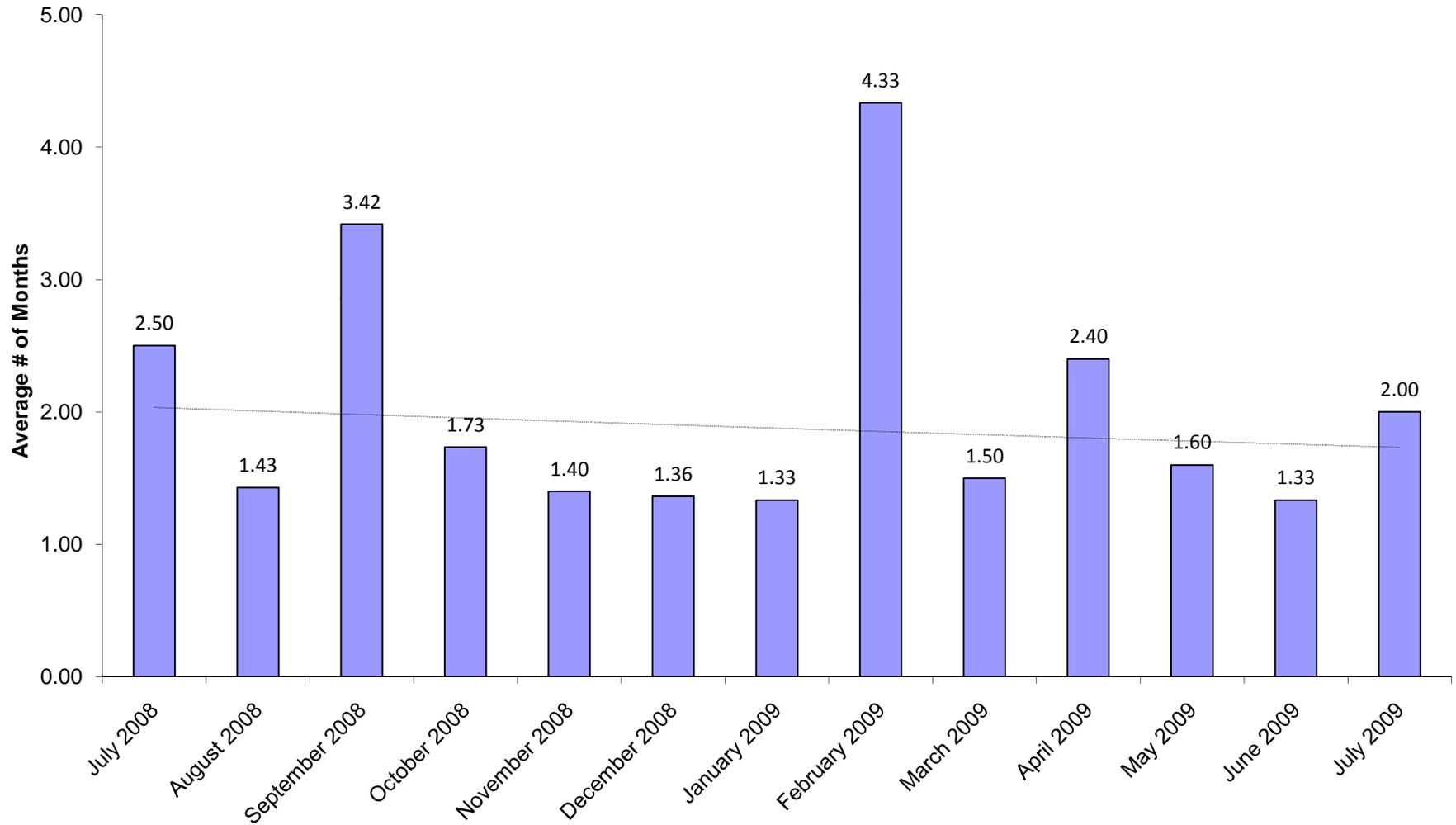


CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Net Number of Months of Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
SYCRCC



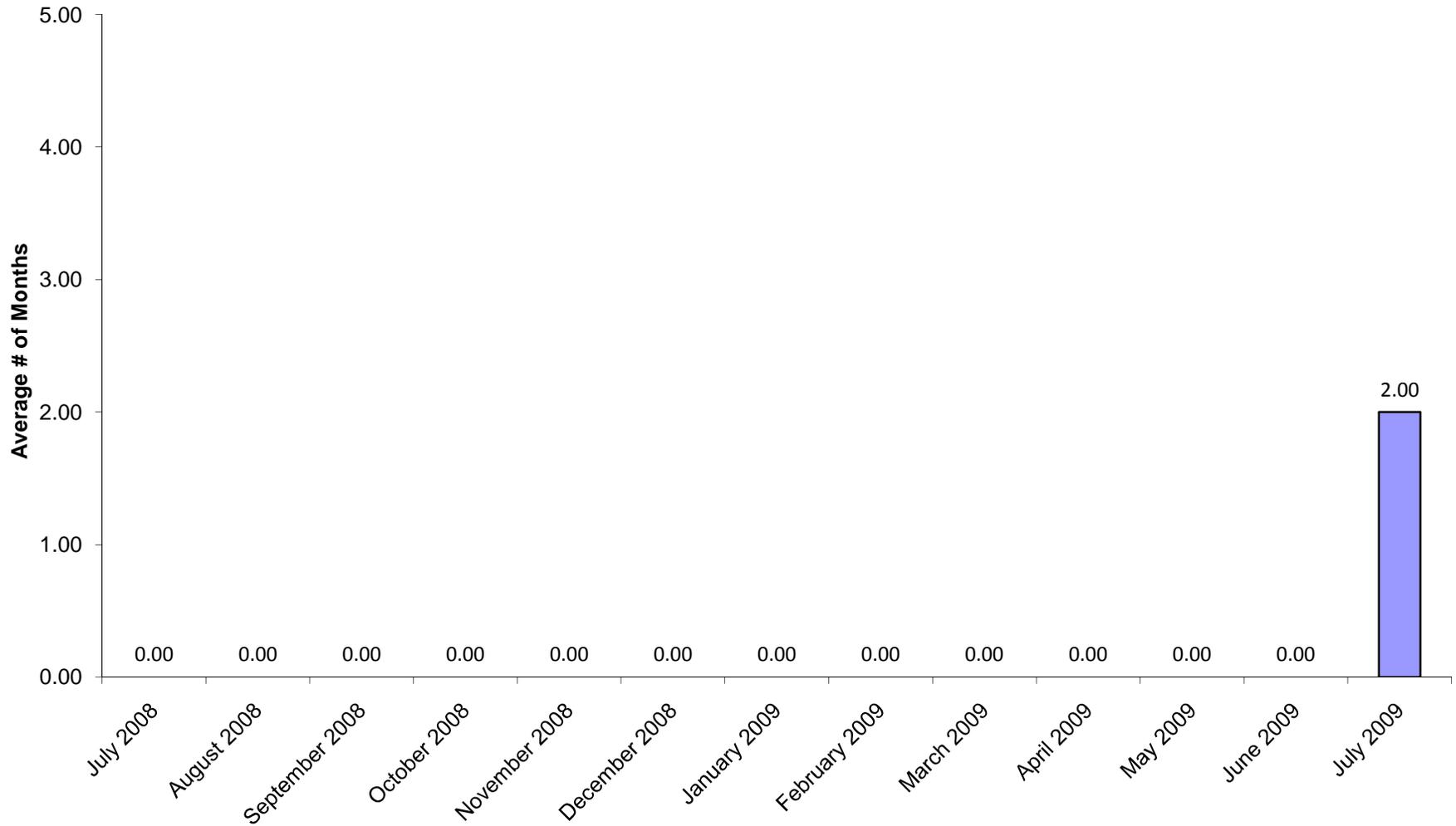
Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Extension Months Added per Youth for
First Admissions and Recommitments to
SYCRCC



Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Months Restored per Youth for
First Admissions and Recommitments to
SYCRCC



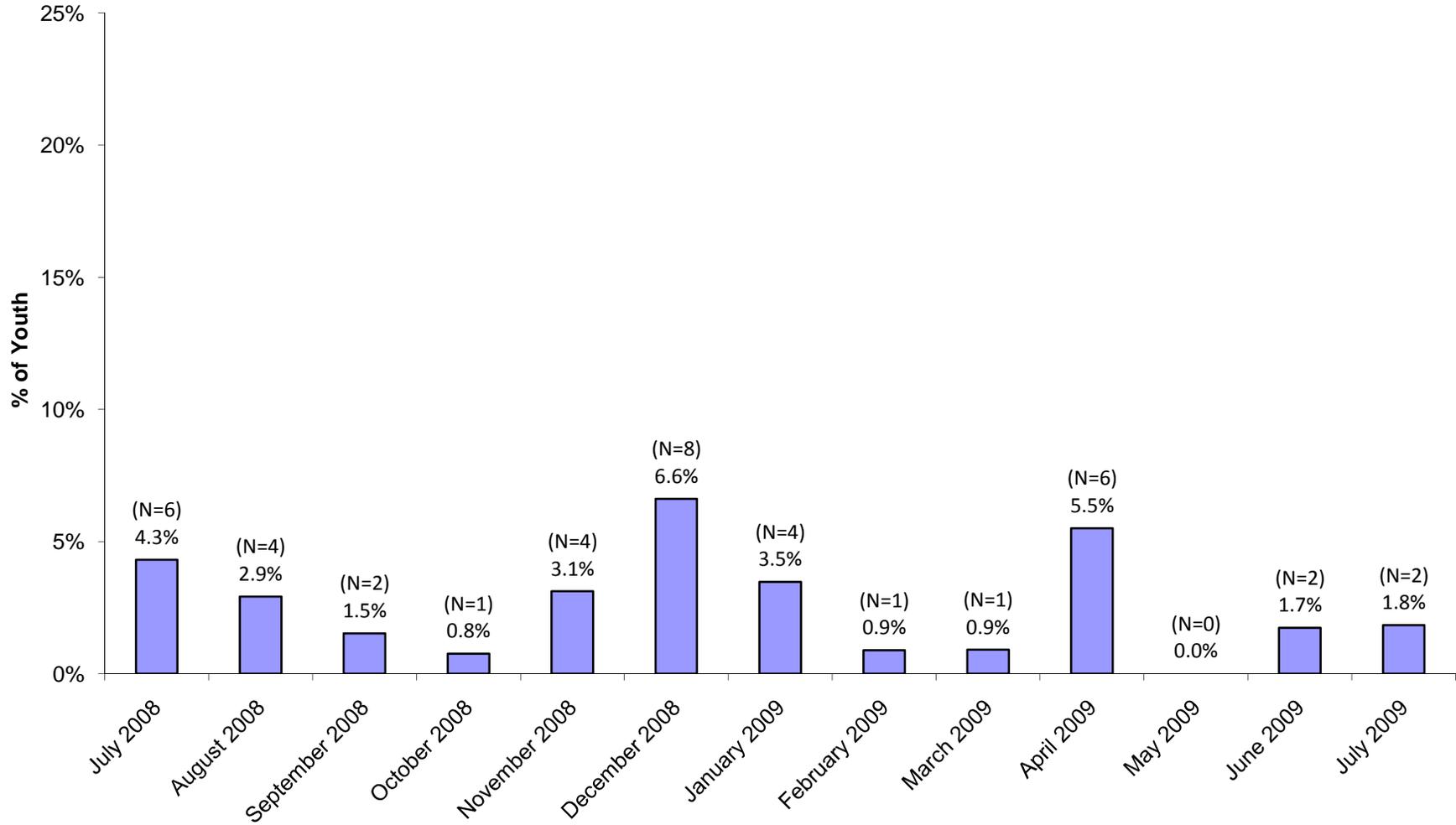
California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of
Projected Board Date (PBD) Extensions for Treatment/Training and Program Credits for
First Admissions and Recommitments to
Southern Youth Correctional Reception Center and Clinic

Year/ Month	ADP ²	Program ¹							
		PBD Extensions				Credits			
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# of PBD Extension Months Added	Average Number of PBD Extension Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Months Program Months Credited	Average Number of Program Months Cut per Youth
2008									
July	139	6	6	69	11.50	0	0	0	0.00
August	137	4	4	24	6.00	0	0	0	0.00
September	131	2	2	5	2.50	2	2	2	1.00
October	132	1	1	2	2.00	4	4	9	2.25
November	128	4	4	33	8.25	0	0	0	0.00
December	121	8	8	59	7.38	3	3	5	1.67
2009									
January	115	4	4	20	5.00	0	0	0	0.00
February	112	1	1	4	4.00	3	3	6	2.00
March	110	1	1	6	6.00	0	0	0	0.00
April	109	6	6	27	4.50	2	2	6	3.00
May	110	0	0	0	0.00	9	9	18	2.00
June	115	2	2	6	3.00	11	11	21	1.91
July	109	2	2	10	5.00	3	3	6	2.00

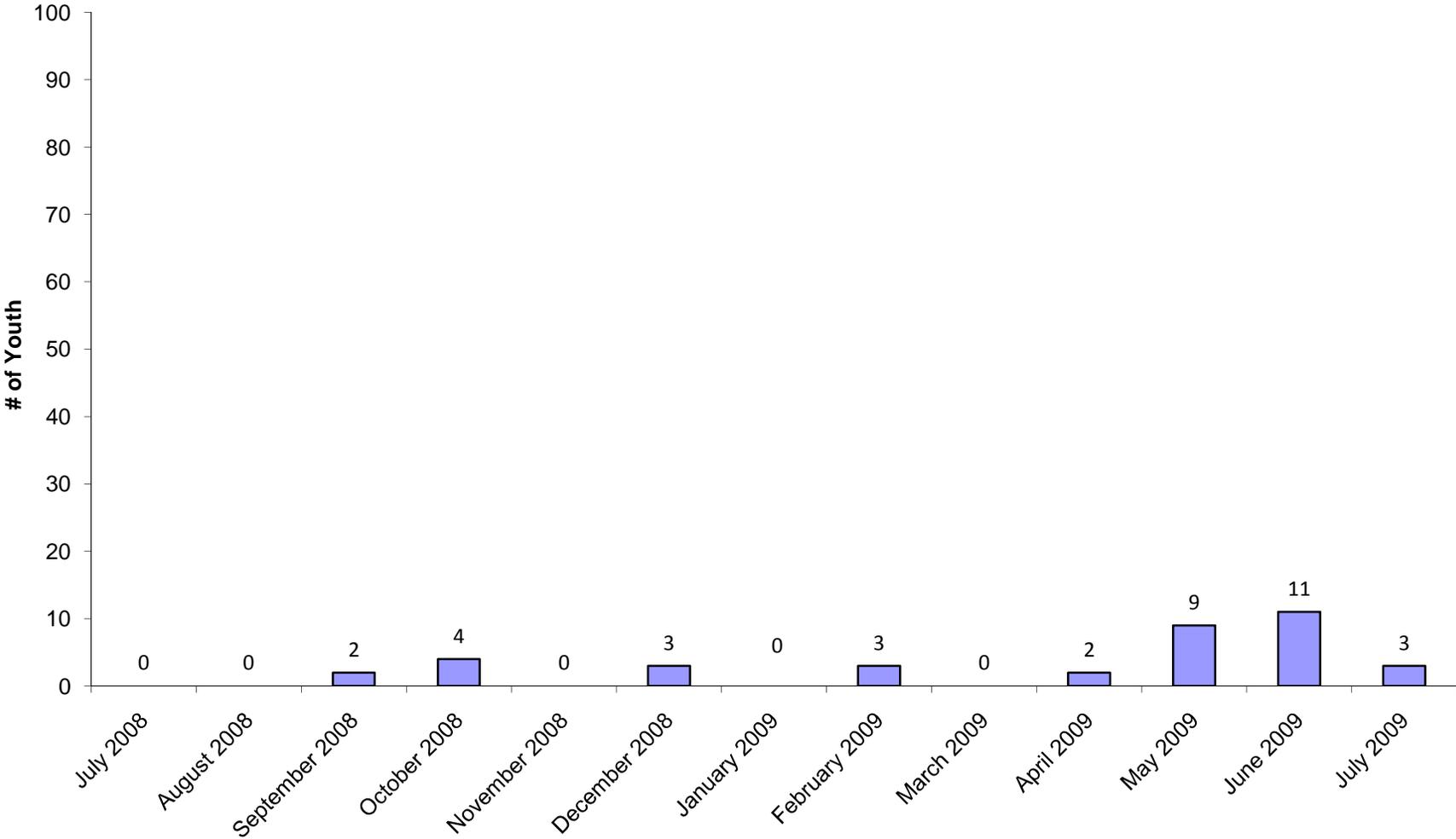
1 WIC-1800 time adds included; Additional Commitment time adds not included.

2 Average Daily Population (ADP) for YA cases only.

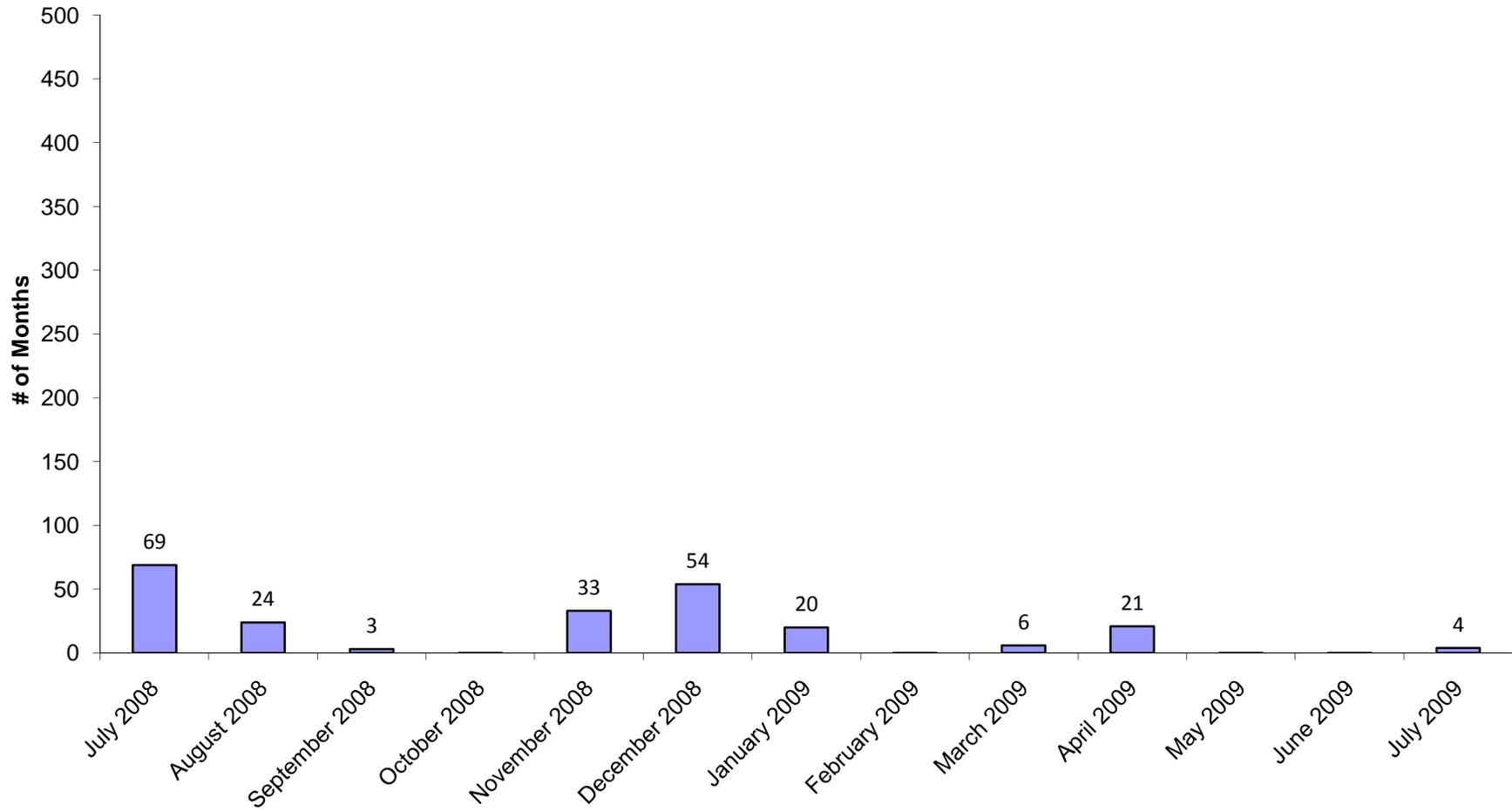
CDCR DJJ
Monthly Tracking of Treatment/Training
Percentage of Youth Who Received a PBD Extension for
First Admissions and Recommitments to
SYCRCC



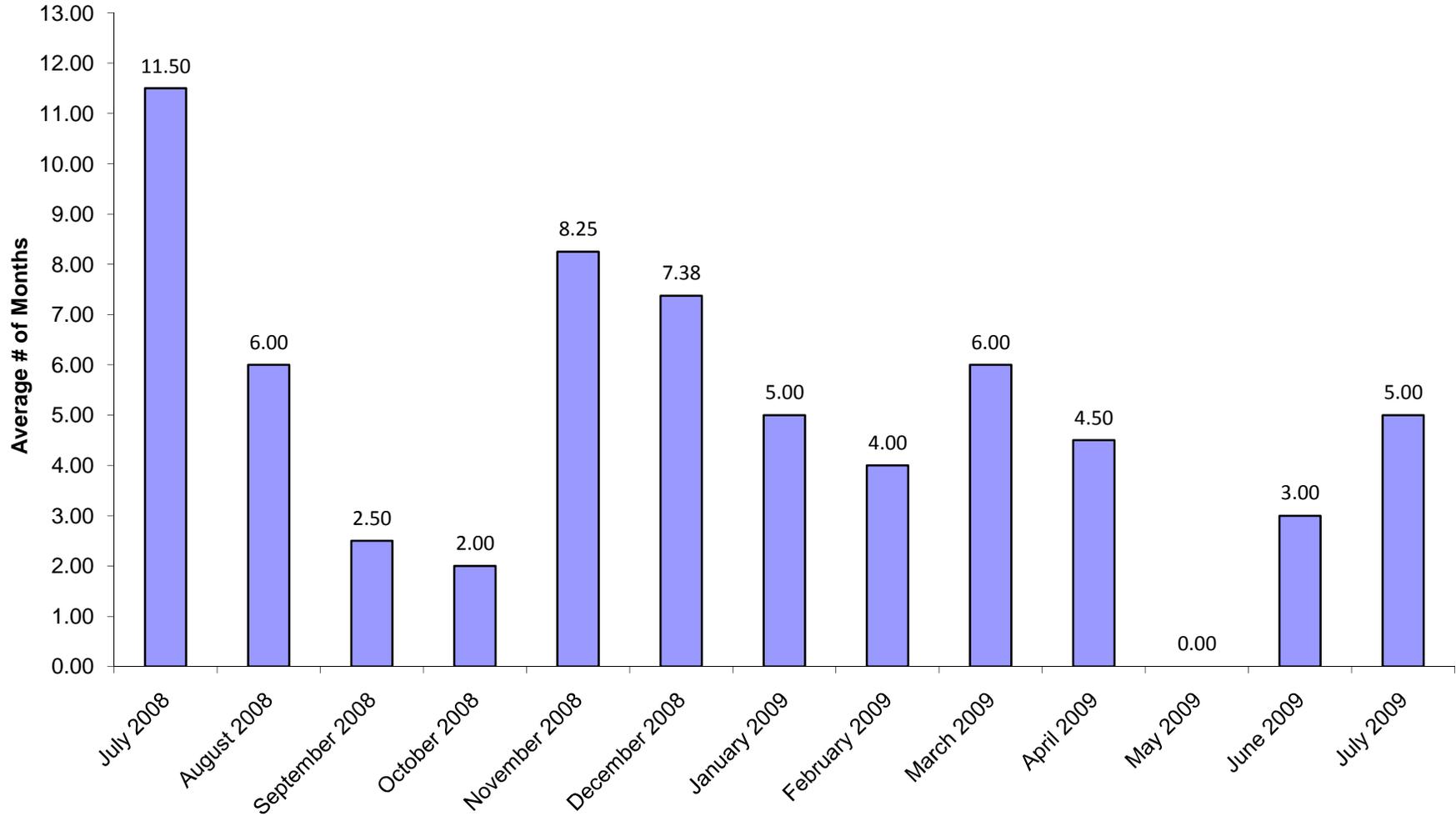
CDCR DJJ
Monthly Tracking of Treatment/Training
Number of Youth Who Received Program Credits for
First Admissions and Recommitments to
SYCRCC



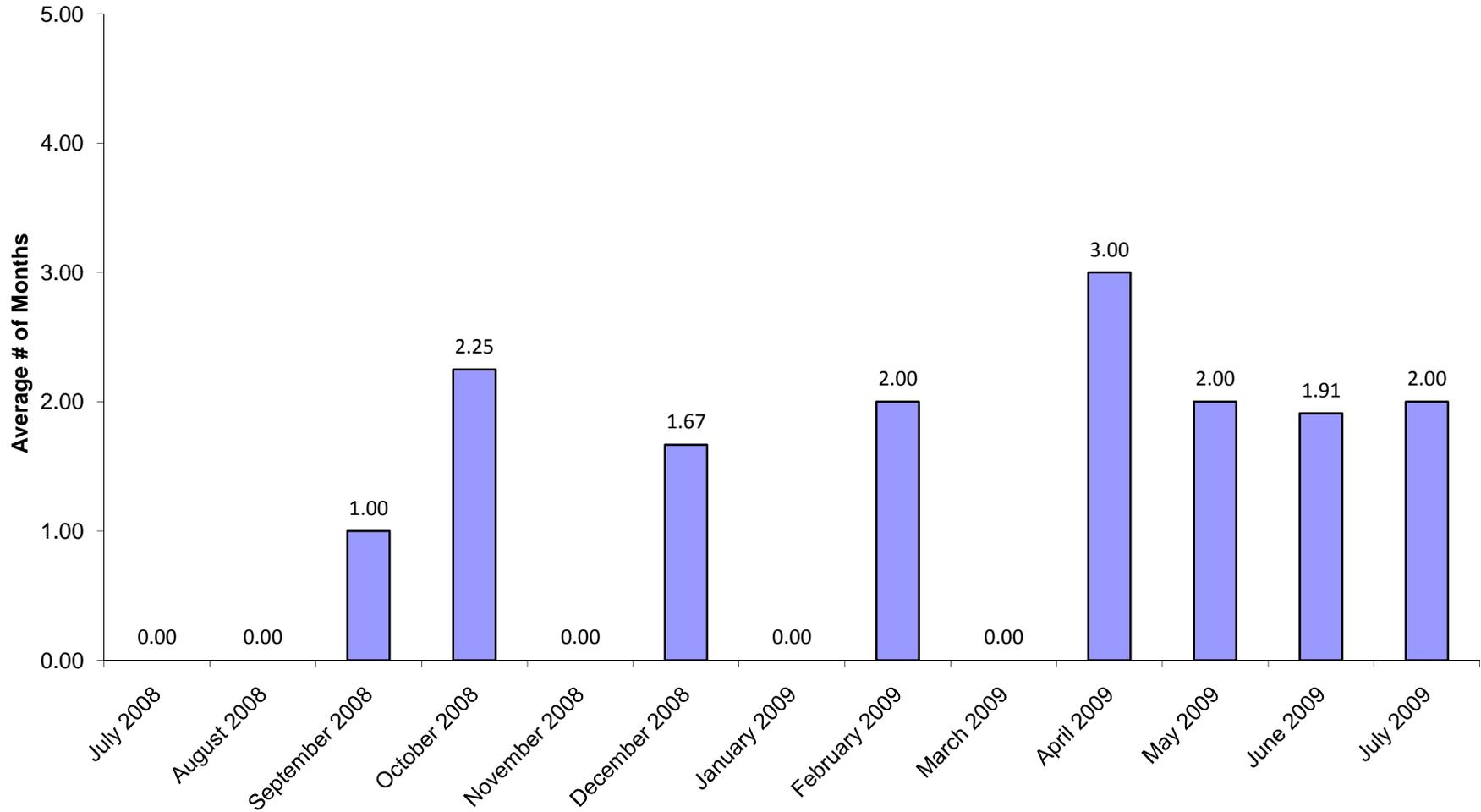
**CDCR DJJ
Monthly Tracking of Treatment/Training
Net Number of Months for Program PBD Extensions / Credits for
First Admissions and Recommitments to
SYCRCC**



**CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of PBD Extension Months Added per Youth for
First Admissions and Recommitments to
SYCRCC**



CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of Program Credits per Youth for
First Admissions and Recommitments to
SYCRCC



**California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
 SYCRCC**

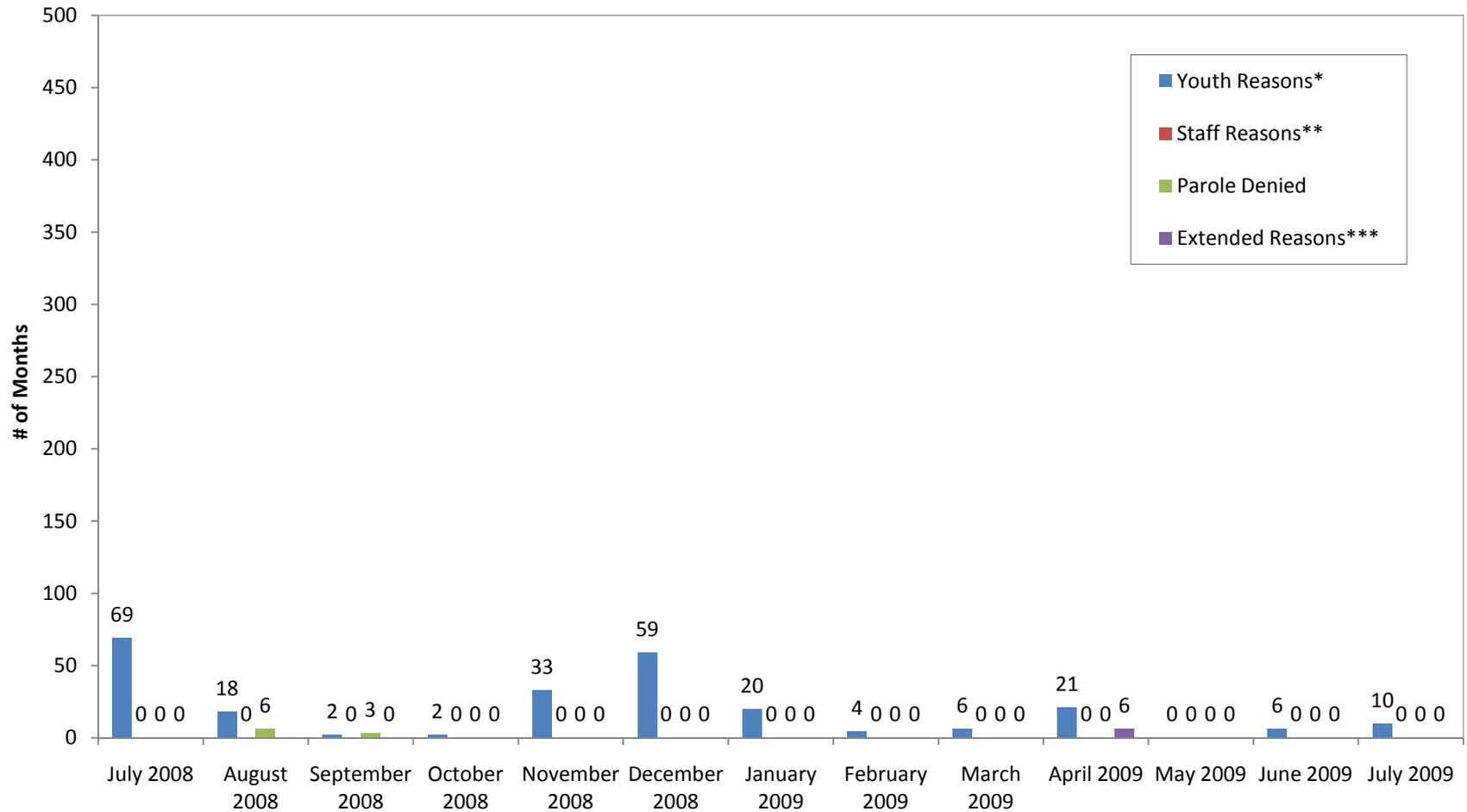
	Youth Reasons*	Staff Reasons**	Parole Denied	Extended Reasons***	Total
July 2008	69	0	0	0	69
August 2008	18	0	6	0	24
September 2008	2	0	3	0	5
October 2008	2	0	0	0	2
November 2008	33	0	0	0	33
December 2008	59	0	0	0	59
January 2009	20	0	0	0	20
February 2009	4	0	0	0	4
March 2009	6	0	0	0	6
April 2009	21	0	0	6	27
May 2009	0	0	0	0	0
June 2009	6	0	0	0	6
July 2009	10	0	0	0	10

* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.

** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.

***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

CDCR DJJ
Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
SYCRCC



* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.
 ** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.
 ***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Revocation Extensions (Rev-Ext)* and Program Credits for
Parole Violators in
Southern Youth Correctional Reception Center and Clinic**

Year/ Month	ADP ¹	Revocation Extensions					Program Credits				
		# of Rev-Ext Hearings	# of Youth Who Had a Rev-Ext	# Rev-Ext Months Added	Average Number of Rev-Ext Months Added per Hearing	Average Number of Rev-Ext Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Program Months Credited	Average Number of Program Months Credited per Hearing	Average Number of Program Months Credited per Youth
2008											
July	1	0	0	0	0.00	0.00	0	0	0	0.00	0.00
August	1	0	0	0	0.00	0.00	0	0	0	0.00	0.00
September	2	0	0	0	0.00	0.00	0	0	0	0.00	0.00
October	2	1	1	3	3.00	3.00	0	0	0	0.00	0.00
November	2	0	0	0	0.00	0.00	0	0	0	0.00	0.00
December	1	0	0	0	0.00	0.00	0	0	0	0.00	0.00
2009											
January	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00
February	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00
March	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00
April	1	0	0	0	0.00	0.00	0	0	0	0.00	0.00
May	1	0	0	0	0.00	0.00	0	0	0	0.00	0.00
June	1	0	0	0	0.00	0.00	0	0	0	0.00	0.00
July	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00

* Prior to implementation of the LH lawsuit on December 15, 2008, Revocation Extensions were referred to as "DDMS extensions".

California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Program* Projected Board Date (PBD)
Extensions for Treatment/Training (Pre L.H. Lawsuit) for
Parole Violators in
Southern Youth Correctional Reception Center and Clinic

Year/ Month	ADP ²	Program				
		Time Adds ¹				
		# of Program Time Add Hearings	# of Youth Who Had Program Time Added	# of Program Months Added	Average Number of Program Months Added per Hearing	Average Number of Program Months Added per Youth
2008						
July	1	0	0	0	0.00	0.00
August	2	0	0	0	0.00	0.00
September	2	1	1	4	4.00	4.00
October	2	0	0	0	0.00	0.00
November	1	0	0	0	0.00	0.00
December	1	0	0	0	0.00	0.00
2009						
January	0	0	0	0	0.00	0.00

* As of December 15, 2008, parole violators no longer receive PBD Extensions for DDMS or treatment/training.
Due to processing time frames, the youth reported in December 2008 reflect orders/hearings that originated prior to December 15, 2008.

1 WIC-1800 time adds included; Additional Commitment time adds not included.

2 Average Daily Population (ADP) for YA cases only.

Section III:

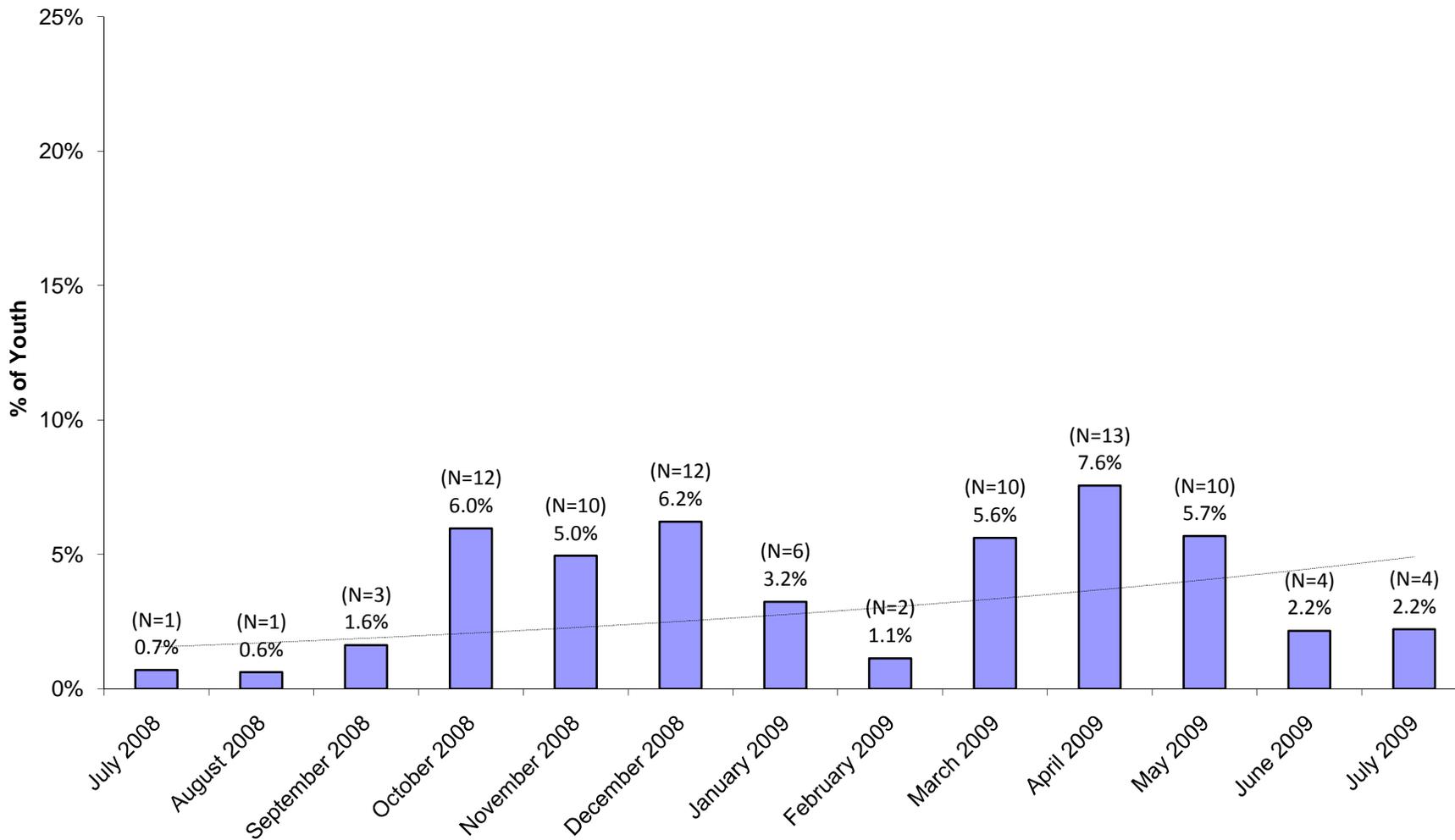
**N.A. Chaderjian
Youth Correctional Facility**

**California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Monthly Tracking of Disciplinary Decision-Making System (DDMS)
 Projected Board Date (PBD) Extensions and Restorations for
 First Admissions and Recommitments to
 N.A. Chaderjian Youth Correctional Facility**

Year/ Month	ADP ¹	DDMS									
		PBD Extensions					Restorations				
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# PBD Extension Months Added	Average Number of PBD Extension Months Added per Hearing	Average Number of PBD Extension Months Added per Youth	# of PBD Extension Time Restore Hearings	# Youth Who Had PBD Extension Time Restored	# PBD Extension Months Restored	Average Number of PBD Extension Months Restored per Hearing	Average Number of PBD Extension Months Restored per Youth
2008											
July	143	1	1	1	1.00	1.00	0	0	0	0.00	0.00
August	161	1	1	1	1.00	1.00	0	0	0	0.00	0.00
September	184	3	3	3	1.00	1.00	0	0	0	0.00	0.00
October	201	14	12	29	2.07	2.42	4	4	4	1.00	1.00
November	202	13	10	20	1.54	2.00	0	0	0	0.00	0.00
December	193	16	12	22	1.38	1.83	0	0	0	0.00	0.00
2009											
January	185	8	6	12	1.50	2.00	0	0	0	0.00	0.00
February	176	2	2	4	2.00	2.00	0	0	0	0.00	0.00
March	178	14	10	22	1.57	2.20	1	1	1	1.00	1.00
April	172	17	13	33	1.94	2.54	1	1	1	1.00	1.00
May	176	10	10	15	1.50	1.50	3	3	3	1.00	1.00
June	185	4	4	5	1.25	1.25	0	0	0	0.00	0.00
July	180	4	4	6	1.50	1.50	0	0	0	0.00	0.00

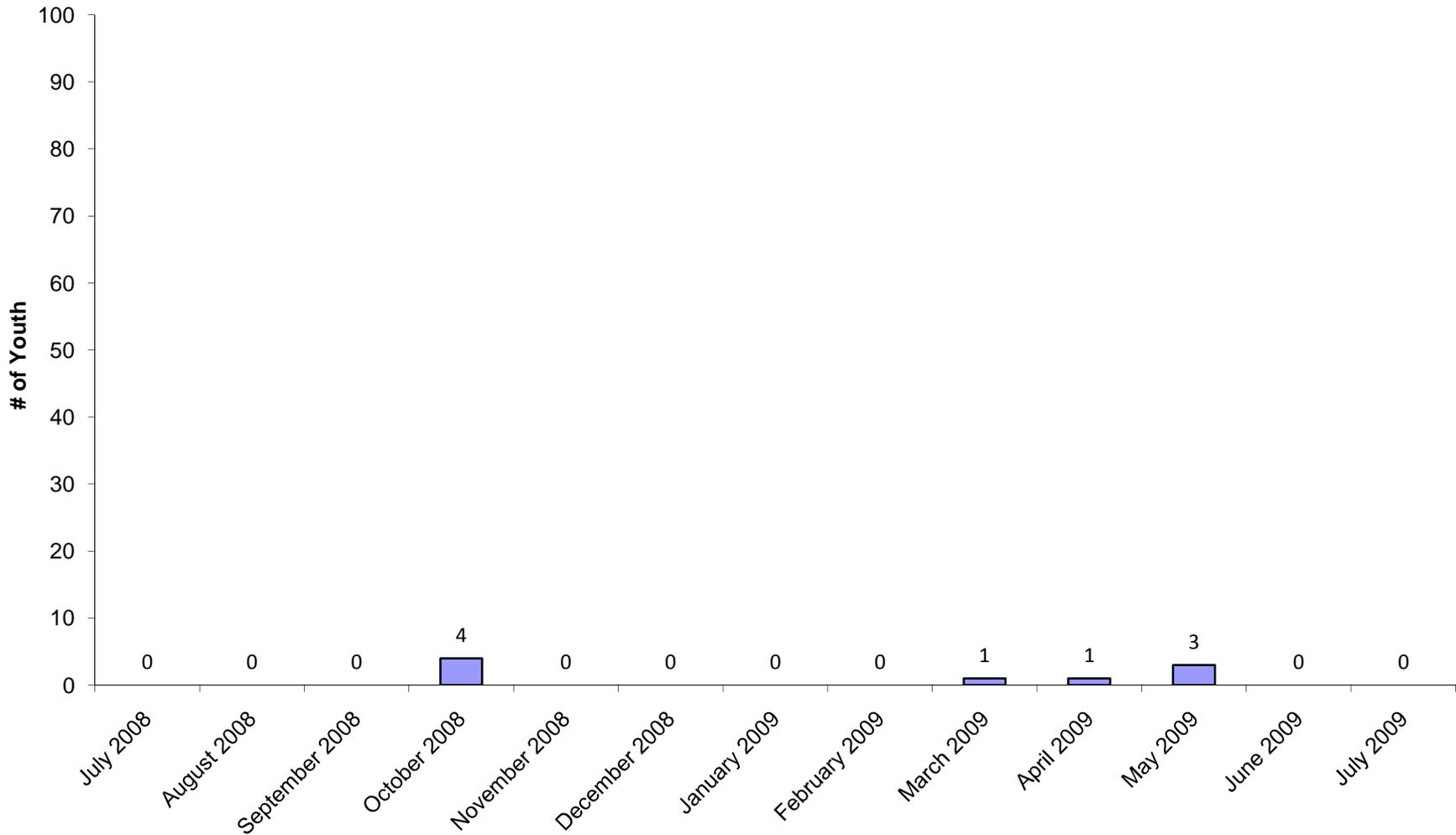
1 Average Daily Population (ADP) for YA cases only.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Percentage of Youth Who Received a Projected Board Date (PBD) Extension for
First Admissions and Recommitments to
N.A. Chaderjian

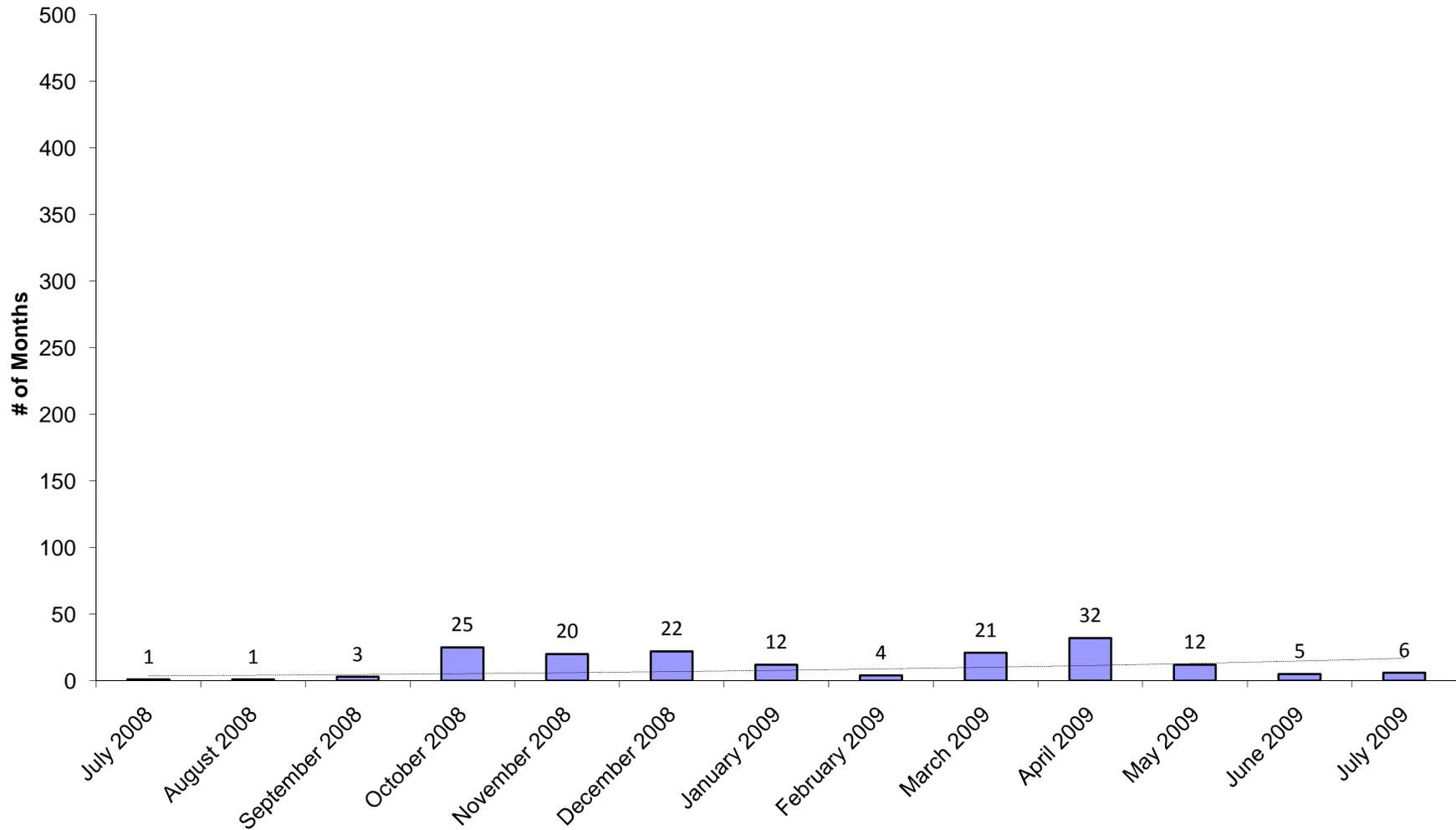


Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Number of Youth Who Received Projected Board Date (PBD) Time Restorations for
First Admissions and Recommitments to
N.A. Chaderjian

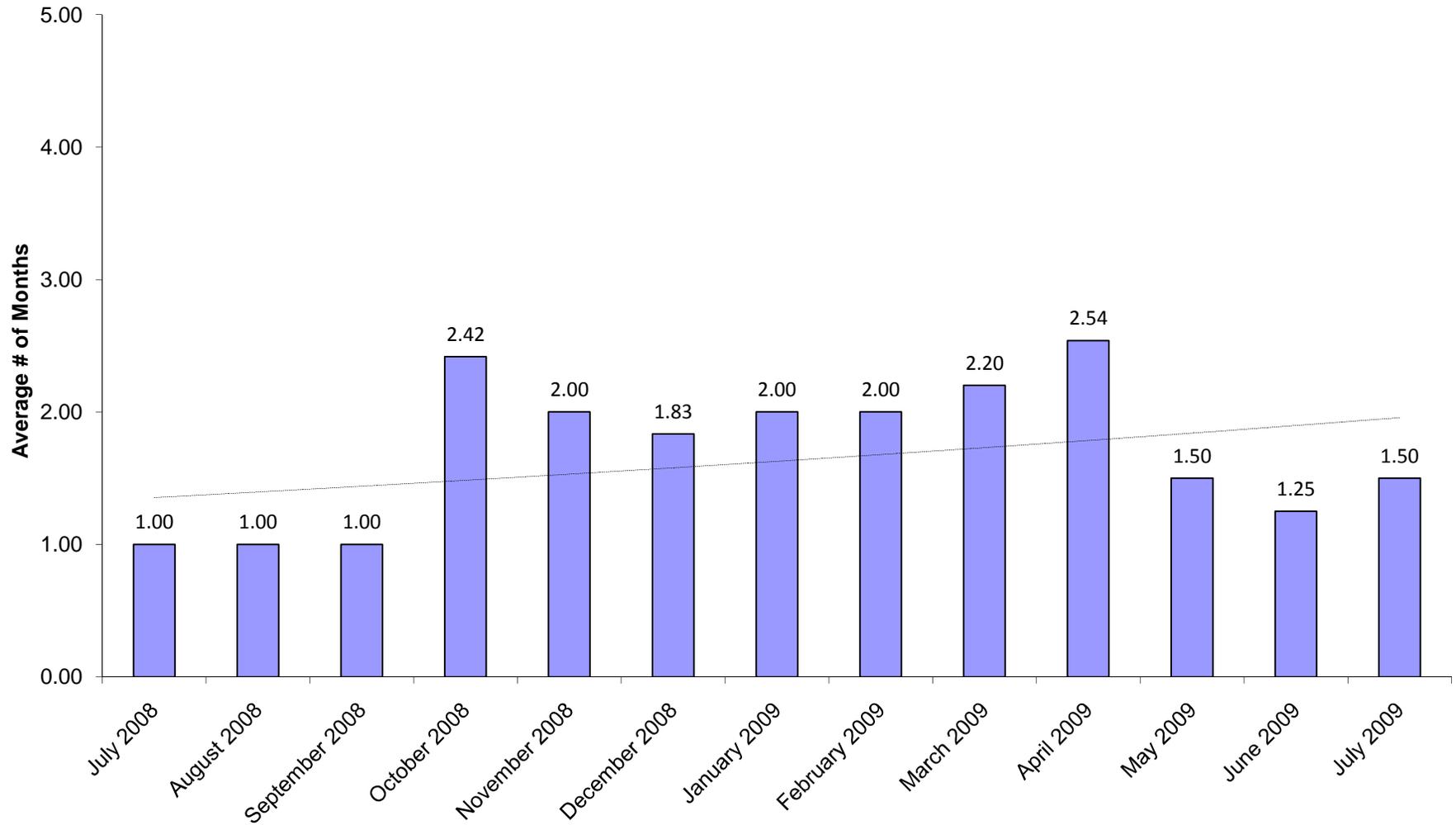


CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Net Number of Months of Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
N.A. Chaderjian



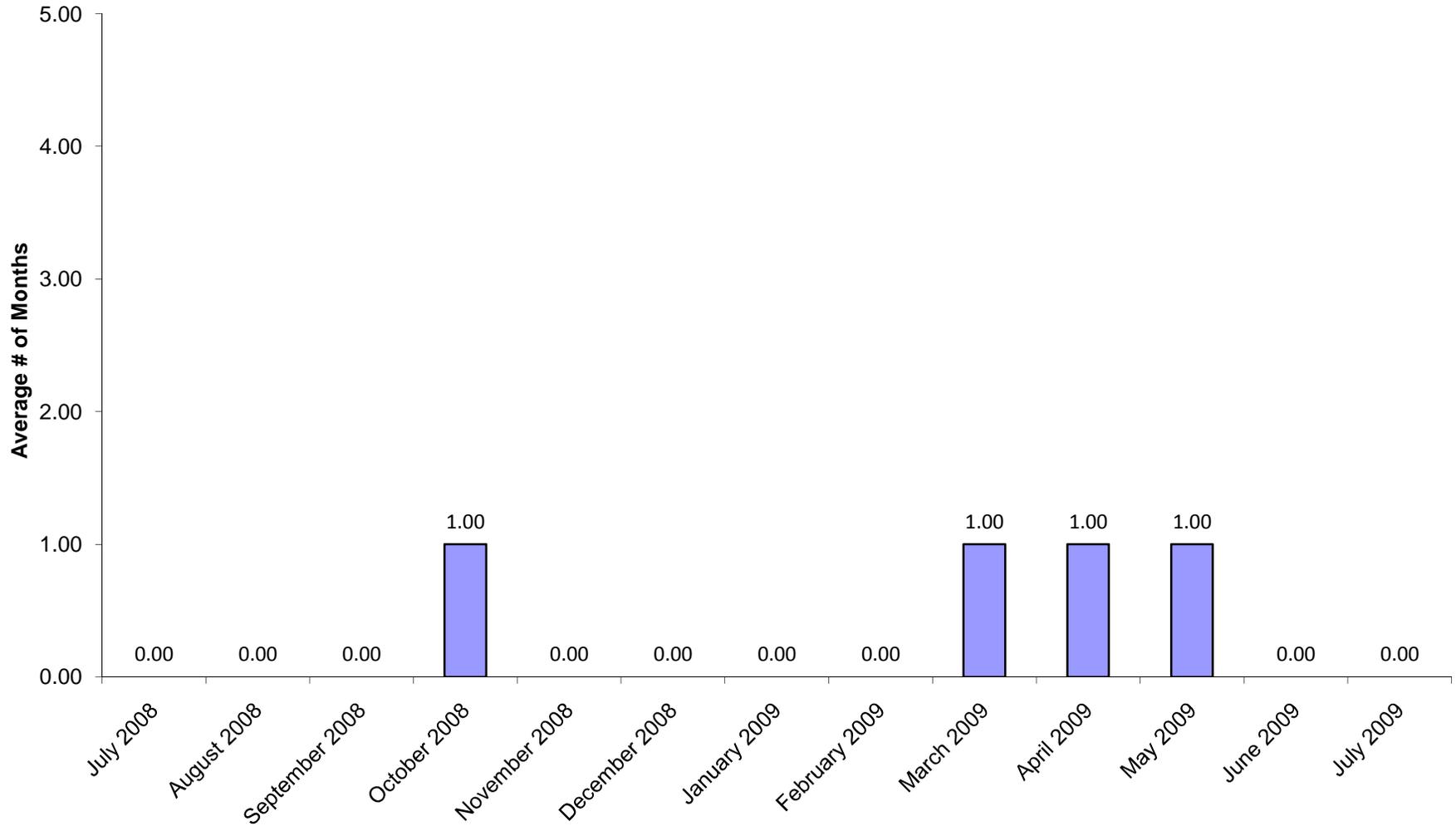
Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Extension Months Added per Youth for
First Admissions and Recommitments to
N.A. Chaderjian



Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Months Restored per Youth for
First Admissions and Recommitments to
N.A. Chaderjian



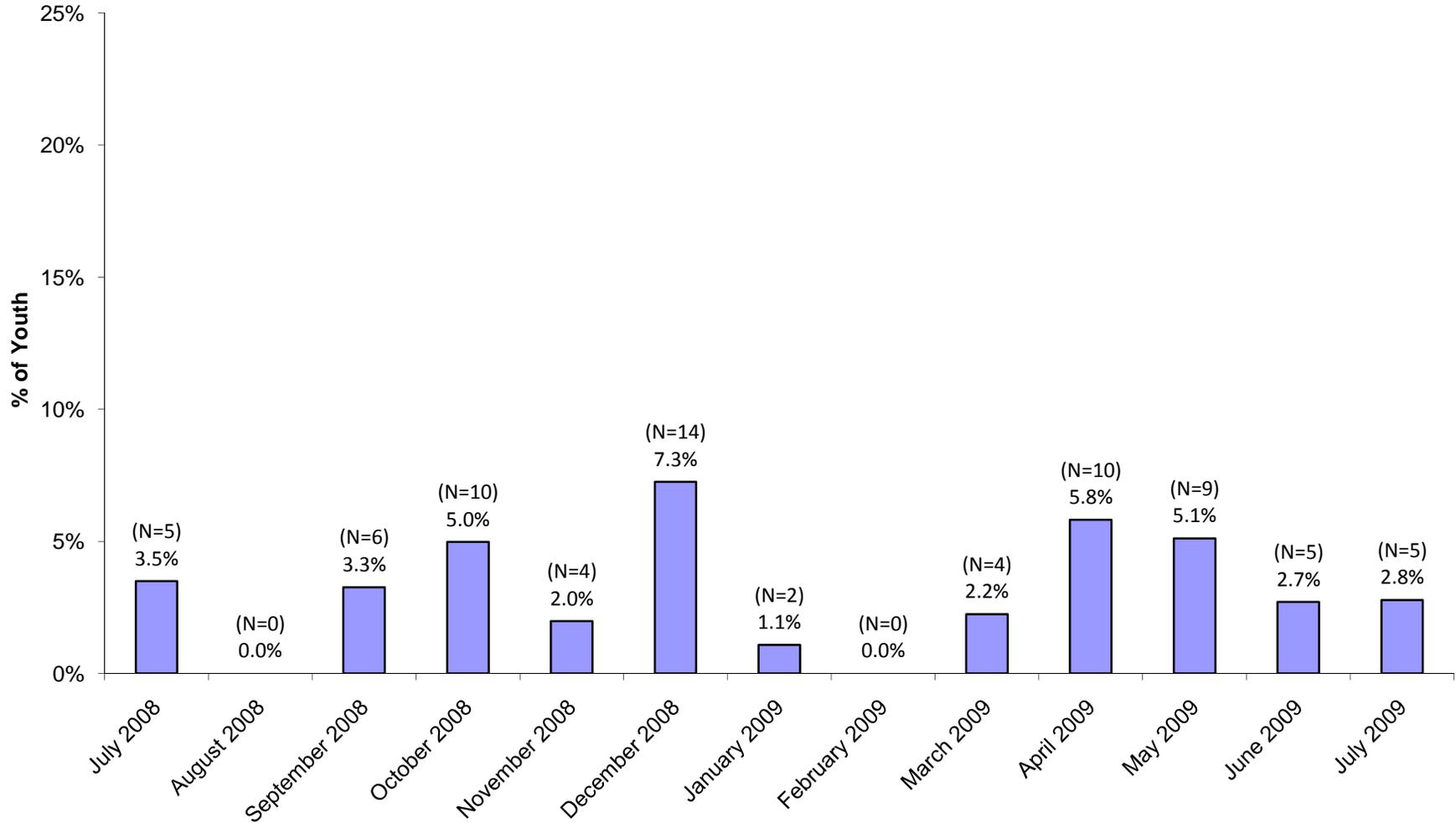
**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of
Projected Board Date (PBD) Extensions for Treatment/Training and Program Credits for
First Admissions and Recommitments to
N.A. Chaderjian Youth Correctional Facility**

Year/ Month	ADP ²	Program ¹							
		PBD Extensions				Credits			
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# of PBD Extension Months Added	Average Number of PBD Extension Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Months Program Months Credited	Average Number of Program Months Cut per Youth
2008									
July	143	5	5	18	3.60	9	9	18	2.00
August	161	0	0	0	0.00	5	5	7	1.40
September	184	6	6	18	3.00	5	5	8	1.60
October	201	10	10	33	3.30	4	4	5	1.25
November	202	4	4	16	4.00	7	7	22	3.14
December	193	14	14	38	2.71	16	16	45	2.81
2009									
January	185	2	2	3	1.50	7	7	17	2.43
February	176	0	0	0	0.00	6	6	15	2.50
March	178	4	4	10	2.50	7	7	13	1.86
April	172	10	10	35	3.50	14	14	34	2.43
May	176	9	9	26	2.89	11	11	21	1.91
June	185	5	5	14	2.80	14	14	34	2.43
July	180	5	5	15	3.00	11	11	20	1.82

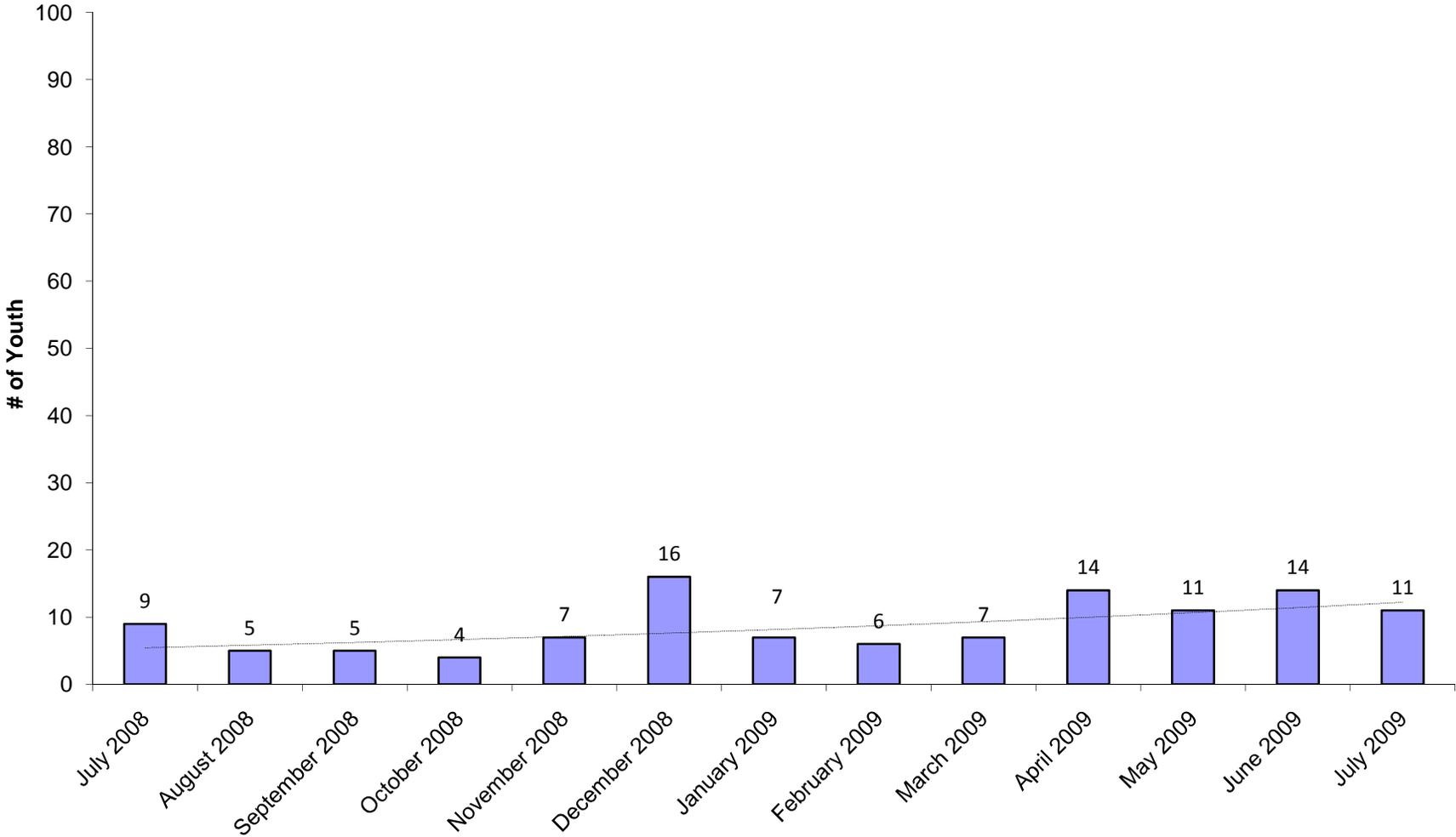
1 WIC-1800 time adds included; Additional Commitment time adds not included.

2 Average Daily Population (ADP) for YA cases only.

CDCR DJJ
Monthly Tracking of Treatment/Training
Percentage of Youth Who Received a PBD Extension for
First Admissions and Recommitments to
N.A. Chaderjian

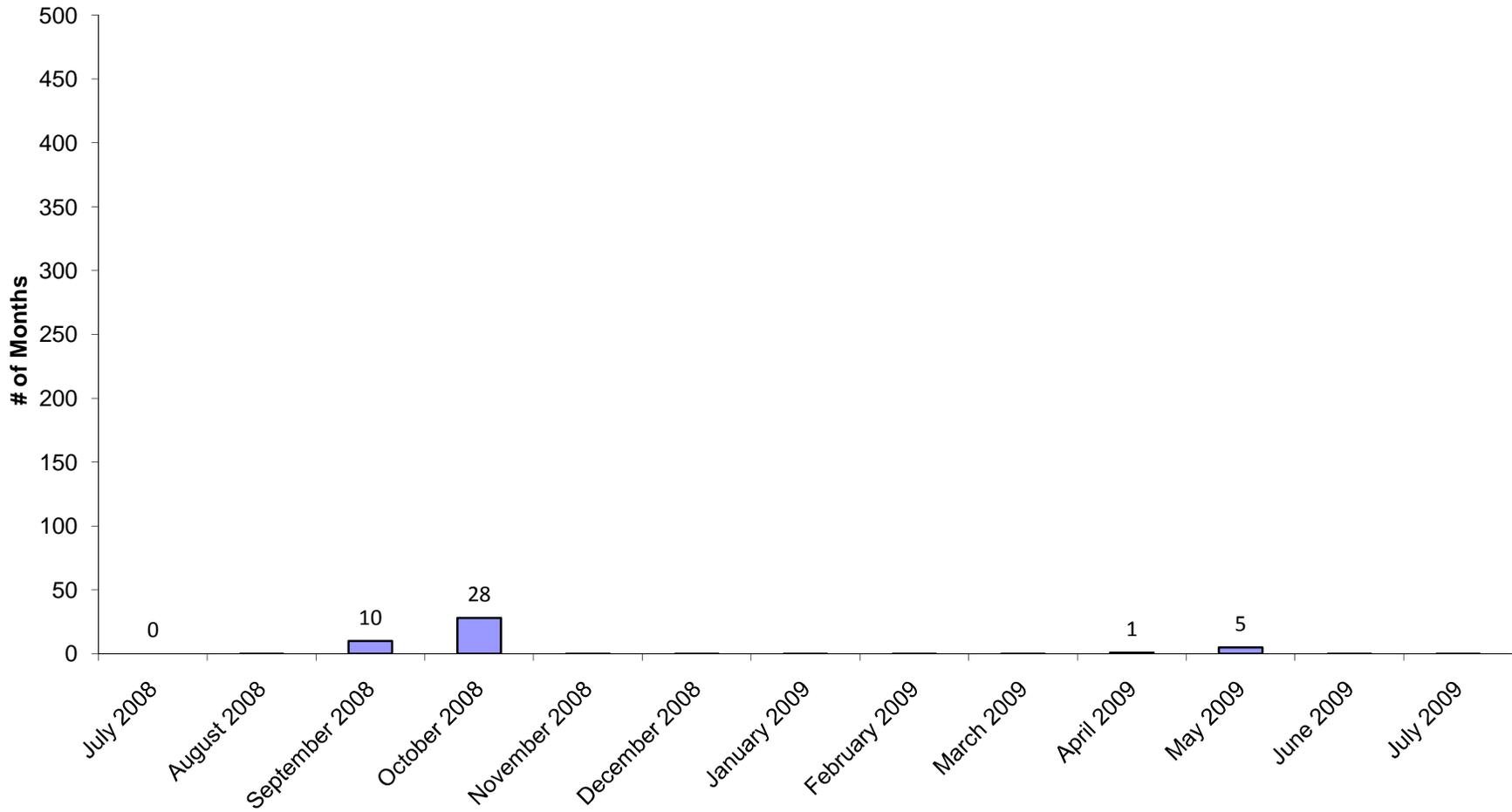


CDCR DJJ
Monthly Tracking of Treatment/Training
Number of Youth Who Received Program Credits for
First Admissions and Recommitments to
N.A. Chaderjian

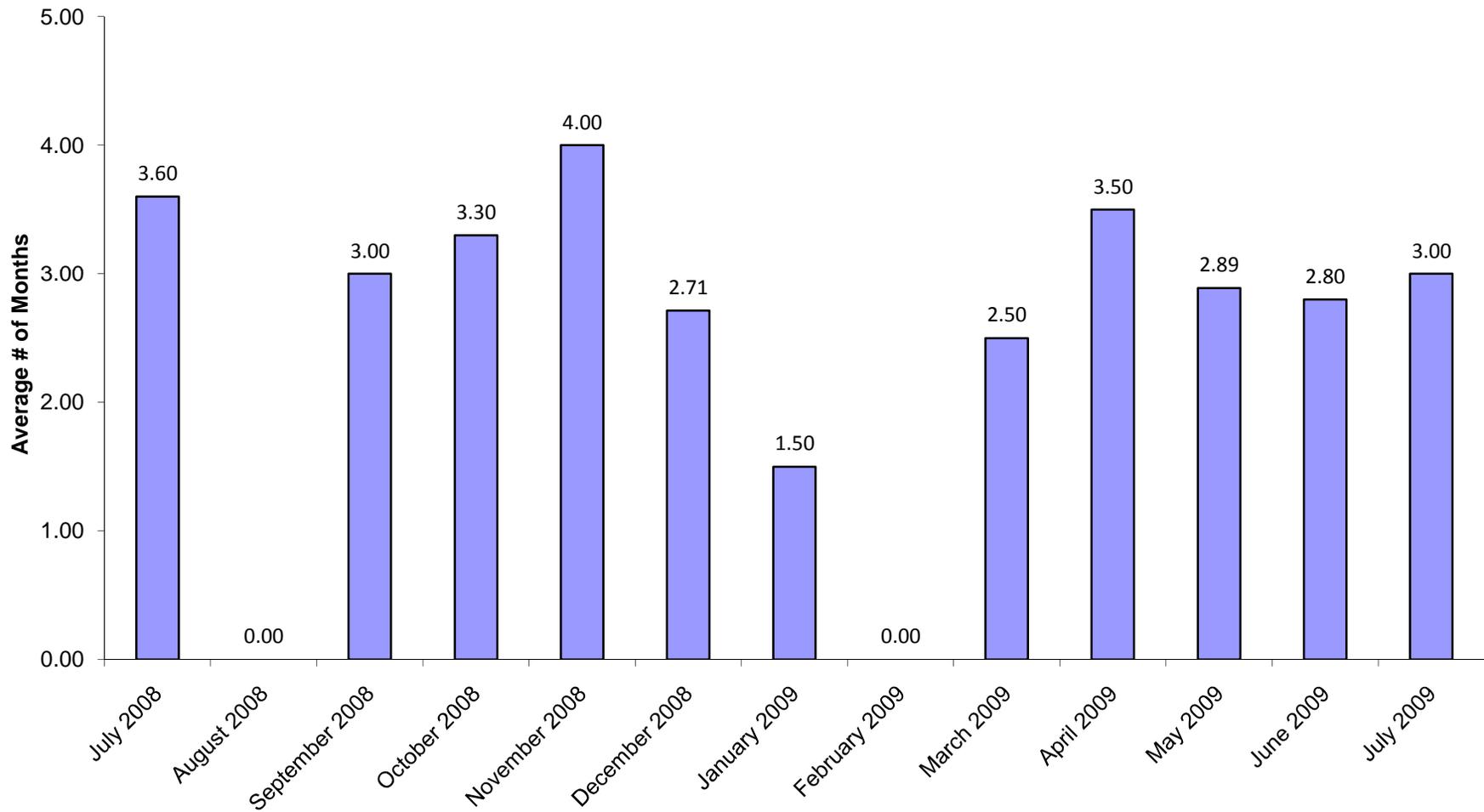


Note: This chart depicts an "exponential" trend line.

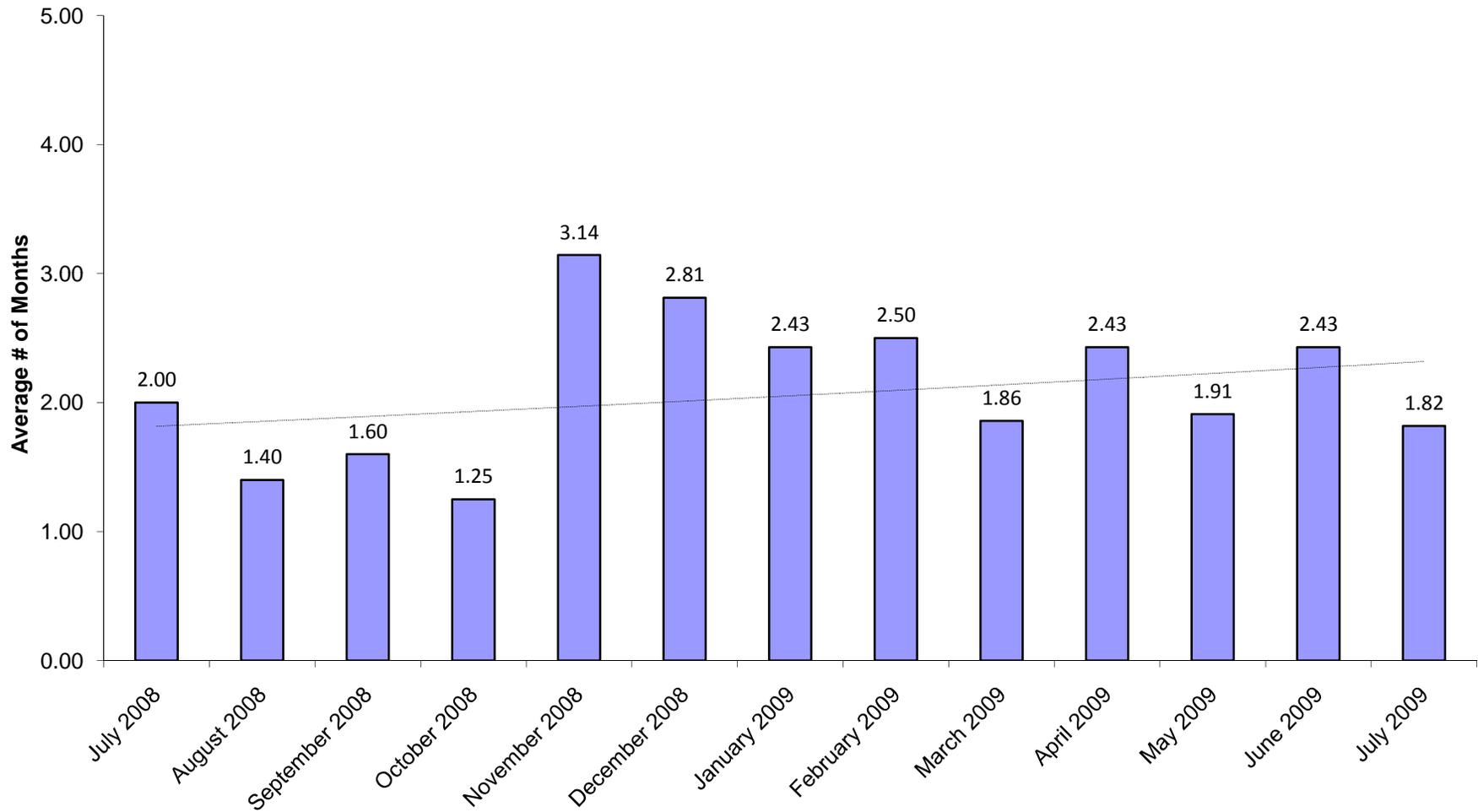
CDCR DJJ
Monthly Tracking of Treatment/Training
Net Number of Months for Program PBD Extensions / Credits for
First Admissions and Recommitments to
N.A. Chaderjian



CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of PBD Extension Months Added per Youth for
First Admissions and Recommitments to
N.A. Chaderjian



CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of Program Credits per Youth for
First Admissions and Recommitments to
N.A. Chaderjian



Note: This chart depicts an "exponential" trend line.

**California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
 N.A. Chaderjian**

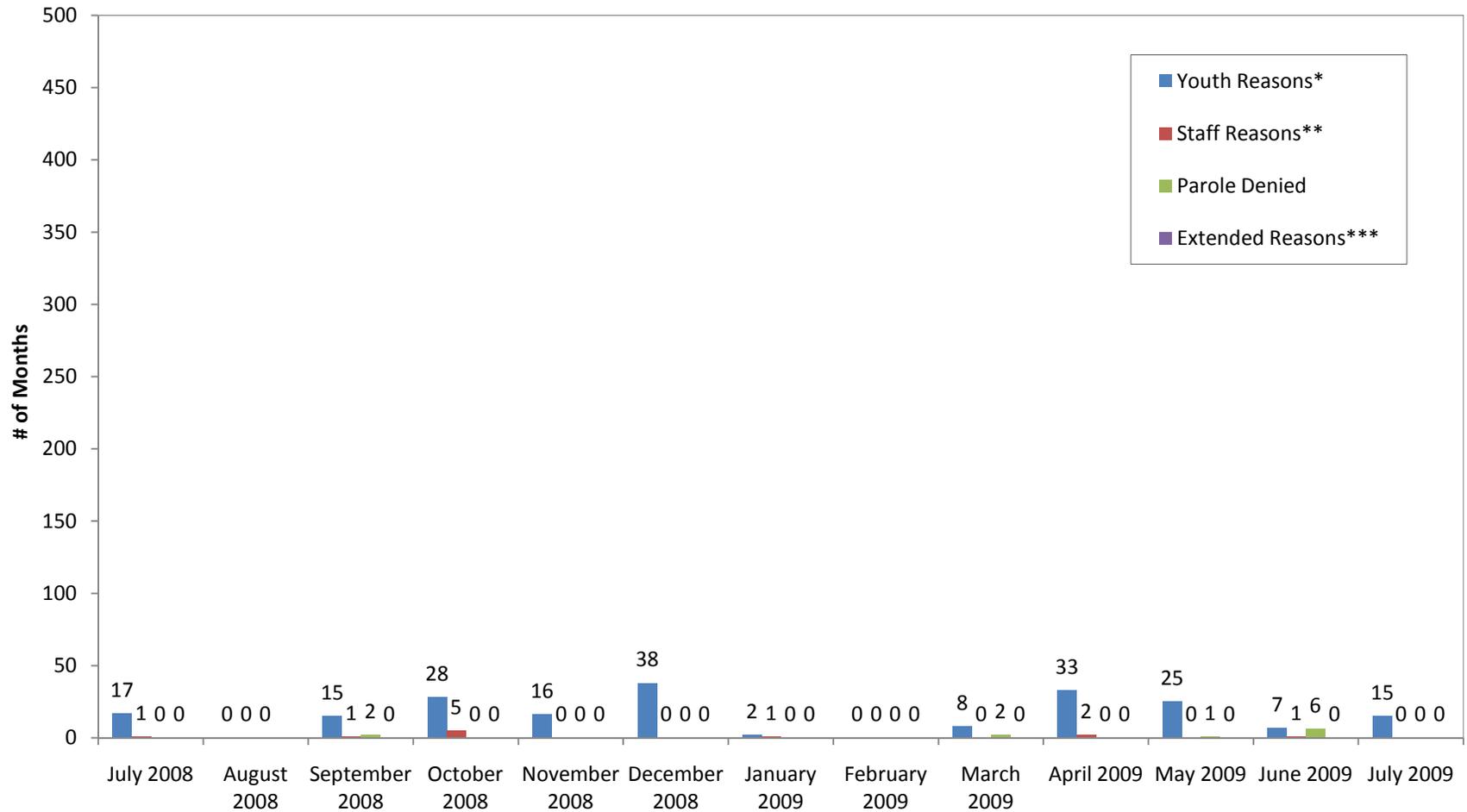
	Youth Reasons*	Staff Reasons**	Parole Denied	Extended Reasons***	Total
July 2008	17	1	0	0	18
August 2008	0	0	0	0	0
September 2008	15	1	2	0	18
October 2008	28	5	0	0	33
November 2008	16	0	0	0	16
December 2008	38	0	0	0	38
January 2009	2	1	0	0	3
February 2009	0	0	0	0	0
March 2009	8	0	2	0	10
April 2009	33	2	0	0	35
May 2009	25	0	1	0	26
June 2009	7	1	6	0	14
July 2009	15	0	0	0	15

* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.

** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.

***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

CDCR DJJ
Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
N.A. Chaderjian



* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.
 ** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.
 ***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Revocation Extensions (Rev-Ext)* and Program Credits for
Parole Violators in
N.A. Chaderjian Youth Correctional Facility**

Year/ Month	ADP ¹	Revocation Extensions					Program Credits				
		# of Rev-Ext Hearings	# of Youth Who Had a Rev-Ext	# Rev-Ext Months Added	Average Number of Rev-Ext Months Added per Hearing	Average Number of Rev-Ext Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Program Months Credited	Average Number of Program Months Credited per Hearing	Average Number of Program Months Credited per Youth
2008											
July	48	2	2	5	2.50	2.50	5	5	5	1.00	1.00
August	38	0	0	0	0.00	0.00	0	0	0	0.00	0.00
September	35	3	2	5	1.67	2.50	5	5	5	1.00	1.00
October	29	5	4	7	1.40	1.75	1	1	1	1.00	1.00
November	20	2	2	3	1.50	1.50	0	0	0	0.00	0.00
December	27	1	1	1	1.00	1.00	2	2	6	3.00	3.00
2009											
January	25	0	0	0	0.00	0.00	0	0	0	0.00	0.00
February	24	0	0	0	0.00	0.00	1	1	1	1.00	1.00
March	23	0	0	0	0.00	0.00	1	1	1	1.00	1.00
April	38	1	1	3	3.00	3.00	1	1	1	1.00	1.00
May	45	2	2	4	2.00	2.00	5	5	6	1.20	1.20
June	45	1	1	7	7.00	7.00	16	16	19	1.19	1.19
July	43	1	1	6	6.00	6.00	11	11	12	1.09	1.09

* Prior to implementation of the LH lawsuit on December 15, 2008, Revocation Extensions were referred to as "DDMS extensions".

California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Program* Projected Board Date (PBD)
Extensions for Treatment/Training (Pre L.H. Lawsuit) for
Parole Violators in
N.A. Chaderjian Youth Correctional Facility

Year/ Month	ADP ²	Program				
		Time Adds ¹				
		# of Program Time Add Hearings	# of Youth Who Had Program Time Added	# of Program Months Added	Average Number of Program Months Added per Hearing	Average Number of Program Months Added per Youth
2008						
July	48	2	2	4	2.00	2.00
August	38	0	0	0	0.00	0.00
September	35	2	2	2	1.00	1.00
October	29	3	3	8	2.67	2.67
November	20	2	2	5	2.50	2.50
December	27	0	0	0	0.00	0.00
2009						
January	25	0	0	0	0.00	0.00

* As of December 15, 2008, parole violators no longer receive PBD Extensions for DDMS or treatment/training.
Due to processing time frames, the youth reported in December 2008 reflect orders/hearings that originated prior to December 15, 2008.

1 WIC-1800 time adds included; Additional Commitment time adds not included.

2 Average Daily Population (ADP) for YA cases only.

Section IV:

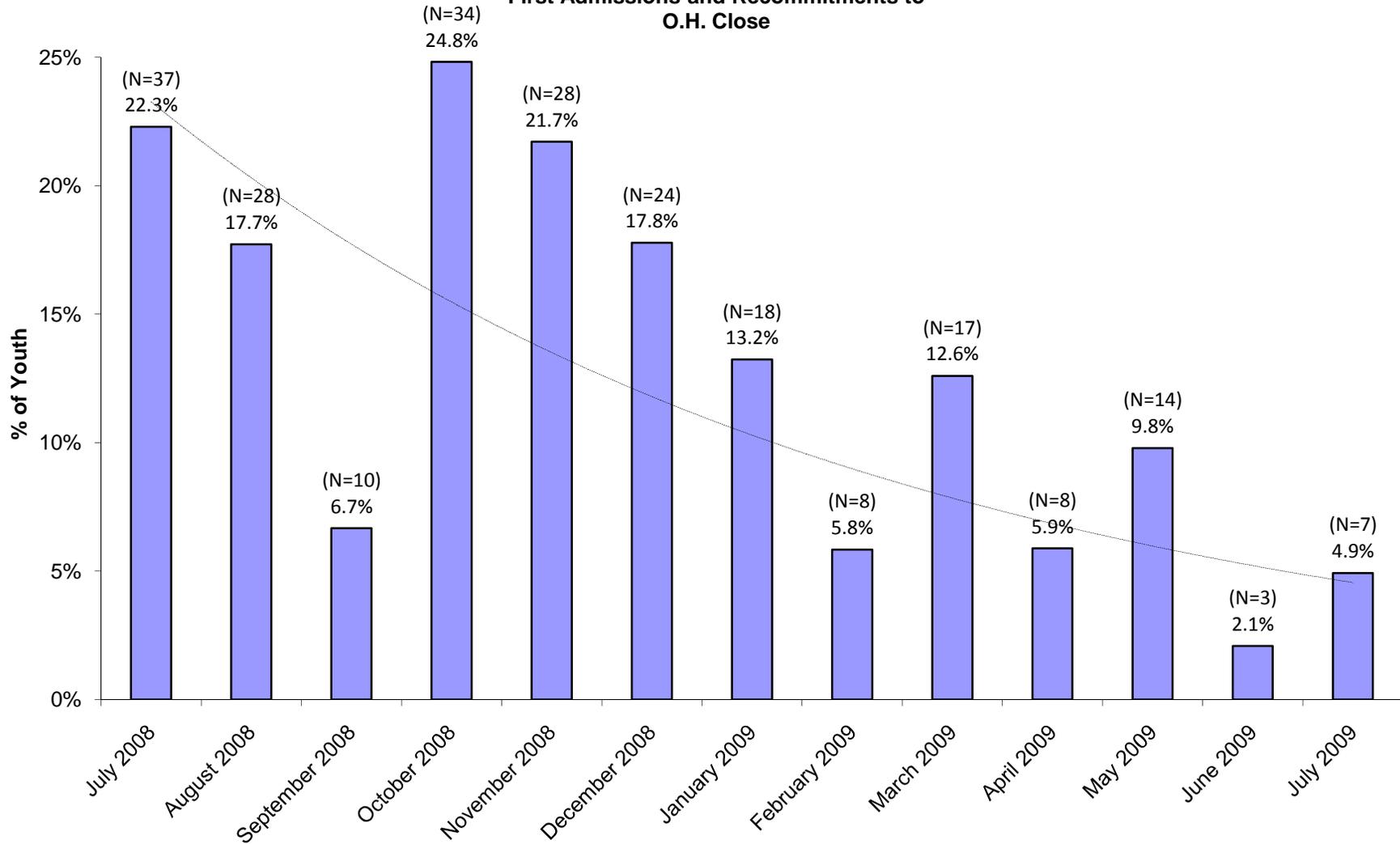
**O.H. Close
Youth Correctional Facility**

**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
O.H. Close Youth Correctional Facility**

Year/ Month	ADP ¹	DDMS									
		PBD Extensions					Restorations				
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# PBD Extension Months Added	Average Number of PBD Extension Months Added per Hearing	Average Number of PBD Extension Months Added per Youth	# of PBD Extension Time Restore Hearings	# Youth Who Had PBD Extension Time Restored	# PBD Extension Months Restored	Average Number of PBD Extension Months Restored per Hearing	Average Number of PBD Extension Months Restored per Youth
2008											
July	166	53	37	84	1.58	2.27	0	0	0	0.00	0.00
August	158	40	28	78	1.95	2.79	0	0	0	0.00	0.00
September	150	12	10	19	1.58	1.90	2	2	3	1.50	1.50
October	137	49	34	62	1.27	1.82	6	6	7	1.17	1.17
November	129	40	28	59	1.48	2.11	0	0	0	0.00	0.00
December	135	35	24	50	1.43	2.08	0	0	0	0.00	0.00
2009											
January	136	20	18	21	1.05	1.17	2	2	2	1.00	1.00
February	137	9	8	10	1.11	1.25	2	2	2	1.00	1.00
March	135	24	17	29	1.21	1.71	0	0	0	0.00	0.00
April	136	8	8	11	1.38	1.38	0	0	0	0.00	0.00
May	143	14	14	14	1.00	1.00	2	2	2	1.00	1.00
June	144	3	3	5	1.67	1.67	0	0	0	0.00	0.00
July	142	15	7	17	1.13	2.43	4	4	6	1.50	1.50

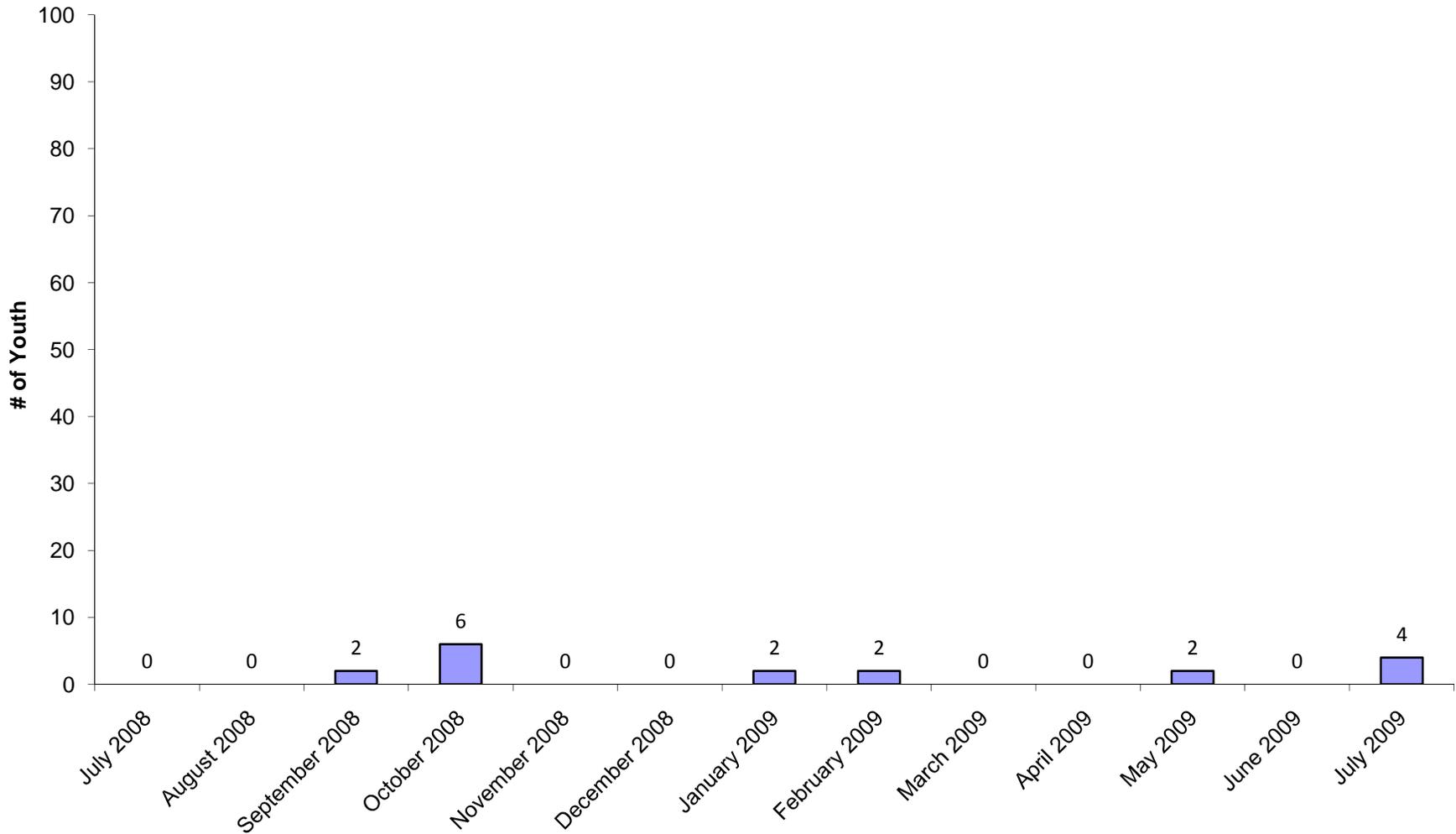
1 Average Daily Population (ADP) for YA cases only.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Percentage of Youth Who Received a Projected Board Date (PBD) Extension for
First Admissions and Recommitments to
O.H. Close

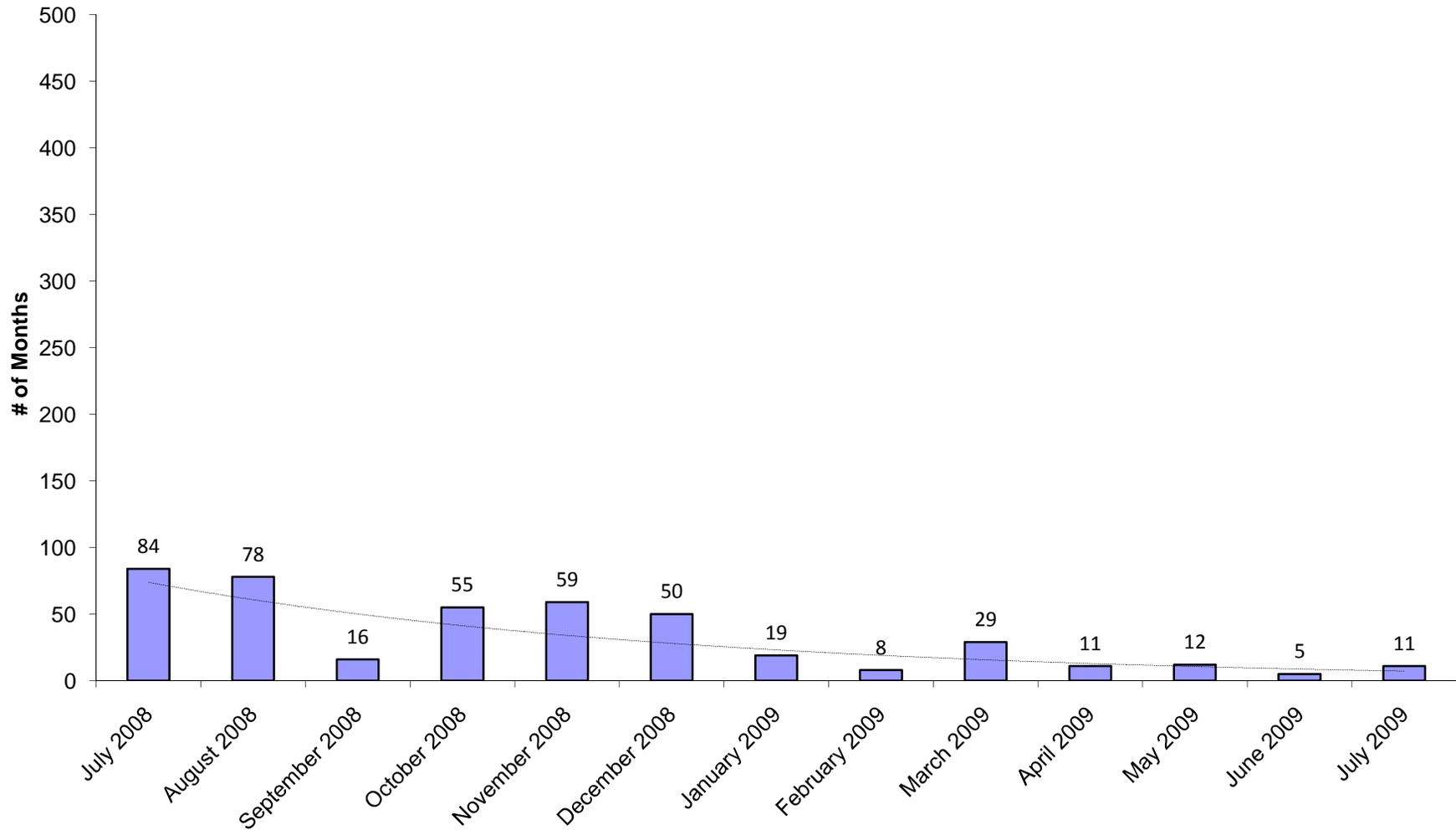


Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Number of Youth Who Received Projected Board Date (PBD) Time Restorations for
First Admissions and Recommitments to
O.H. Close

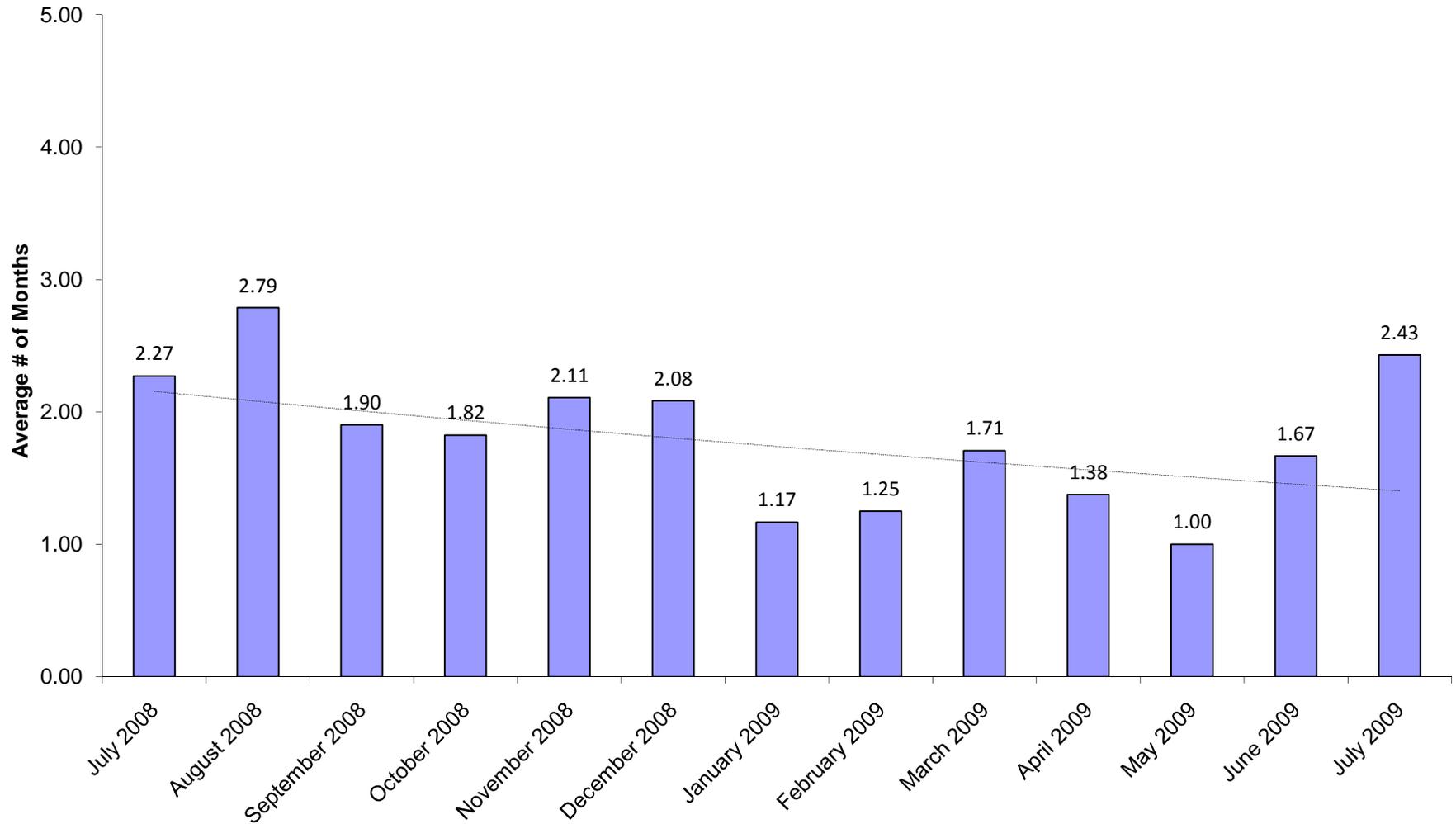


CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Net Number of Months of Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
O.H. Close



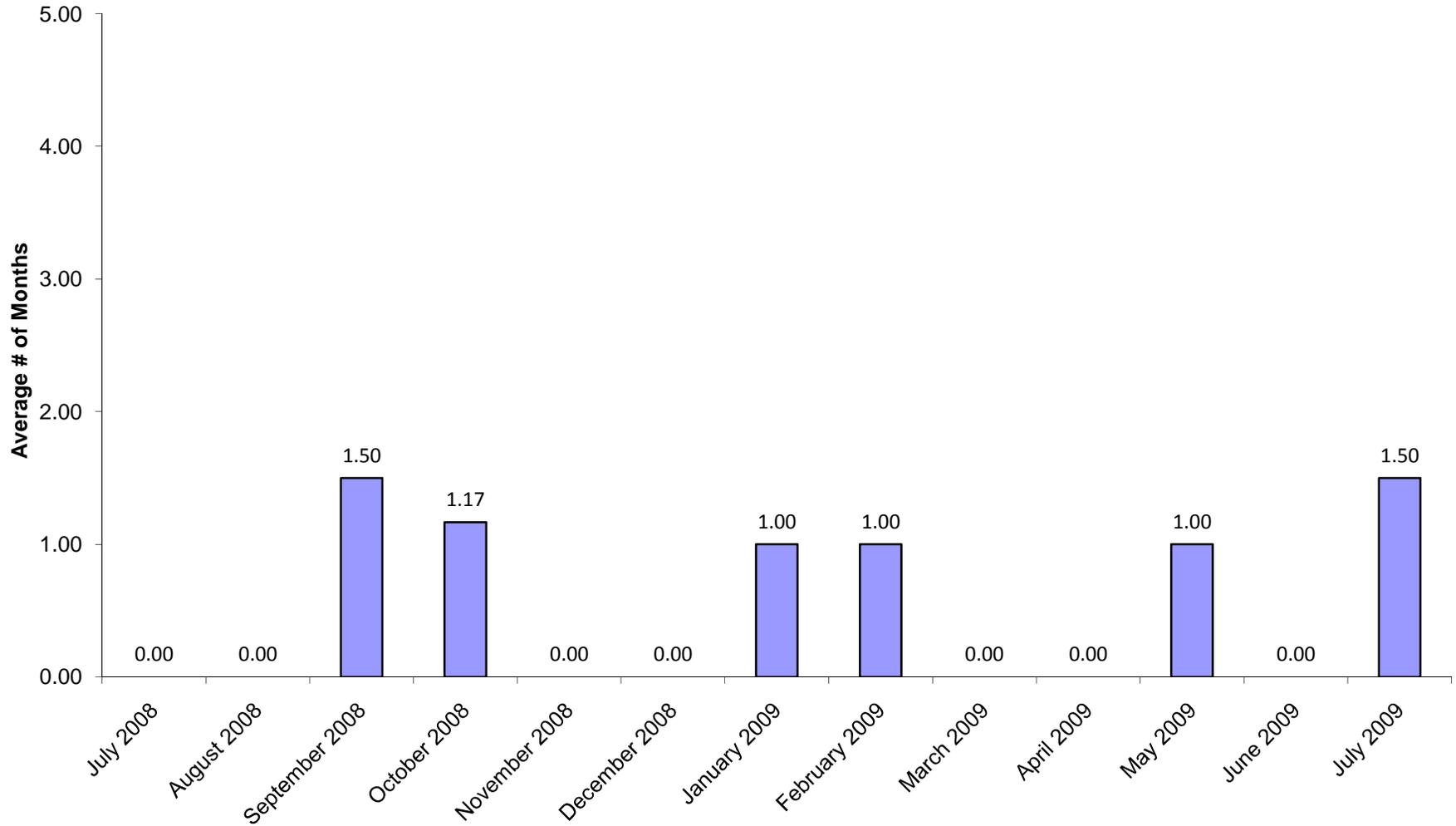
Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Extension Months Added per Youth for
First Admissions and Recommitments to
O.H. Close



Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Months Restored per Youth for
First Admissions and Recommitments to
O.H. Close



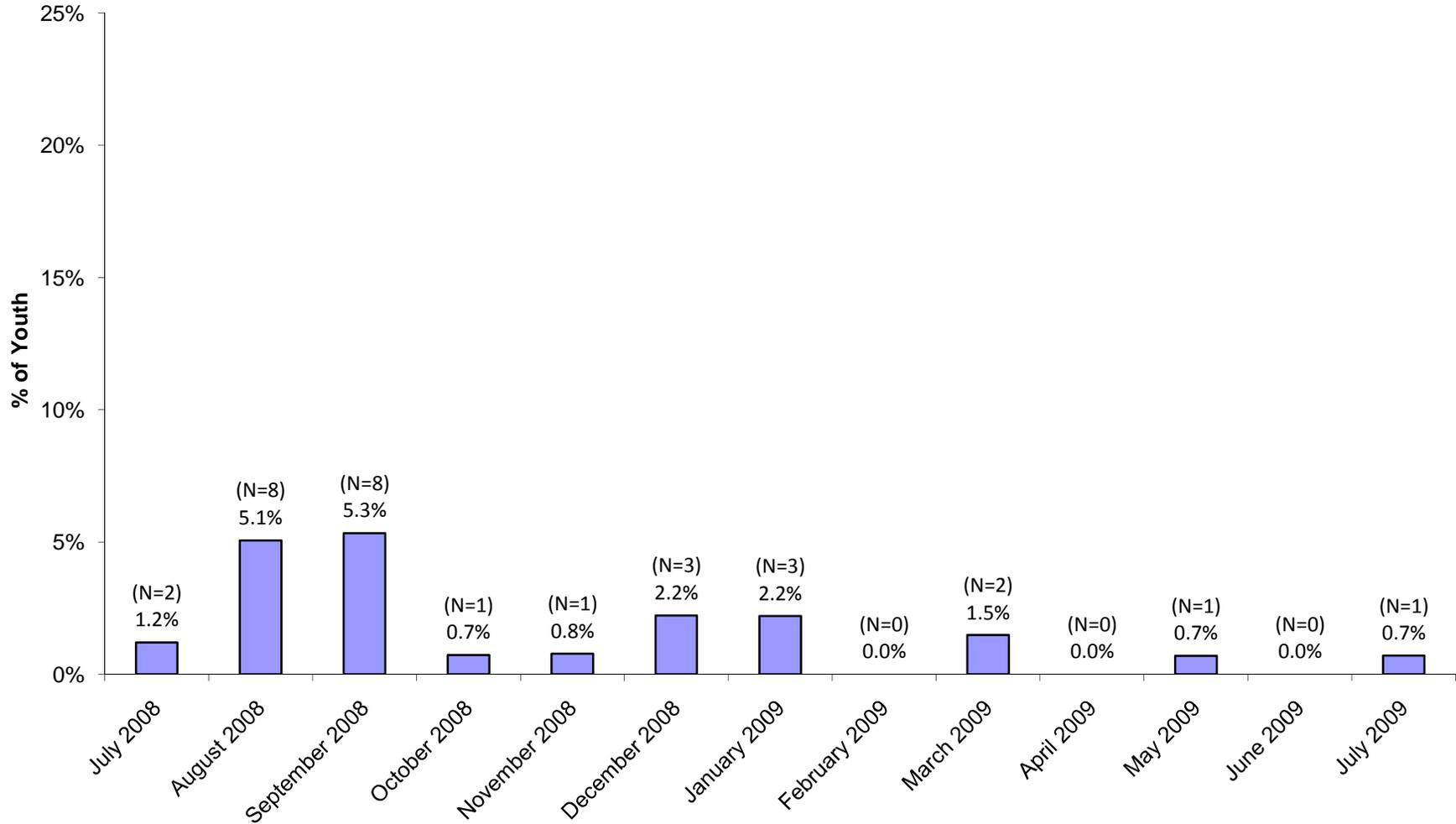
California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of
Projected Board Date (PBD) Extensions for Treatment/Training and Program Credits for
First Admissions and Recommitments to
O.H. Close Youth Correctional Facility

Year/ Month	ADP ²	Program ¹							
		PBD Extensions				Credits			
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# of PBD Extension Months Added	Average Number of PBD Extension Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Months Program Months Credited	Average Number of Program Months Cut per Youth
2008									
July	166	2	2	3	1.50	2	2	6	3.00
August	158	8	8	28	3.50	4	4	8	2.00
September	150	8	8	23	2.88	6	6	10	1.67
October	137	1	1	6	6.00	5	5	7	1.40
November	129	1	1	4	4.00	4	4	9	2.25
December	135	3	3	11	3.67	3	3	5	1.67
2009									
January	136	3	3	6	2.00	2	2	3	1.50
February	137	0	0	0	0.00	6	6	10	1.67
March	135	2	2	4	2.00	5	5	7	1.40
April	136	0	0	0	0.00	6	6	12	2.00
May	143	1	1	3	3.00	8	8	20	2.50
June	144	0	0	0	0.00	4	4	6	1.50
July	142	1	1	2	2.00	5	5	13	2.60

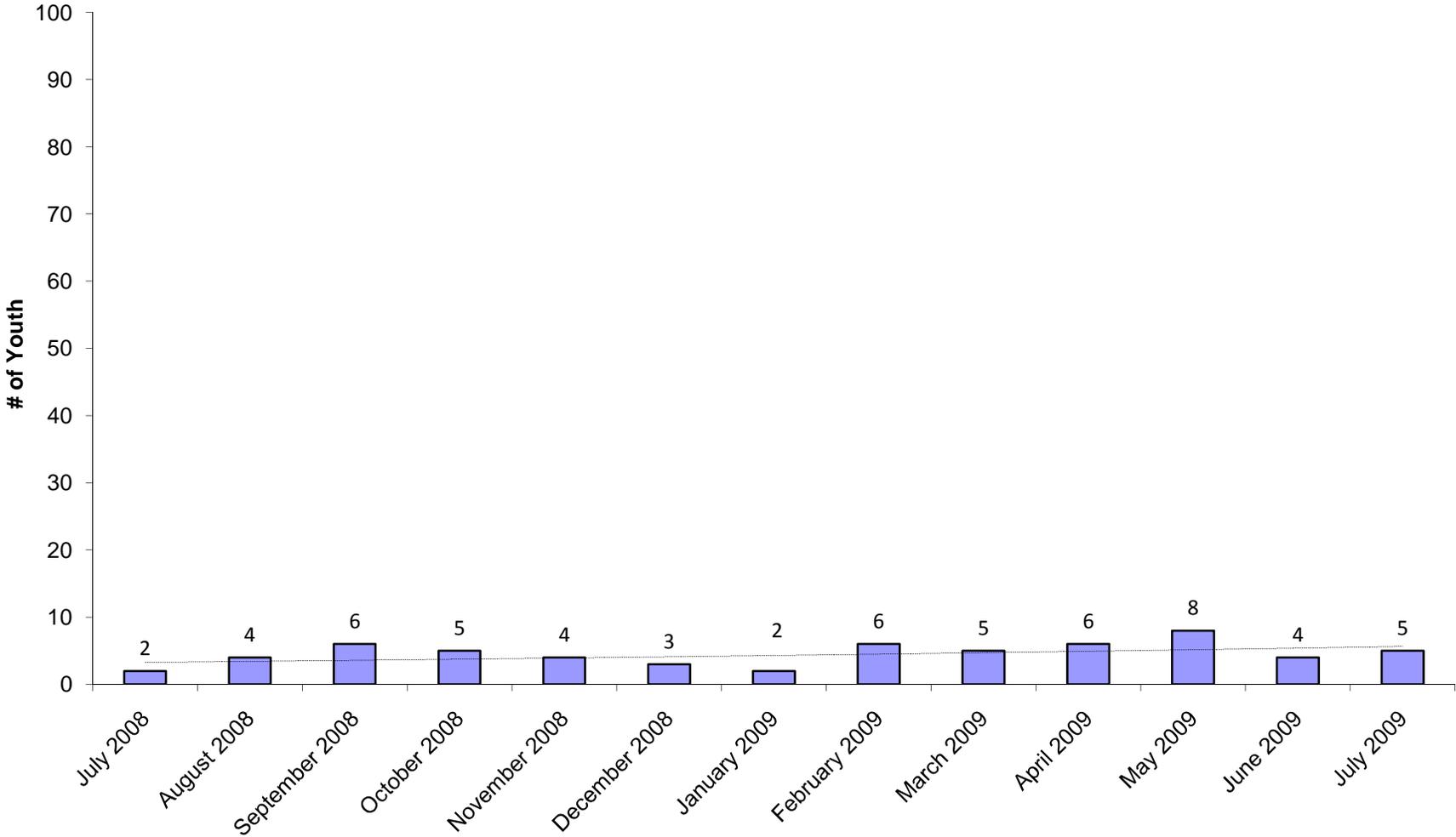
1 WIC-1800 time adds included; Additional Commitment time adds not included.

2 Average Daily Population (ADP) for YA cases only.

CDCR DJJ
Monthly Tracking of Treatment/Training
Percentage of Youth Who Received a PBD Extension for
First Admissions and Recommitments to
O.H. Close

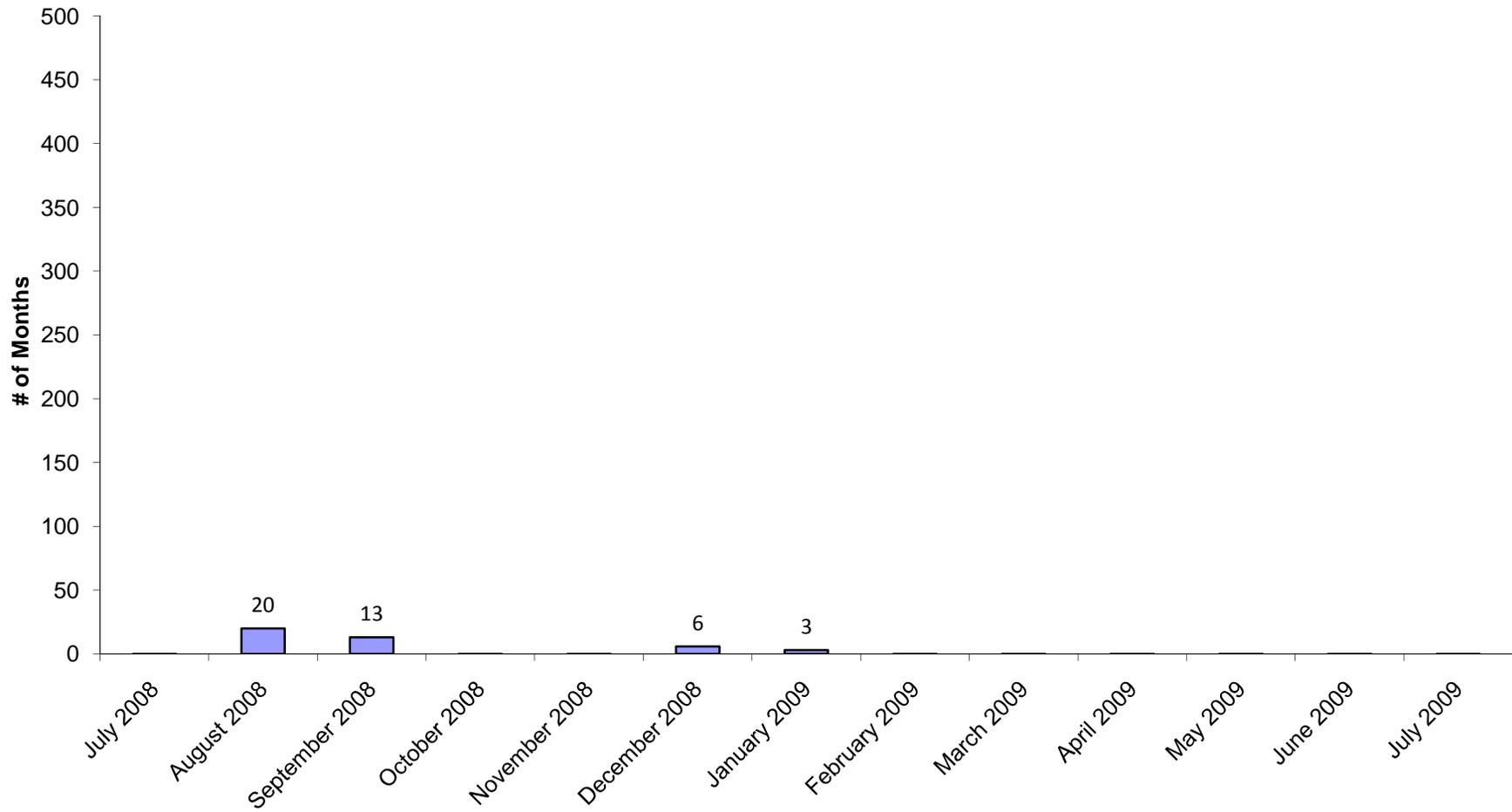


CDCR DJJ
Monthly Tracking of Treatment/Training
Number of Youth Who Received Program Credits for
First Admissions and Recommitments to
O.H. Close

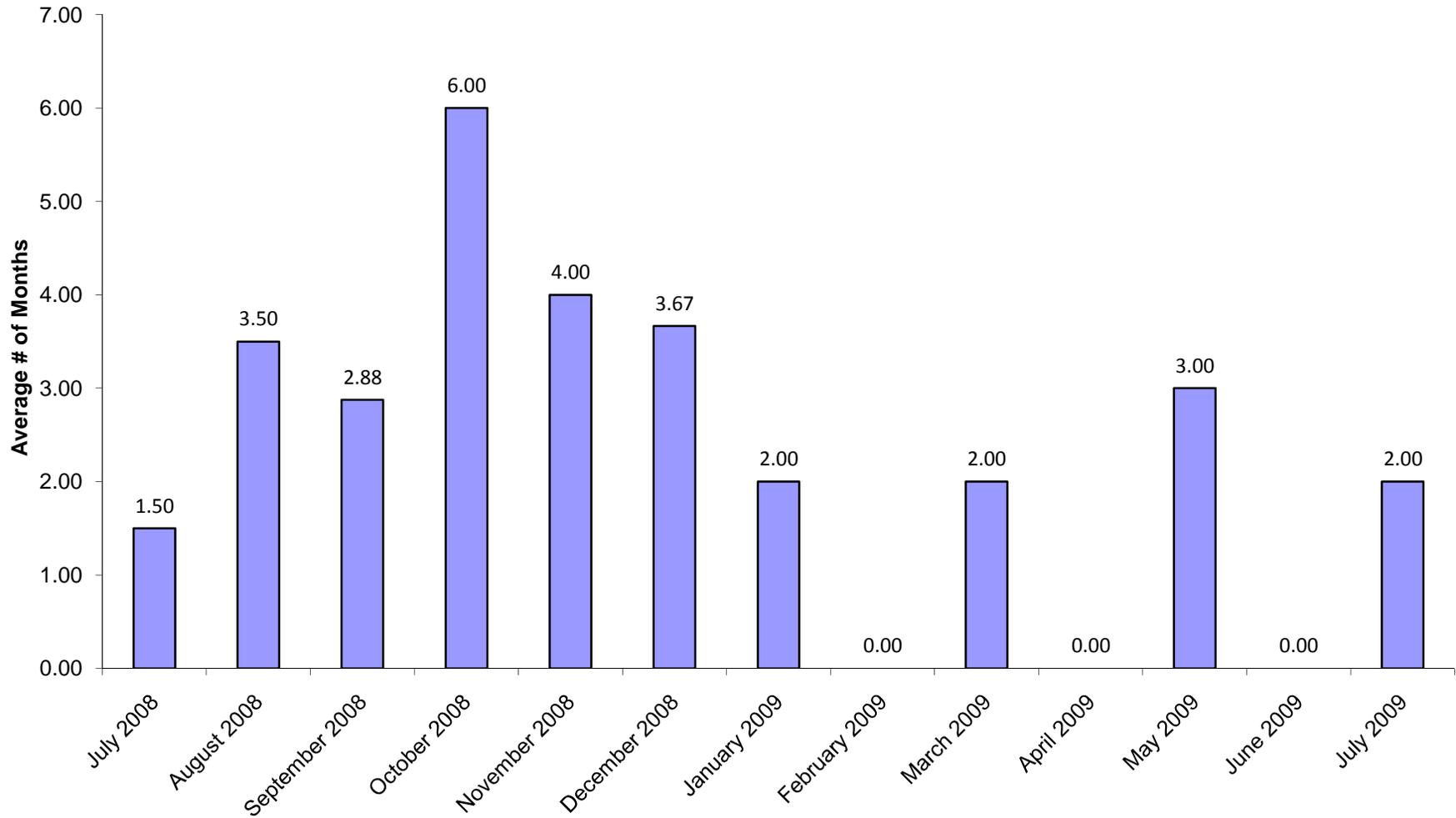


Note: This chart depicts an "exponential" trend line.

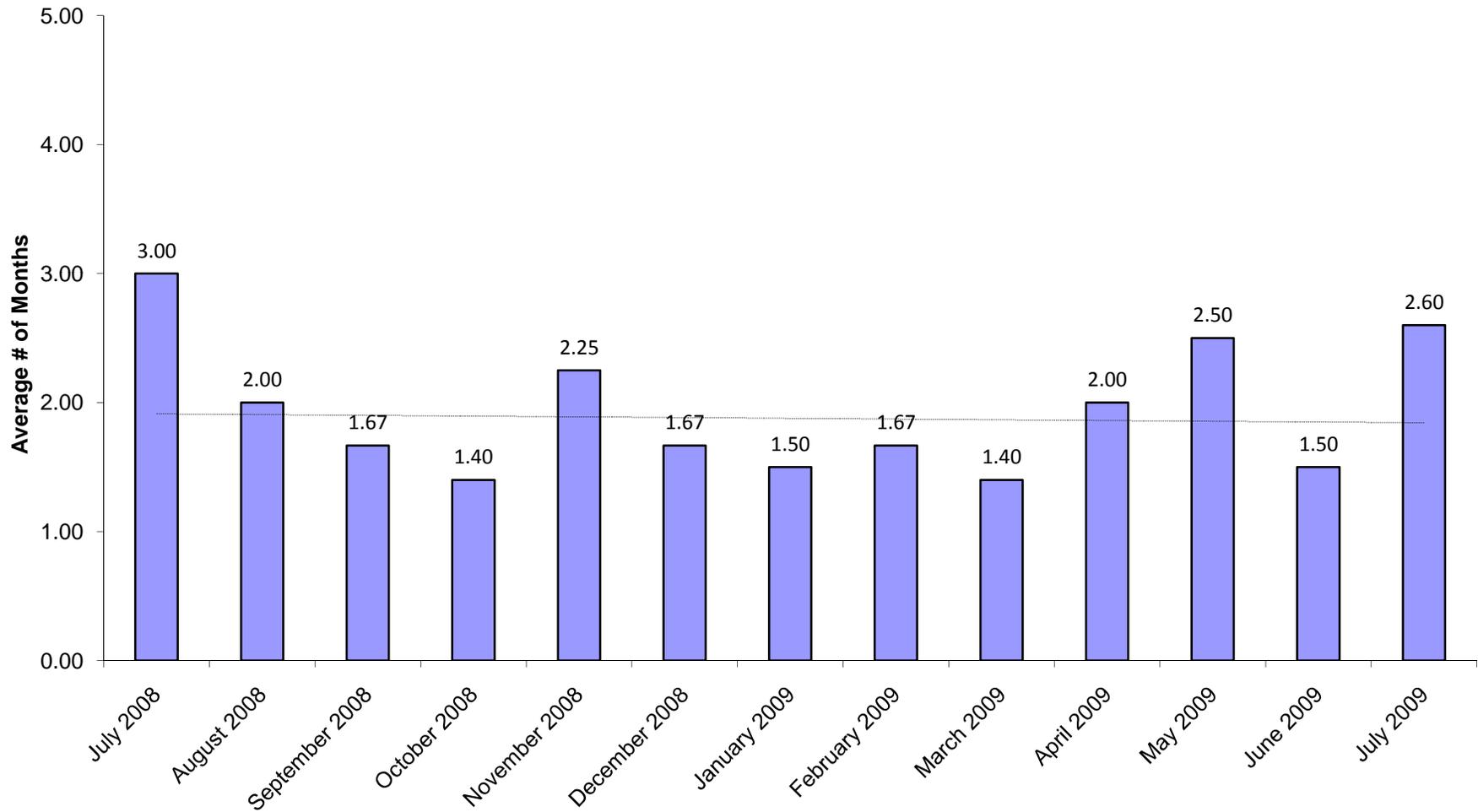
CDCR DJJ
Monthly Tracking of Treatment/Training
Net Number of Months for Program PBD Extensions / Credits for
First Admissions and Recommitments to
O.H. Close



**CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of PBD Extension Months Added per Youth for
First Admissions and Recommitments to
O.H. Close**



CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of Program Credits per Youth for
First Admissions and Recommitments to
O.H. Close



Note: This chart depicts an "exponential" trend line.

**California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
 O.H. Close**

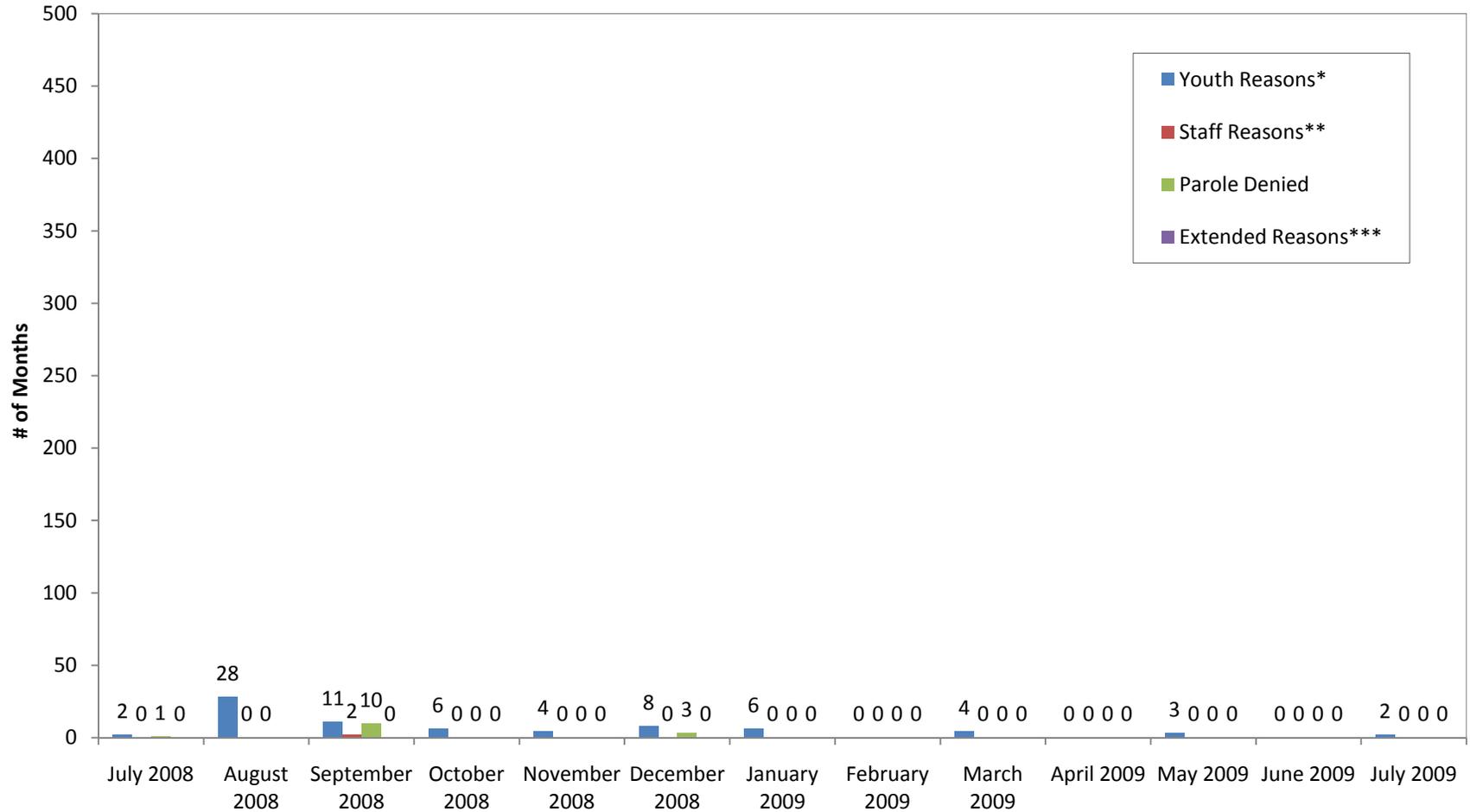
	Youth Reasons*	Staff Reasons**	Parole Denied	Extended Reasons***	Total
July 2008	2	0	1	0	3
August 2008	28	0	0	0	28
September 2008	11	2	10	0	23
October 2008	6	0	0	0	6
November 2008	4	0	0	0	4
December 2008	8	0	3	0	11
January 2009	6	0	0	0	6
February 2009	0	0	0	0	0
March 2009	4	0	0	0	4
April 2009	0	0	0	0	0
May 2009	3	0	0	0	3
June 2009	0	0	0	0	0
July 2009	2	0	0	0	2

* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.

** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.

***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

CDCR DJJ
Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
O.H. Close



* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.
 ** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.
 ***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Revocation Extensions (Rev-Ext)* and Program Credits for
Parole Violators in
O.H. Close Youth Correctional Facility**

Year/ Month	ADP ¹	Revocation Extensions					Program Credits				
		# of Rev-Ext Hearings	# of Youth Who Had a Rev-Ext	# Rev-Ext Months Added	Average Number of Rev-Ext Months Added per Hearing	Average Number of Rev-Ext Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Program Months Credited	Average Number of Program Months Credited per Hearing	Average Number of Program Months Credited per Youth
2008											
July	2	1	1	1	1.00	1.00	0	0	0	0.00	0.00
August	1	1	1	2	2.00	2.00	0	0	0	0.00	0.00
September	1	0	0	0	0.00	0.00	0	0	0	0.00	0.00
October	1	0	0	0	0.00	0.00	0	0	0	0.00	0.00
November	1	0	0	0	0.00	0.00	0	0	0	0.00	0.00
December	1	0	0	0	0.00	0.00	0	0	0	0.00	0.00
2009											
January	1	0	0	0	0.00	0.00	0	0	0	0.00	0.00
February	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00
March	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00
April	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00
May	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00
June	1	0	0	0	0.00	0.00	0	0	0	0.00	0.00
July	1	0	0	0	0.00	0.00	0	0	0	0.00	0.00

* Prior to implementation of the LH lawsuit on December 15, 2008, Revocation Extensions were referred to as "DDMS extensions".

California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Program* Projected Board Date (PBD)
Extensions for Treatment/Training (Pre L.H. Lawsuit) for
Parole Violators in
O.H. Close Youth Correctional Facility

Year/ Month	ADP ²	Program				
		Time Adds ¹				
		# of Program Time Add Hearings	# of Youth Who Had Program Time Added	# of Program Months Added	Average Number of Program Months Added per Hearing	Average Number of Program Months Added per Youth
2008						
July	2	0	0	0	0.00	0.00
August	1	0	0	0	0.00	0.00
September	1	0	0	0	0.00	0.00
October	1	0	0	0	0.00	0.00
November	1	0	0	0	0.00	0.00
December	1	0	0	0	0.00	0.00
2009						
January	1	0	0	0	0.00	0.00

* As of December 15, 2008, parole violators no longer receive PBD Extensions for DDMS or treatment/training.
Due to processing time frames, the youth reported in December 2008 reflect orders/hearings that originated prior to December 15, 2008.

1 WIC-1800 time adds included; Additional Commitment time adds not included.

2 Average Daily Population (ADP) for YA cases only.

Section V:

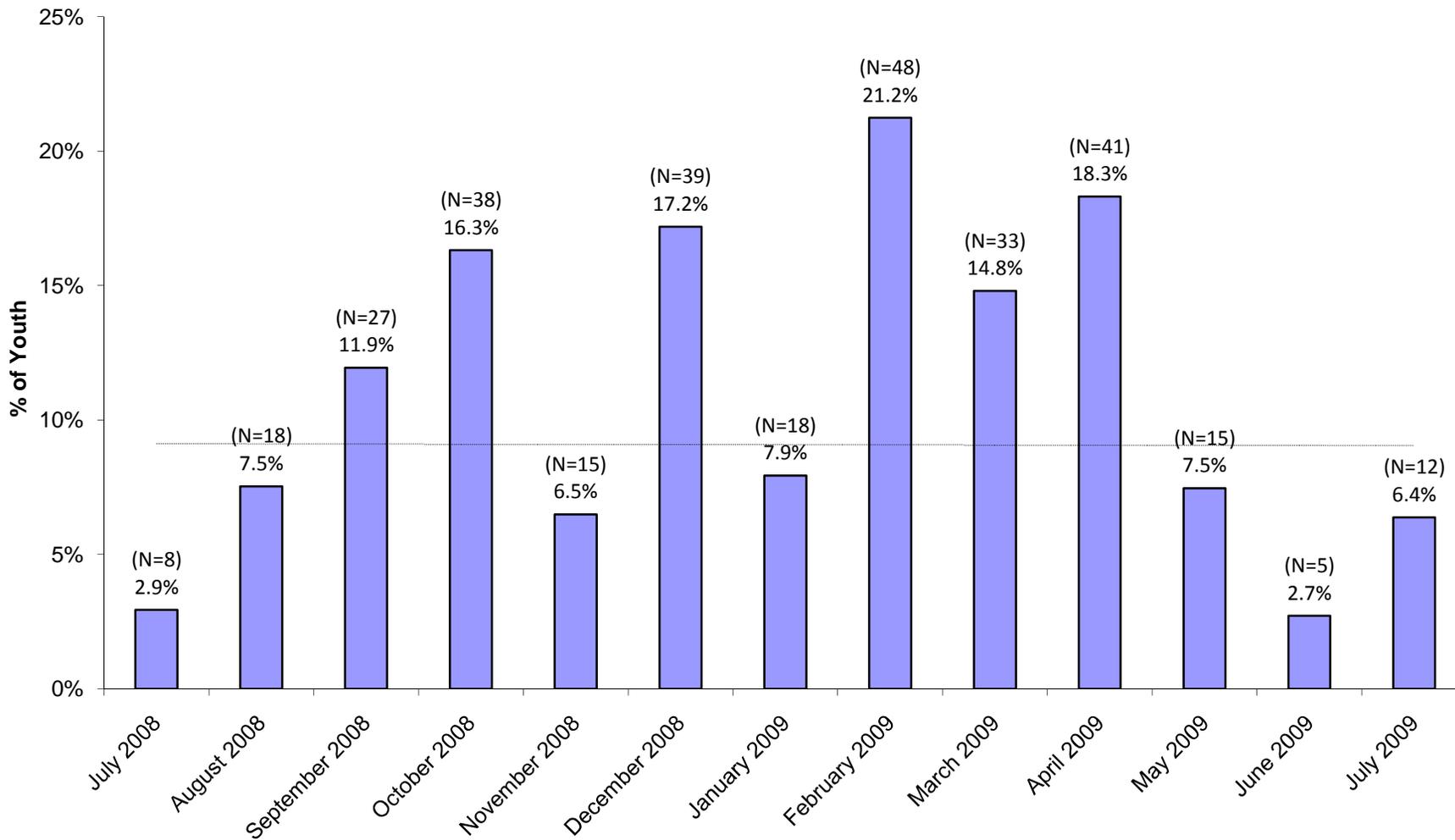
**Preston
Youth Correctional Facility**

**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
Preston Youth Correctional Facility**

Year/ Month	ADP ¹	DDMS									
		PBD Extensions					Restorations				
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# PBD Extension Months Added	Average Number of PBD Extension Months Added per Hearing	Average Number of PBD Extension Months Added per Youth	# of PBD Extension Time Restore Hearings	# Youth Who Had PBD Extension Time Restored	# PBD Extension Months Restored	Average Number of PBD Extension Months Restored per Hearing	Average Number of PBD Extension Months Restored per Youth
2008											
July	272	11	8	21	1.91	2.63	0	0	0	0.00	0.00
August	239	25	18	42	1.68	2.33	0	0	0	0.00	0.00
September	226	31	27	48	1.55	1.78	0	0	0	0.00	0.00
October	233	52	38	77	1.48	2.03	0	0	0	0.00	0.00
November	231	18	15	23	1.28	1.53	0	0	0	0.00	0.00
December	227	52	39	73	1.40	1.87	0	0	0	0.00	0.00
2009											
January	227	23	18	32	1.39	1.78	0	0	0	0.00	0.00
February	226	76	48	109	1.43	2.27	0	0	0	0.00	0.00
March	223	43	33	65	1.51	1.97	0	0	0	0.00	0.00
April	224	71	41	109	1.54	2.66	0	0	0	0.00	0.00
May	201	20	15	30	1.50	2.00	0	0	0	0.00	0.00
June	184	5	5	6	1.20	1.20	0	0	0	0.00	0.00
July	188	15	12	46	3.07	3.83	0	0	0	0.00	0.00

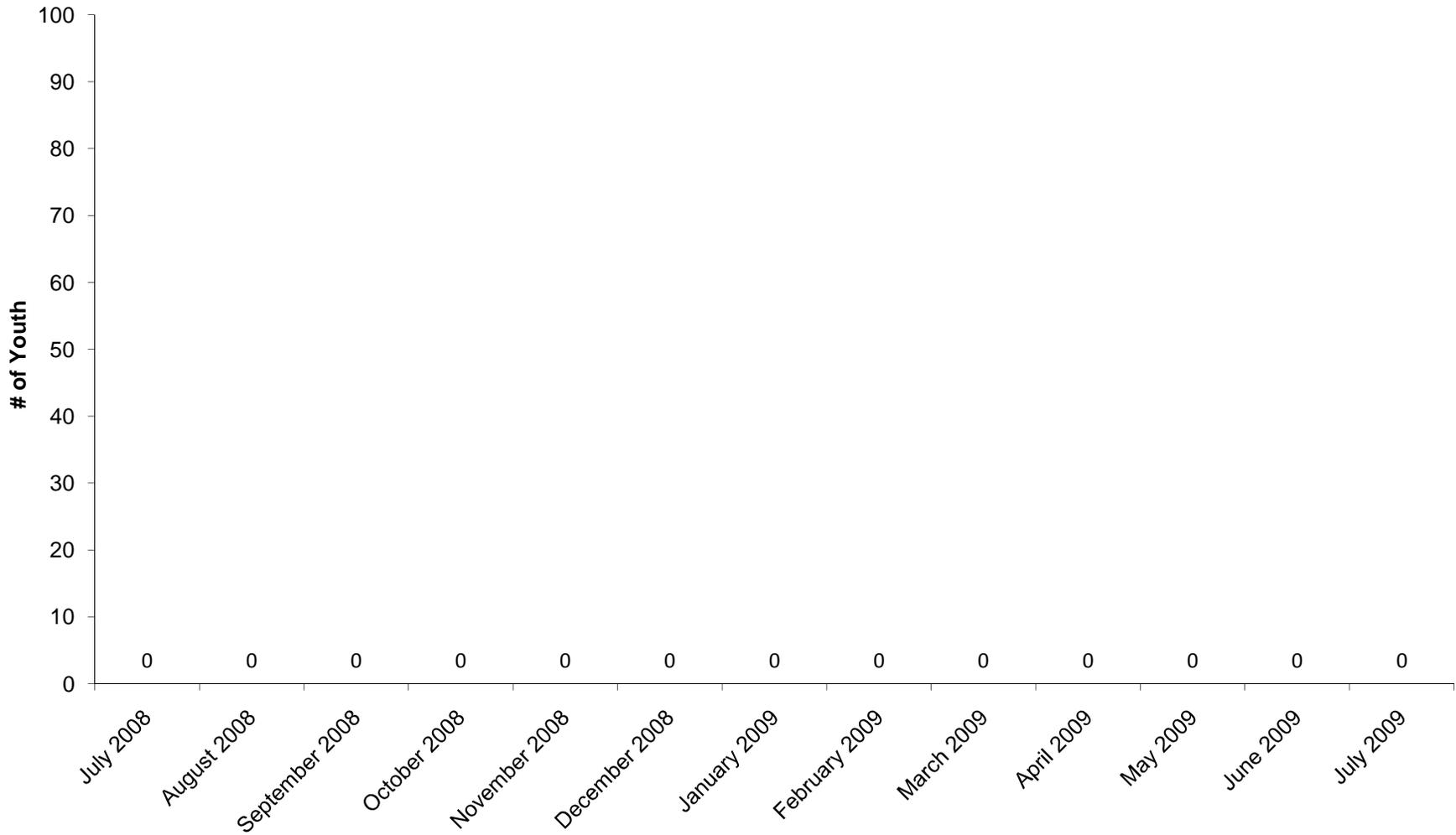
1 Average Daily Population (ADP) for YA cases only.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Percentage of Youth Who Received a Projected Board Date (PBD) Extension for
First Admissions and Recommitments to
Preston Youth Correctional Facility

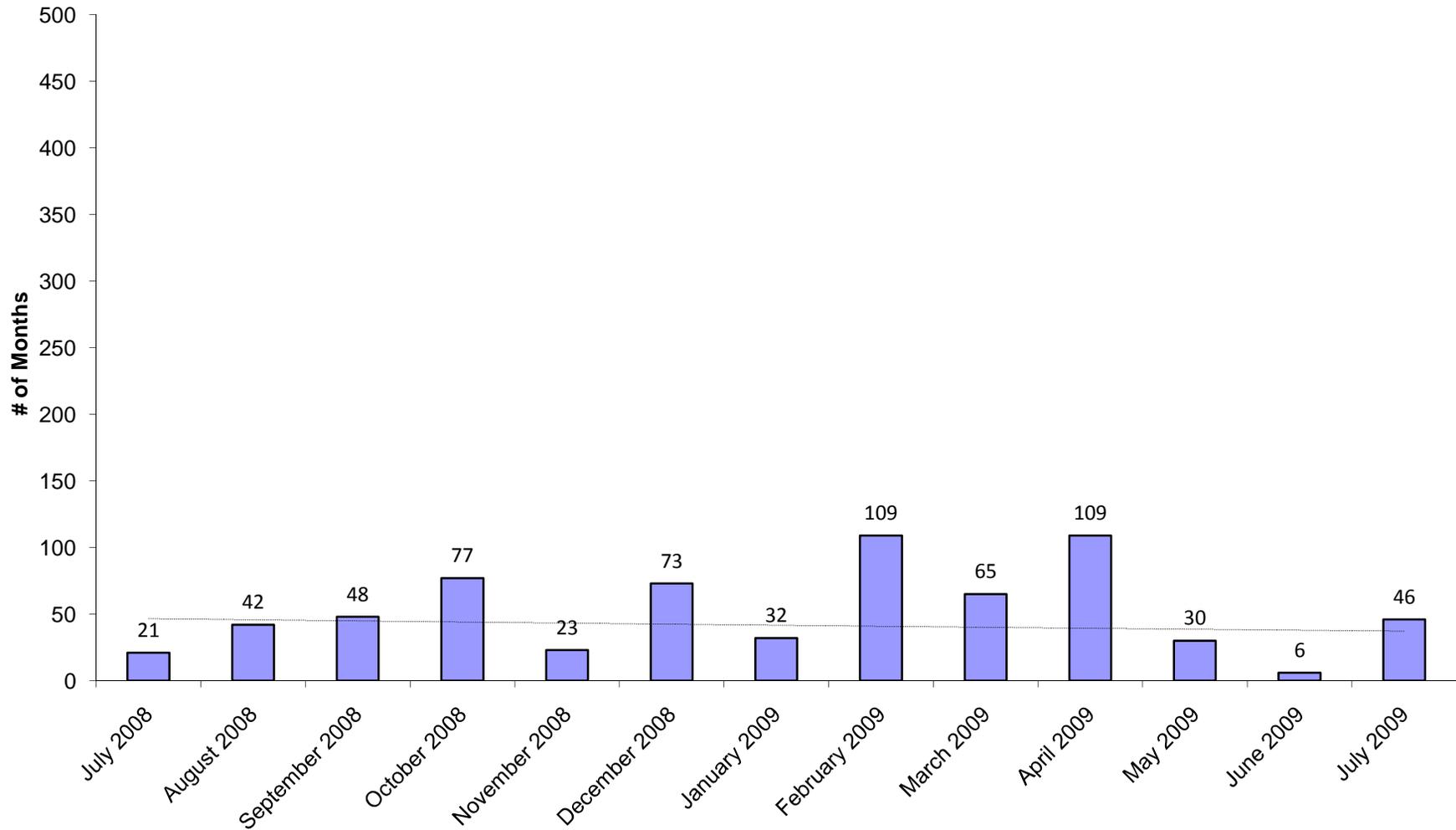


Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Number of Youth Who Received Projected Board Date (PBD) Time Restorations for
First Admissions and Recommitments to
Preston Youth Correctional Facility

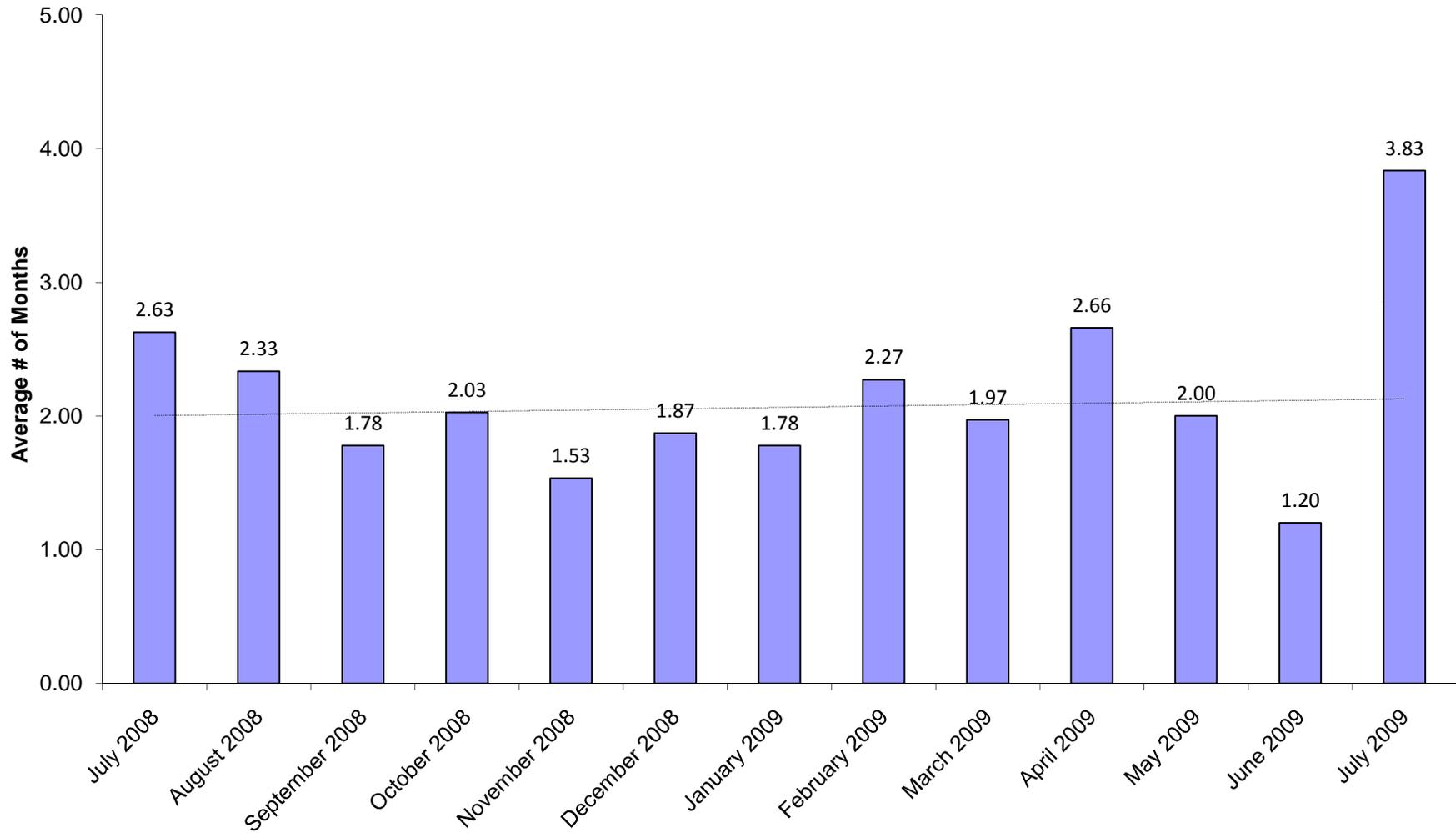


CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Net Number of Months of Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
Preston Youth Correctional Facility



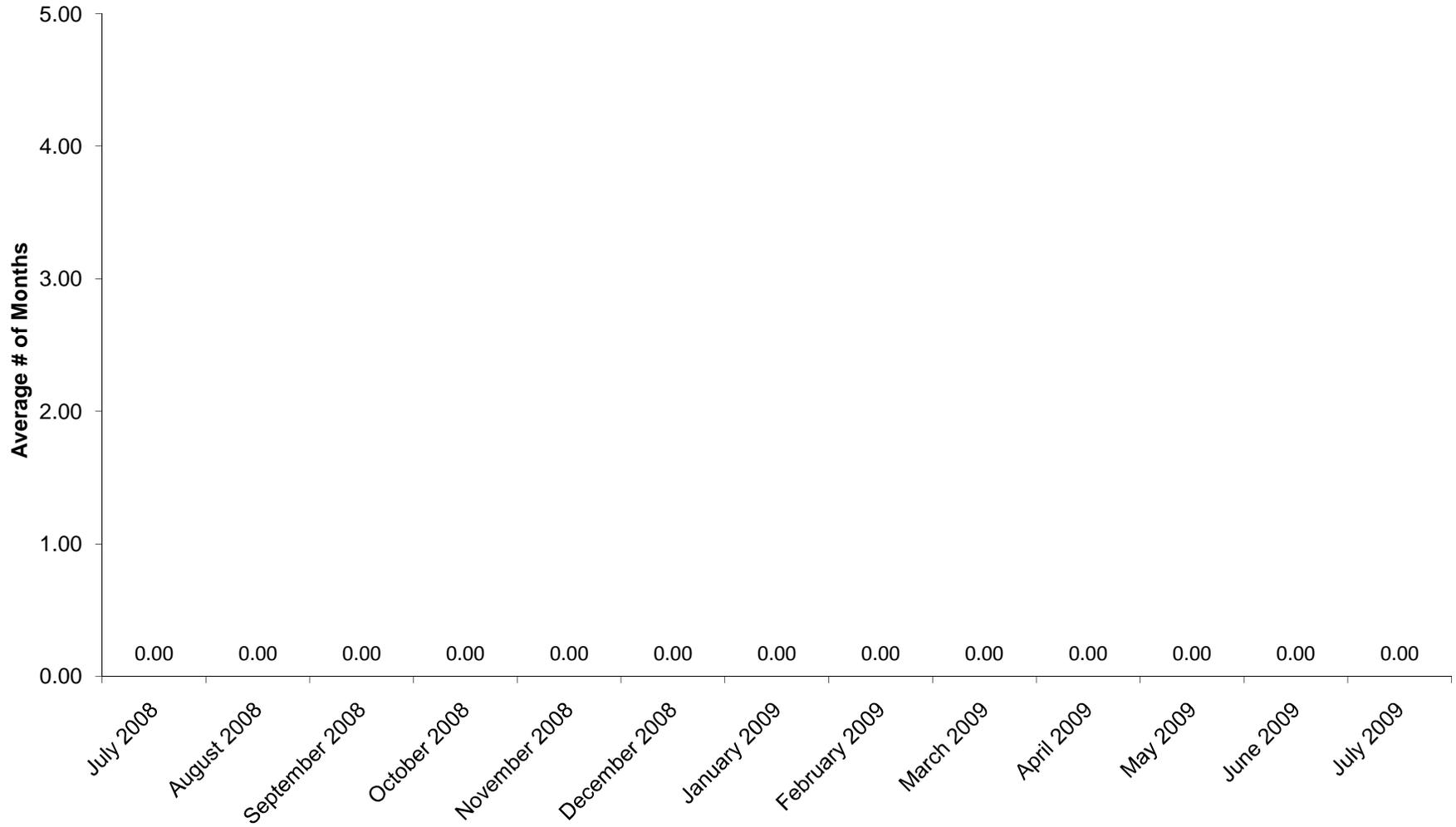
Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Extension Months Added per Youth for
First Admissions and Recommitments to
Preston Youth Correctional Facility



Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Months Restored per Youth for
First Admissions and Recommitments to
Preston Youth Correctional Facility



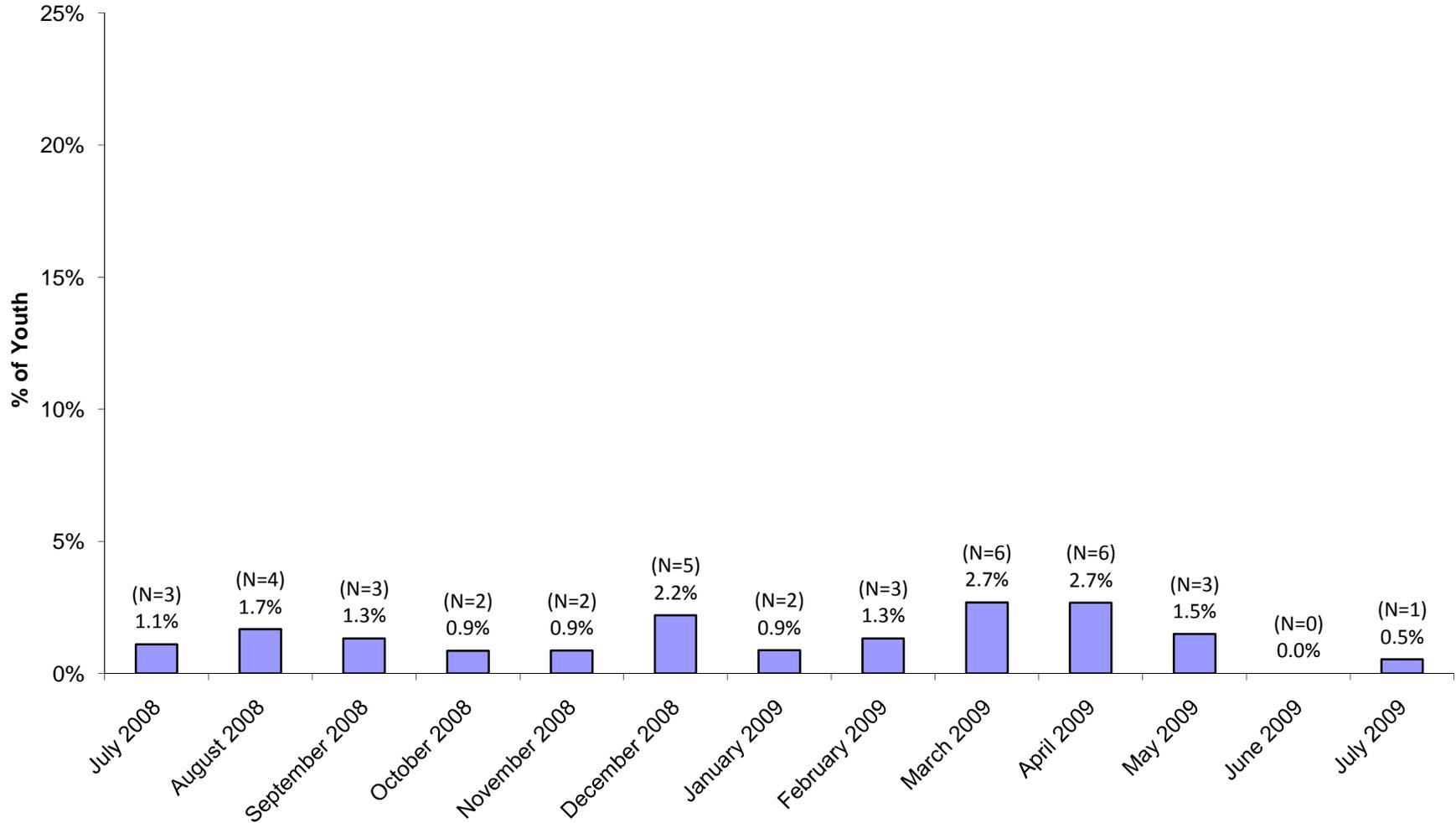
California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Monthly Tracking of
 Projected Board Date (PBD) Extensions for Treatment/Training and Program Credits for
 First Admissions and Recommitments to
 Preston Youth Correctional Facility

Year/ Month	ADP ²	Program ¹							
		PBD Extensions				Credits			
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# of PBD Extension Months Added	Average Number of PBD Extension Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Months Program Months Credited	Average Number of Program Months Cut per Youth
2008									
July	272	3	3	12	4.00	2	2	6	3.00
August	239	4	4	15	3.75	9	9	17	1.89
September	226	3	3	13	4.33	3	3	9	3.00
October	233	2	2	9	4.50	5	5	9	1.80
November	231	2	2	8	4.00	7	7	17	2.43
December	227	5	5	17	3.40	11	11	27	2.45
2009									
January	227	2	2	5	2.50	3	3	10	3.33
February	226	3	3	13	4.33	6	6	12	2.00
March	223	6	6	12	2.00	6	6	14	2.33
April	224	8	6	31	5.17	14	14	33	2.36
May	201	3	3	10	3.33	13	13	24	1.85
June	184	0	0	0	0.00	4	4	10	2.50
July	188	1	1	3	3.00	9	9	17	1.89

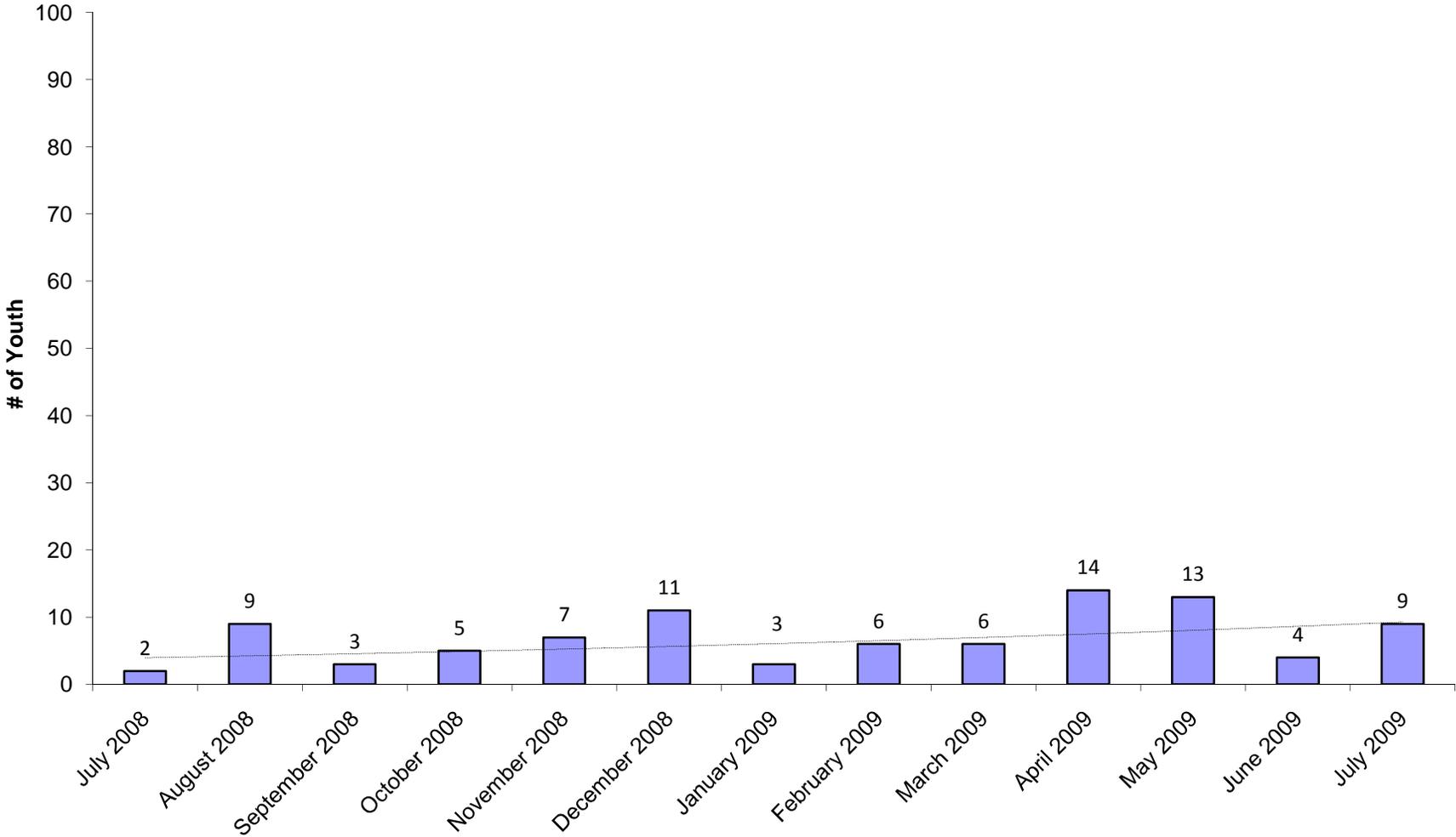
1 WIC-1800 time adds included; Additional Commitment time adds not included.

2 Average Daily Population (ADP) for YA cases only.

CDCR DJJ
Monthly Tracking of Treatment/Training
Percentage of Youth Who Received a PBD Extension for
First Admissions and Recommitments to
Preston Youth Correctional Facility

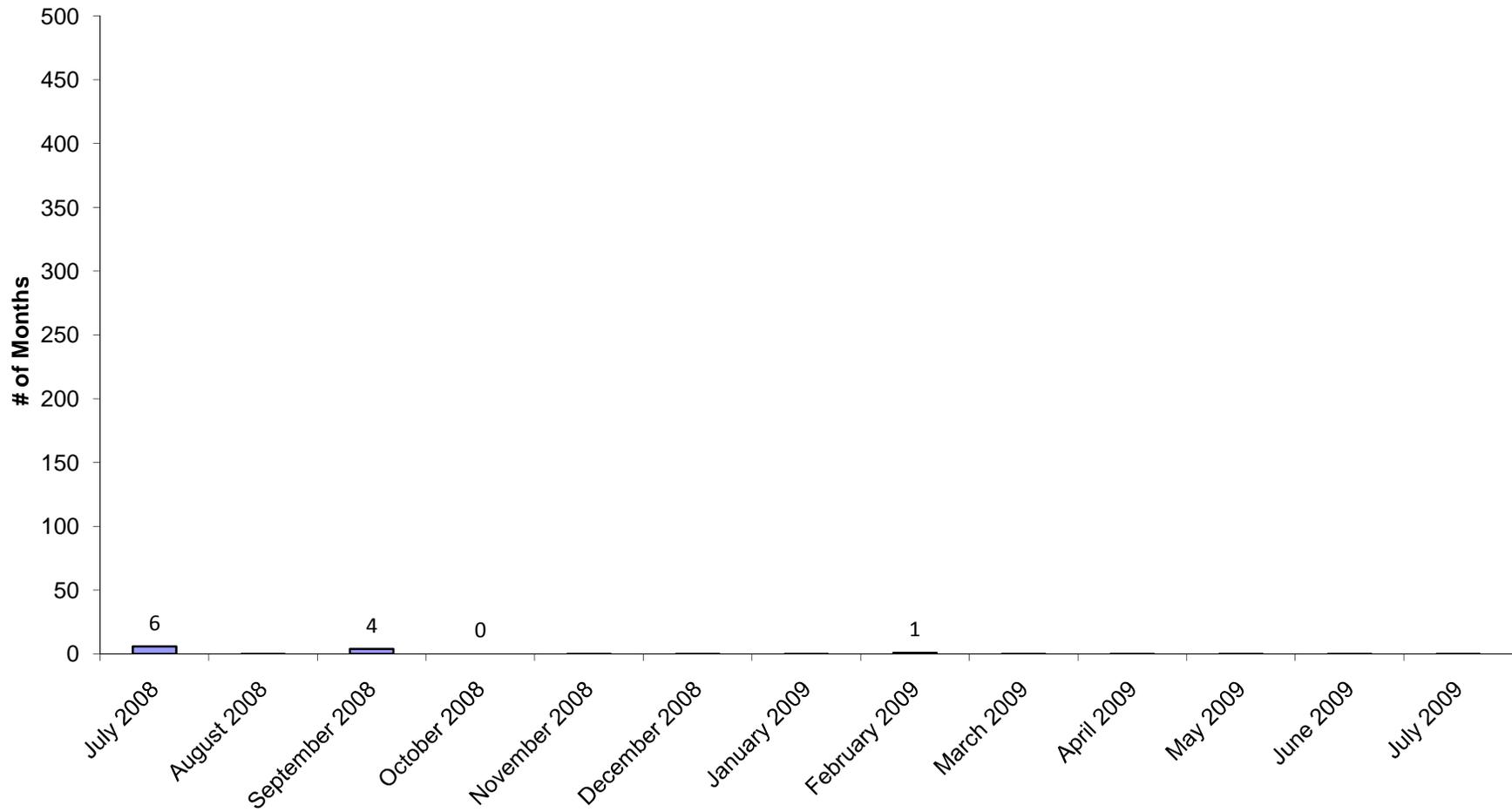


CDCR DJJ
Monthly Tracking of Treatment/Training
Number of Youth Who Received Program Credits for
First Admissions and Recommitments to

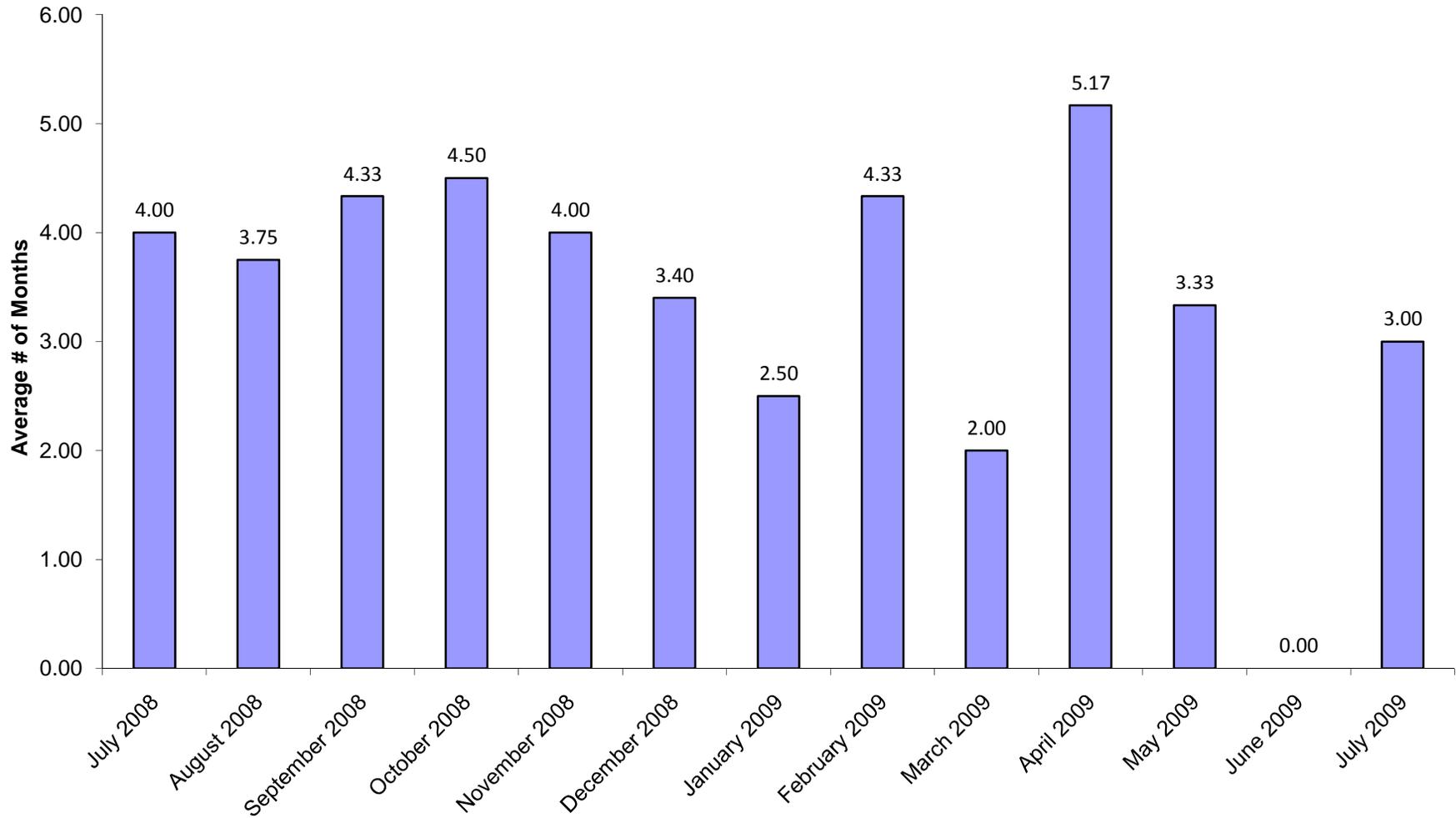


Note: This chart depicts an "exponential" trend line.

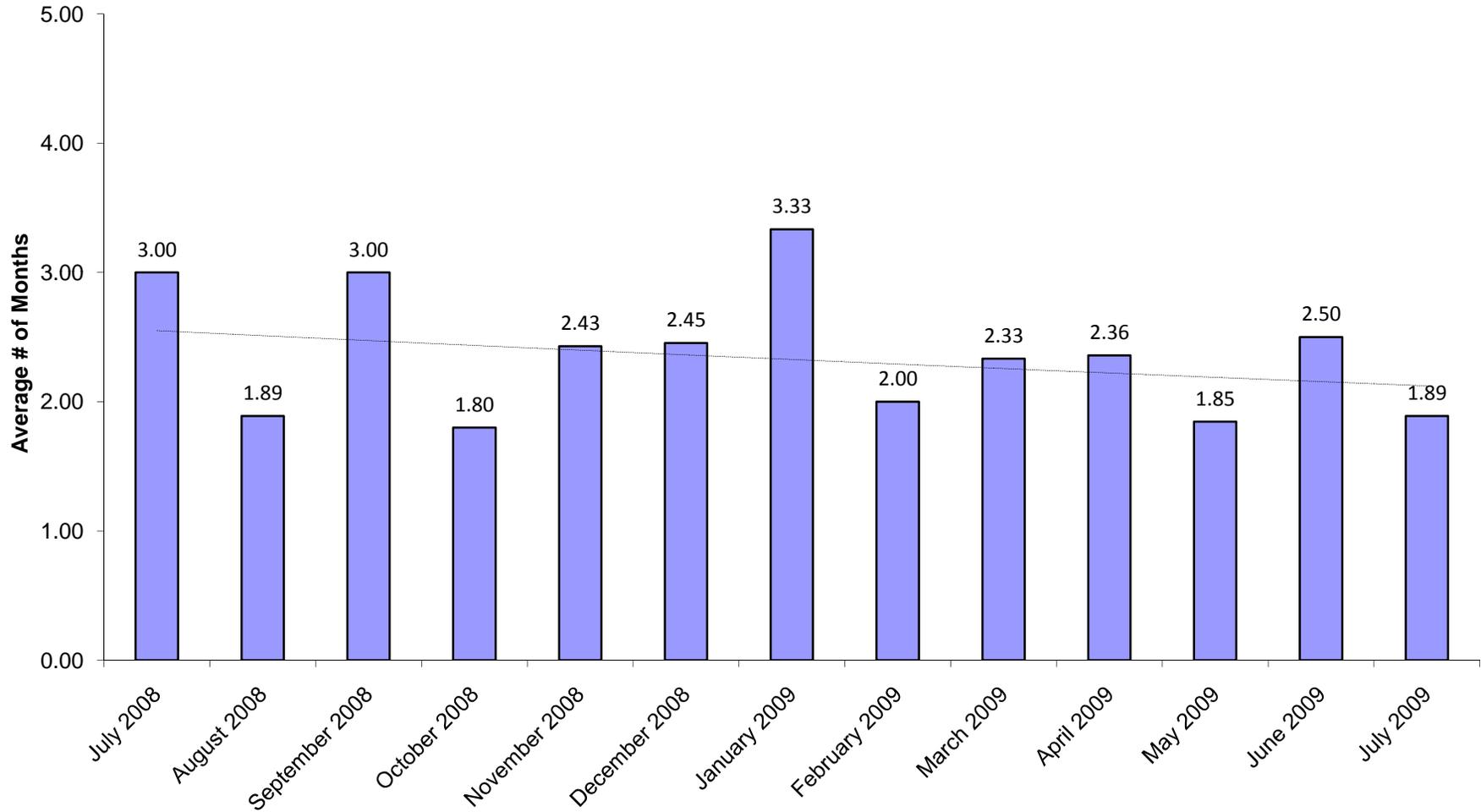
**CDCR DJJ
Monthly Tracking of Treatment/Training
Net Number of Months for Program PBD Extensions / Credits for
First Admissions and Recommitments to
Preston Youth Correctional Facility**



CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of PBD Extension Months Added per Youth for
First Admissions and Recommitments to
Preston Youth Correctional Facility



CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of Program Credits per Youth for
First Admissions and Recommitments to
Preston Youth Correctional Facility



Note: This chart depicts an "exponential" trend line.

**California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
 Preston Youth Correctional Facility**

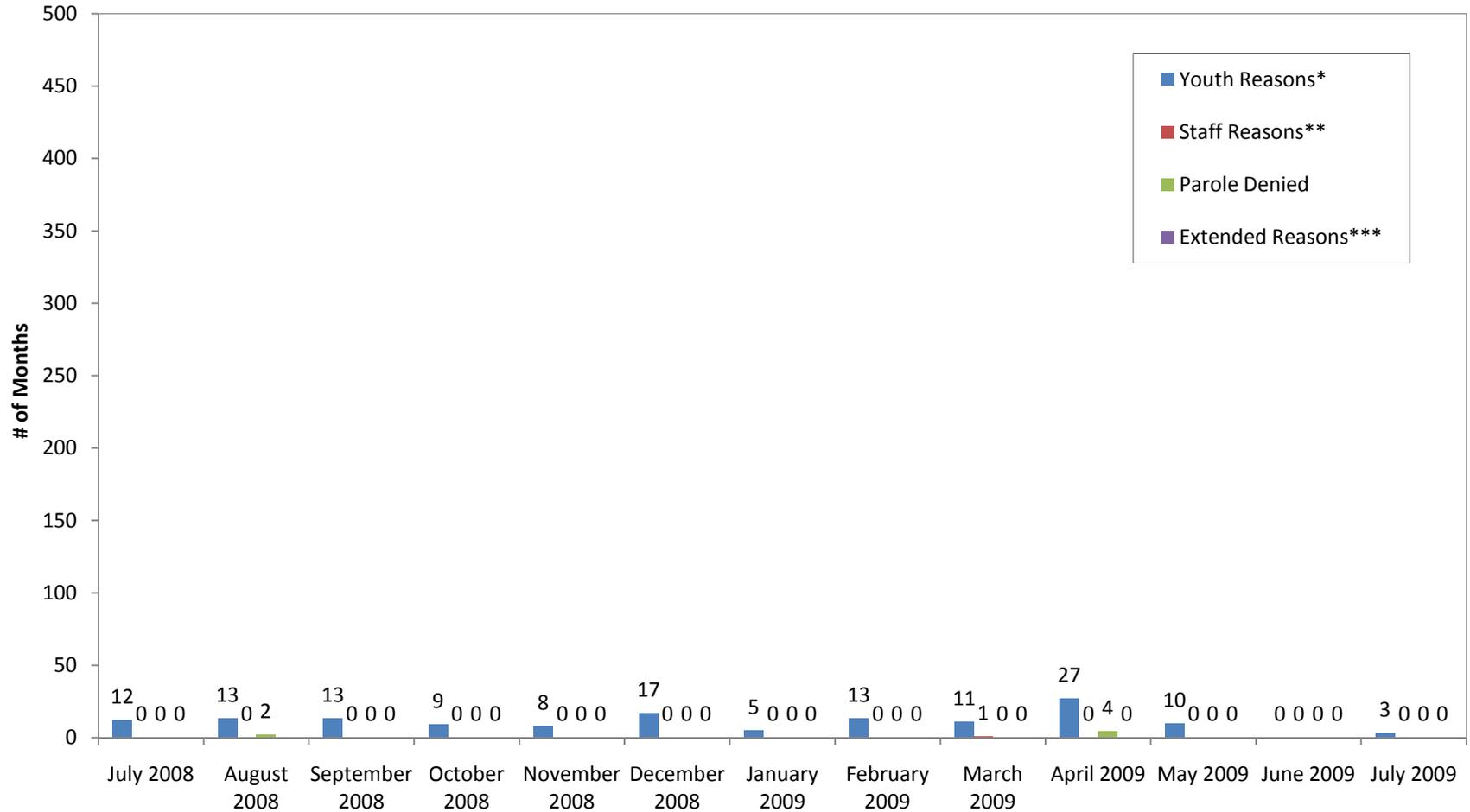
	Youth Reasons*	Staff Reasons**	Parole Denied	Extended Reasons***	Total
July 2008	12	0	0	0	12
August 2008	13	0	2	0	15
September 2008	13	0	0	0	13
October 2008	9	0	0	0	9
November 2008	8	0	0	0	8
December 2008	17	0	0	0	17
January 2009	5	0	0	0	5
February 2009	13	0	0	0	13
March 2009	11	1	0	0	12
April 2009	27	0	4	0	31
May 2009	10	0	0	0	10
June 2009	0	0	0	0	0
July 2009	3	0	0	0	3

* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.

** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.

***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

CDCR DJJ
Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
Preston Youth Correctional Facility



* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.
 ** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.
 ***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Revocation Extensions (Rev-Ext)* and Program Credits for
Parole Violators in
Preston Youth Correctional Facility**

Year/ Month	ADP ¹	Revocation Extensions					Program Credits				
		# of Rev-Ext Hearings	# of Youth Who Had a Rev-Ext	# Rev-Ext Months Added	Average Number of Rev-Ext Months Added per Hearing	Average Number of Rev-Ext Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Program Months Credited	Average Number of Program Months Credited per Hearing	Average Number of Program Months Credited per Youth
2008											
July	3	0	0	0	0.00	0.00	1	1	1	1.00	1.00
August	11	0	0	0	0.00	0.00	0	0	0	0.00	0.00
September	19	0	0	0	0.00	0.00	0	0	0	0.00	0.00
October	32	0	0	0	0.00	0.00	0	0	0	0.00	0.00
November	41	1	1	3	3.00	3.00	3	3	3	1.00	1.00
December	31	2	2	2	1.00	1.00	1	1	1	1.00	1.00
2009											
January	32	0	0	0	0.00	0.00	1	1	1	1.00	1.00
February	35	0	0	0	0.00	0.00	2	2	3	1.50	1.50
March	43	0	0	0	0.00	0.00	5	5	6	1.20	1.20
April	42	0	0	0	0.00	0.00	6	6	6	1.00	1.00
May	46	0	0	0	0.00	0.00	9	9	17	1.89	1.89
June	61	0	0	0	0.00	0.00	15	15	18	1.20	1.20
July	65	0	0	0	0.00	0.00	33	33	35	1.06	1.06

* Prior to implementation of the LH lawsuit on December 15, 2008, Revocation Extensions were referred to as "DDMS extensions".

California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Program* Projected Board Date (PBD)
Extensions for Treatment/Training (Pre L.H. Lawsuit) for
Parole Violators in
Preston Youth Correctional Facility

Year/ Month	ADP ²	Program				
		Time Adds ¹				
		# of Program Time Add Hearings	# of Youth Who Had Program Time Added	# of Program Months Added	Average Number of Program Months Added per Hearing	Average Number of Program Months Added per Youth
2008						
July	3	0	0	0	0.00	0.00
August	11	0	0	0	0.00	0.00
September	19	0	0	0	0.00	0.00
October	32	1	1	1	1.00	1.00
November	41	2	2	2	1.00	1.00
December	31	0	0	0	0.00	0.00
2009						
January	32	0	0	0	0.00	0.00

* As of December 15, 2008, parole violators no longer receive PBD Extensions for DDMS or treatment/training.
Due to processing time frames, the youth reported in December 2008 reflect orders/hearings that originated prior to December 15, 2008.

1 WIC-1800 time adds included; Additional Commitment time adds not included.

2 Average Daily Population (ADP) for YA cases only.

Section VI:

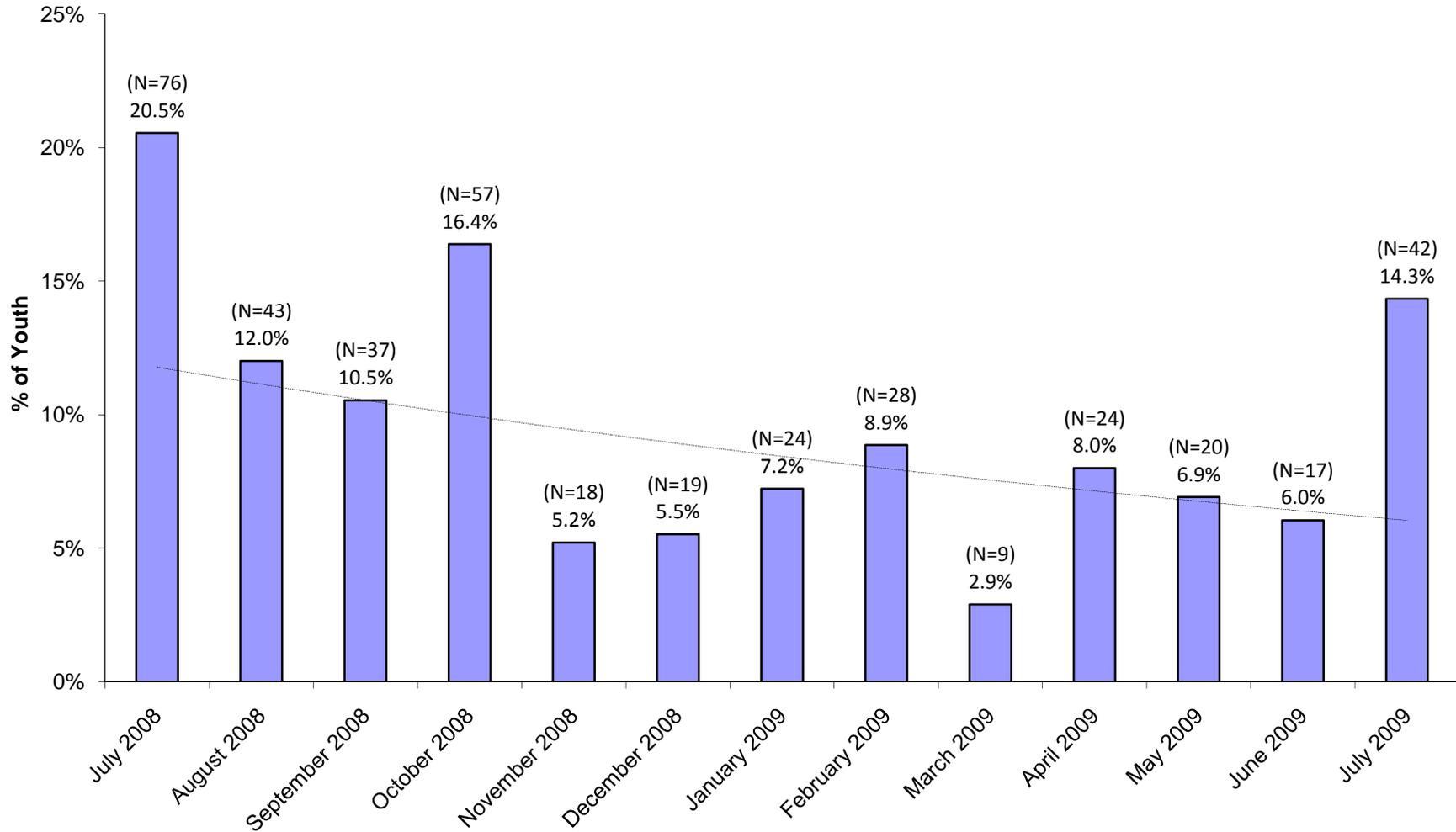
**Heman G. Stark
Youth Correctional Facility**

**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
Heman G. Stark Youth Correctional Facility**

Year/ Month	ADP ¹	DDMS									
		PBD Extensions					Restorations				
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# PBD Extension Months Added	Average Number of PBD Extension Months Added per Hearing	Average Number of PBD Extension Months Added per Youth	# of PBD Extension Time Restore Hearings	# Youth Who Had PBD Extension Time Restored	# PBD Extension Months Restored	Average Number of PBD Extension Months Restored per Hearing	Average Number of PBD Extension Months Restored per Youth
2008											
July	370	93	76	182	1.96	2.39	0	0	0	0.00	0.00
August	358	56	43	108	1.93	2.51	0	0	0	0.00	0.00
September	351	44	37	88	2.00	2.38	0	0	0	0.00	0.00
October	348	70	57	126	1.80	2.21	0	0	0	0.00	0.00
November	345	22	18	43	1.95	2.39	0	0	0	0.00	0.00
December	344	23	19	44	1.91	2.32	0	0	0	0.00	0.00
2009											
January	332	28	24	51	1.82	2.13	0	0	0	0.00	0.00
February	316	33	28	63	1.91	2.25	0	0	0	0.00	0.00
March	310	10	9	16	1.60	1.78	0	0	0	0.00	0.00
April	300	29	24	48	1.66	2.00	1	1	2	2.00	2.00
May	289	21	20	25	1.19	1.25	0	0	0	0.00	0.00
June	281	19	17	47	2.47	2.76	0	0	0	0.00	0.00
July	293	54	42	92	1.70	2.19	0	0	0	0.00	0.00

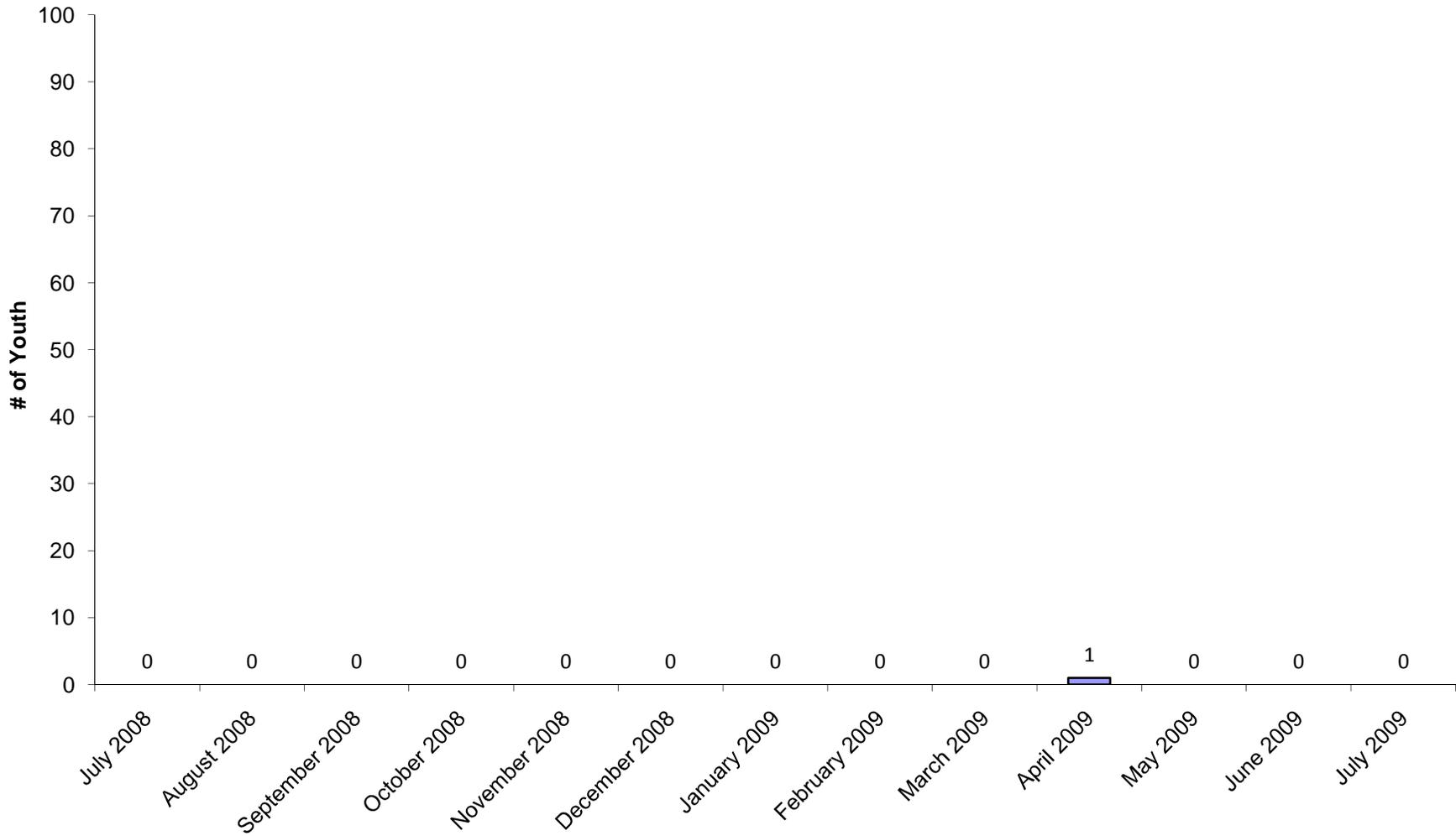
1 Average Daily Population (ADP) for YA cases only.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Percentage of Youth Who Received a Projected Board Date (PBD) Extension for
First Admissions and Recommitments to
Heman G. Stark

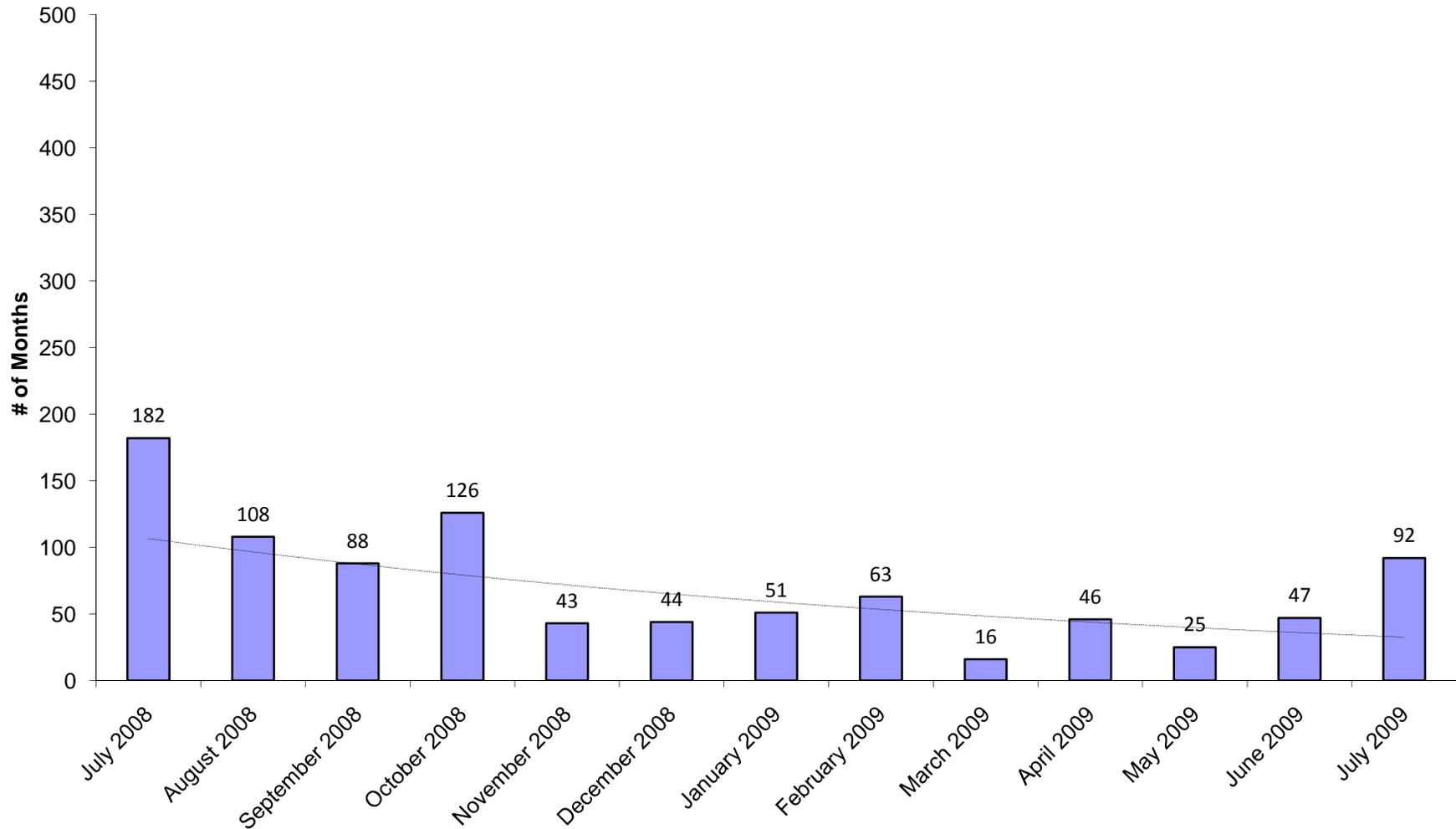


Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Number of Youth Who Received Projected Board Date (PBD) Time Restorations for
First Admissions and Recommitments to
Heman G. Stark

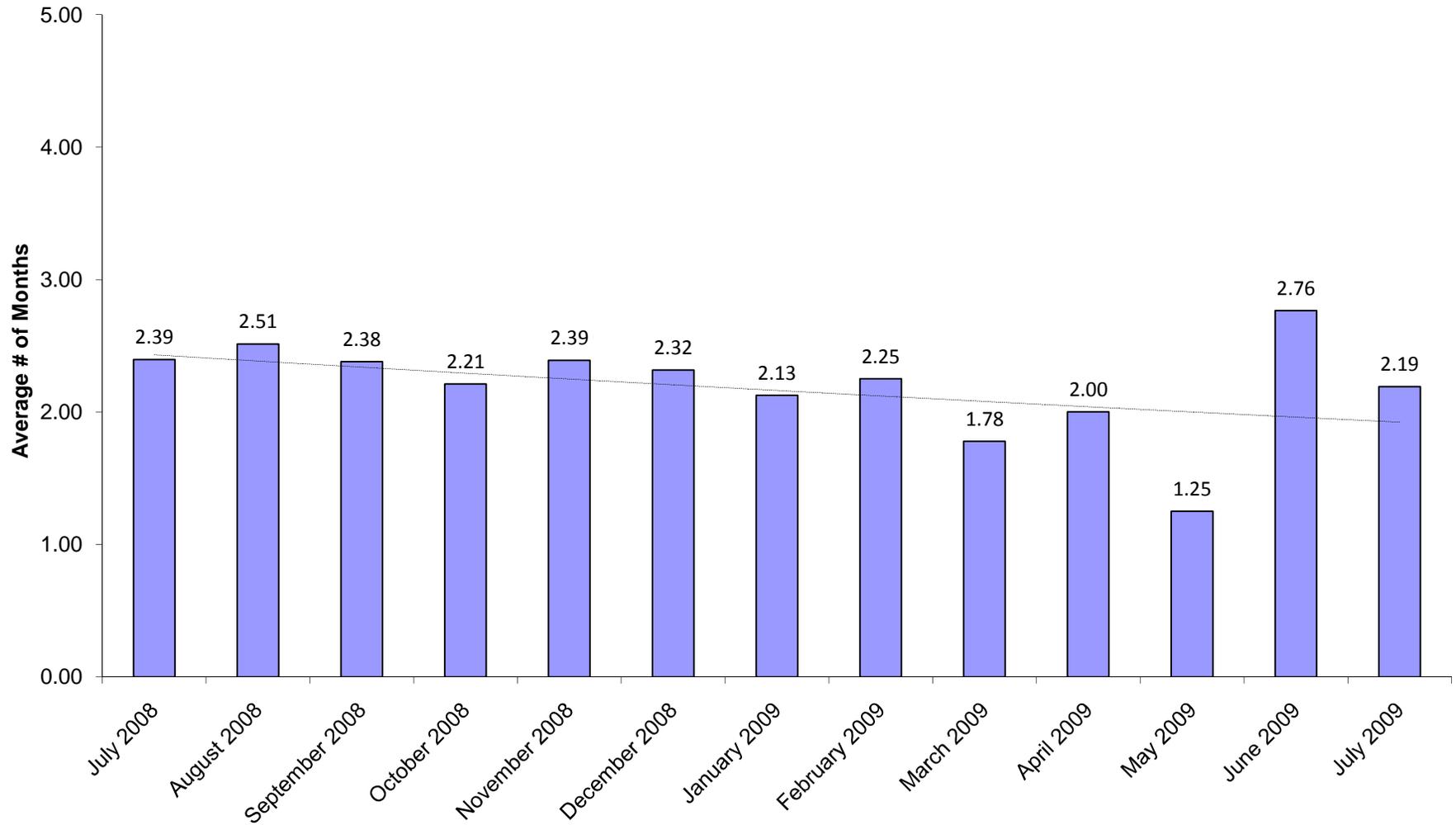


CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Net Number of Months of Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
Heman G. Stark



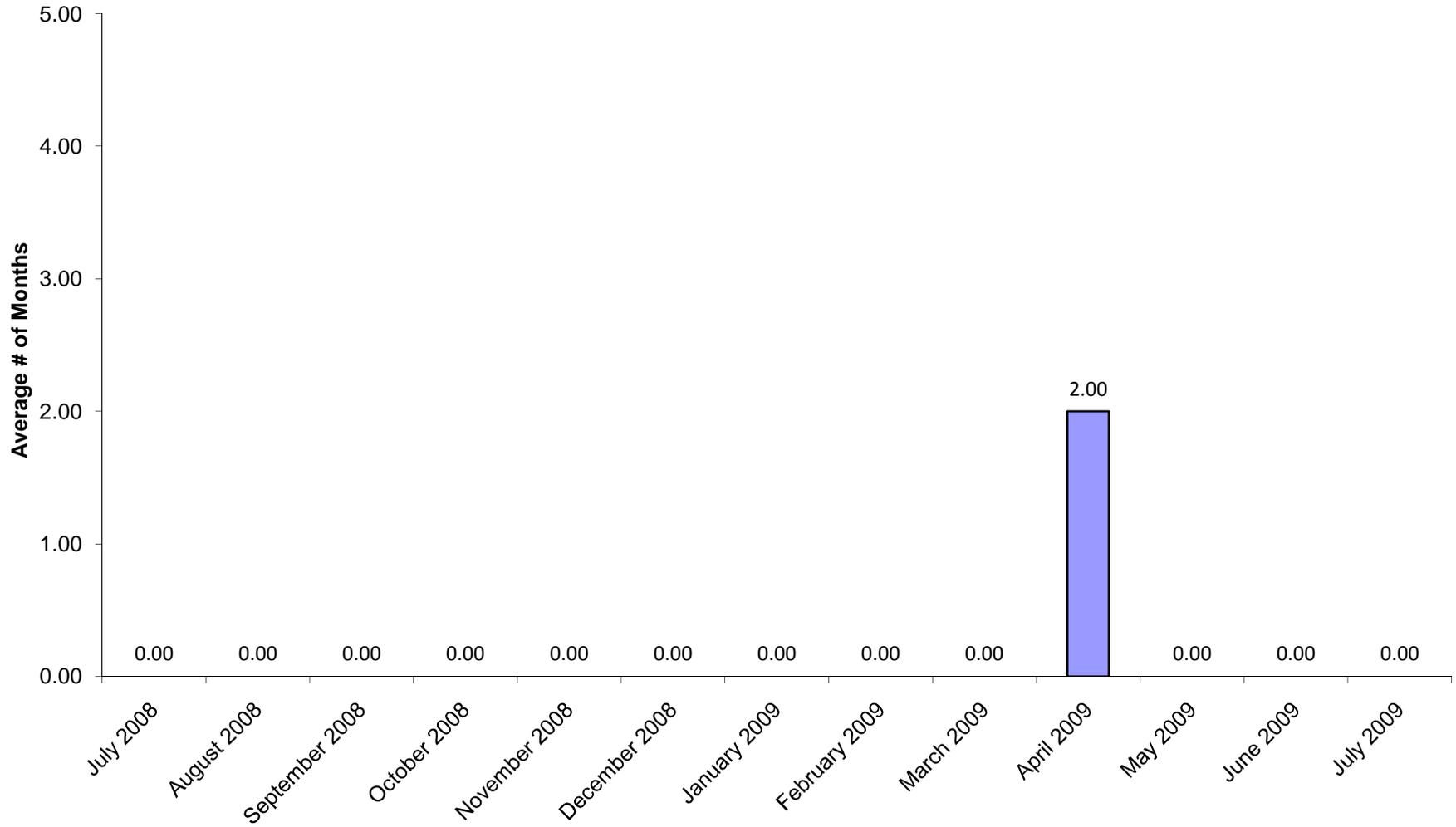
Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Extension Months Added per Youth for
First Admissions and Recommitments to
Heman G. Stark



Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Months Restored per Youth for
First Admissions and Recommitments to
Heman G. Stark



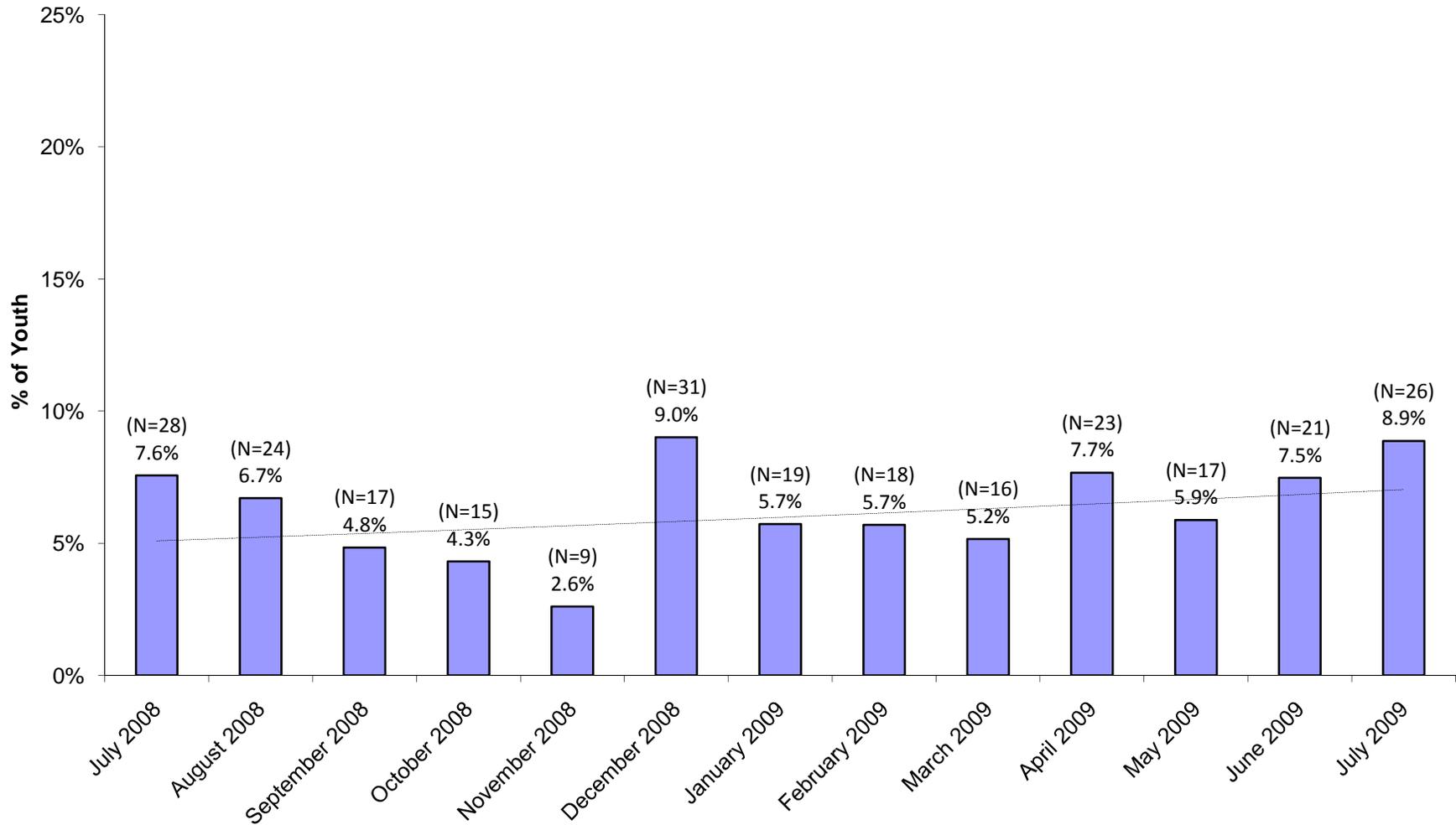
California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Monthly Tracking of
 Projected Board Date (PBD) Extensions for Treatment/Training and Program Credits for
 First Admissions and Recommitments to
 Heman G. Stark Youth Correctional Facility

Year/ Month	ADP ²	Program ¹							
		PBD Extensions				Credits			
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# of PBD Extension Months Added	Average Number of PBD Extension Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Months Program Months Credited	Average Number of Program Months Cut per Youth
2008									
July	370	28	28	92	3.29	5	5	13	2.60
August	358	24	24	101	4.21	9	9	21	2.33
September	351	17	17	82	4.82	3	3	12	4.00
October	348	15	15	75	5.00	1	1	1	1.00
November	345	9	9	31	3.44	4	4	13	3.25
December	344	31	31	145	4.68	3	3	5	1.67
2009									
January	332	19	19	89	4.68	1	1	2	2.00
February	316	18	18	70	3.89	5	5	11	2.20
March	310	16	16	65	4.06	9	9	26	2.89
April	300	24	23	78	3.39	13	13	23	1.77
May	289	17	17	47	2.76	6	6	13	2.17
June	281	21	21	111	5.29	3	3	6	2.00
July	293	26	26	121	4.65	7	7	15	2.14

1 WIC-1800 time adds included; Additional Commitment time adds not included.

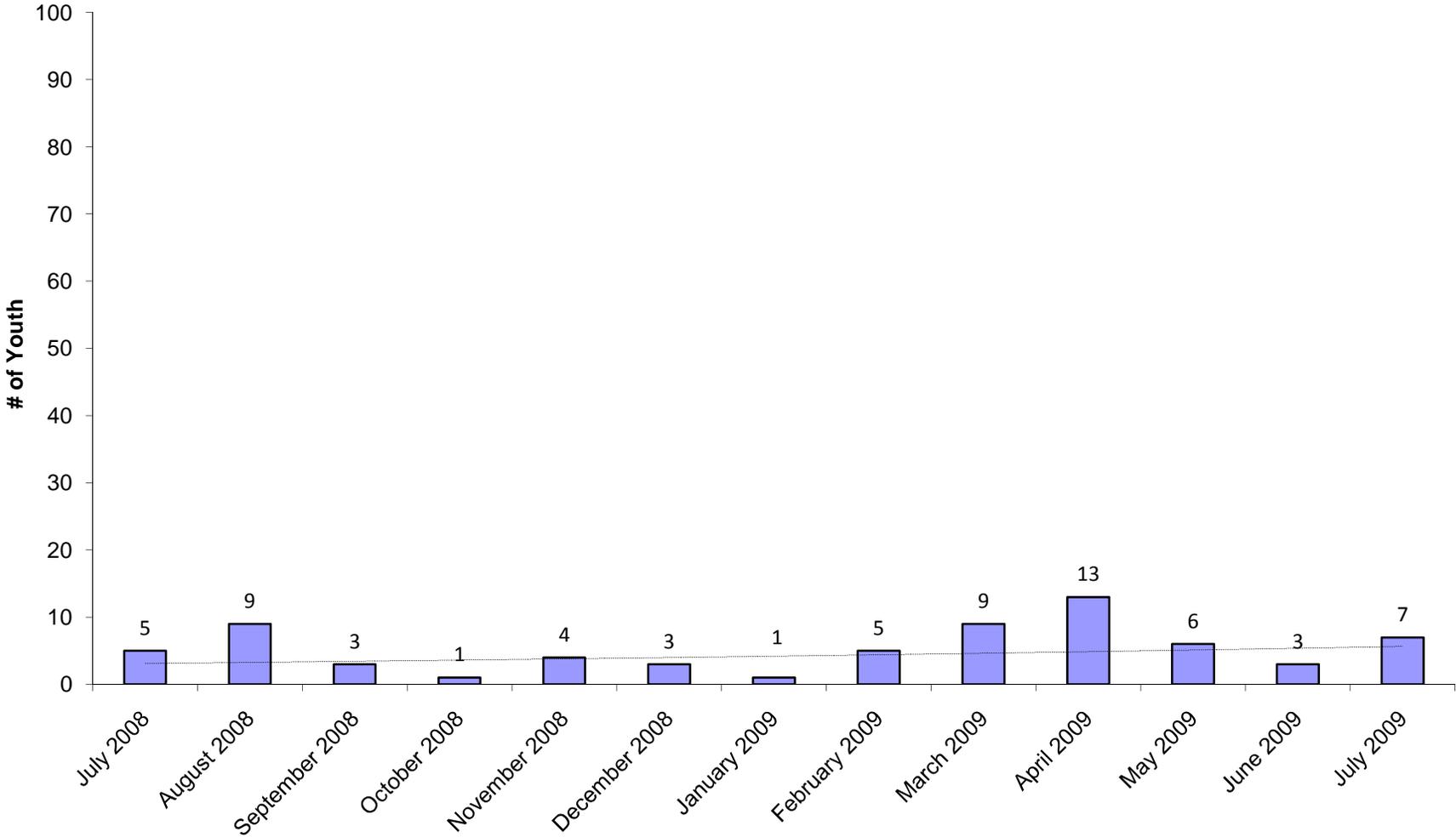
2 Average Daily Population (ADP) for YA cases only.

**CDCR DJJ
 Monthly Tracking of Treatment/Training
 Percentage of Youth Who Received a PBD Extension for
 First Admissions and Recommitments to
 Heman G. Stark**



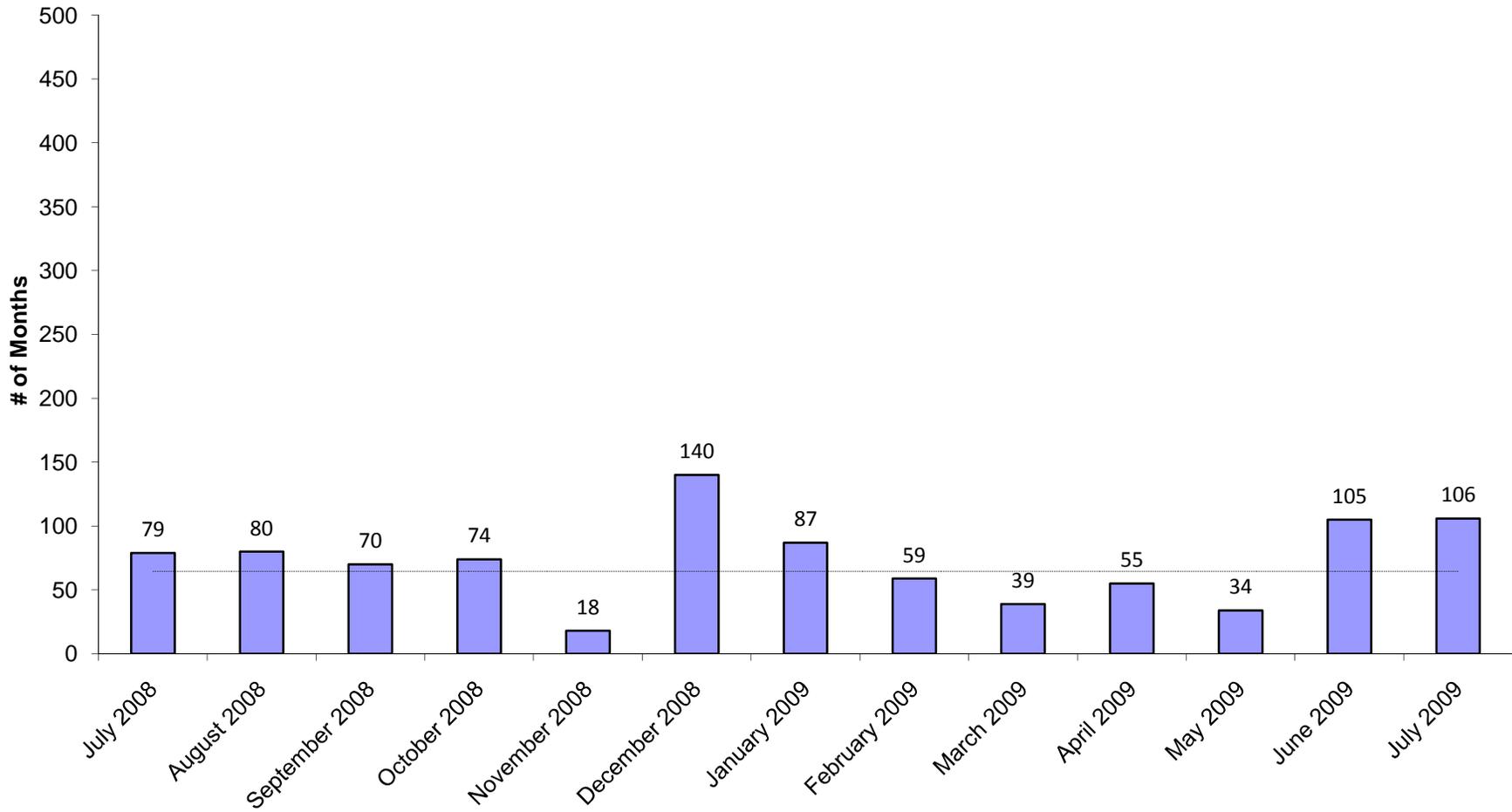
Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Treatment/Training
Number of Youth Who Received Program Credits for
First Admissions and Recommitments to



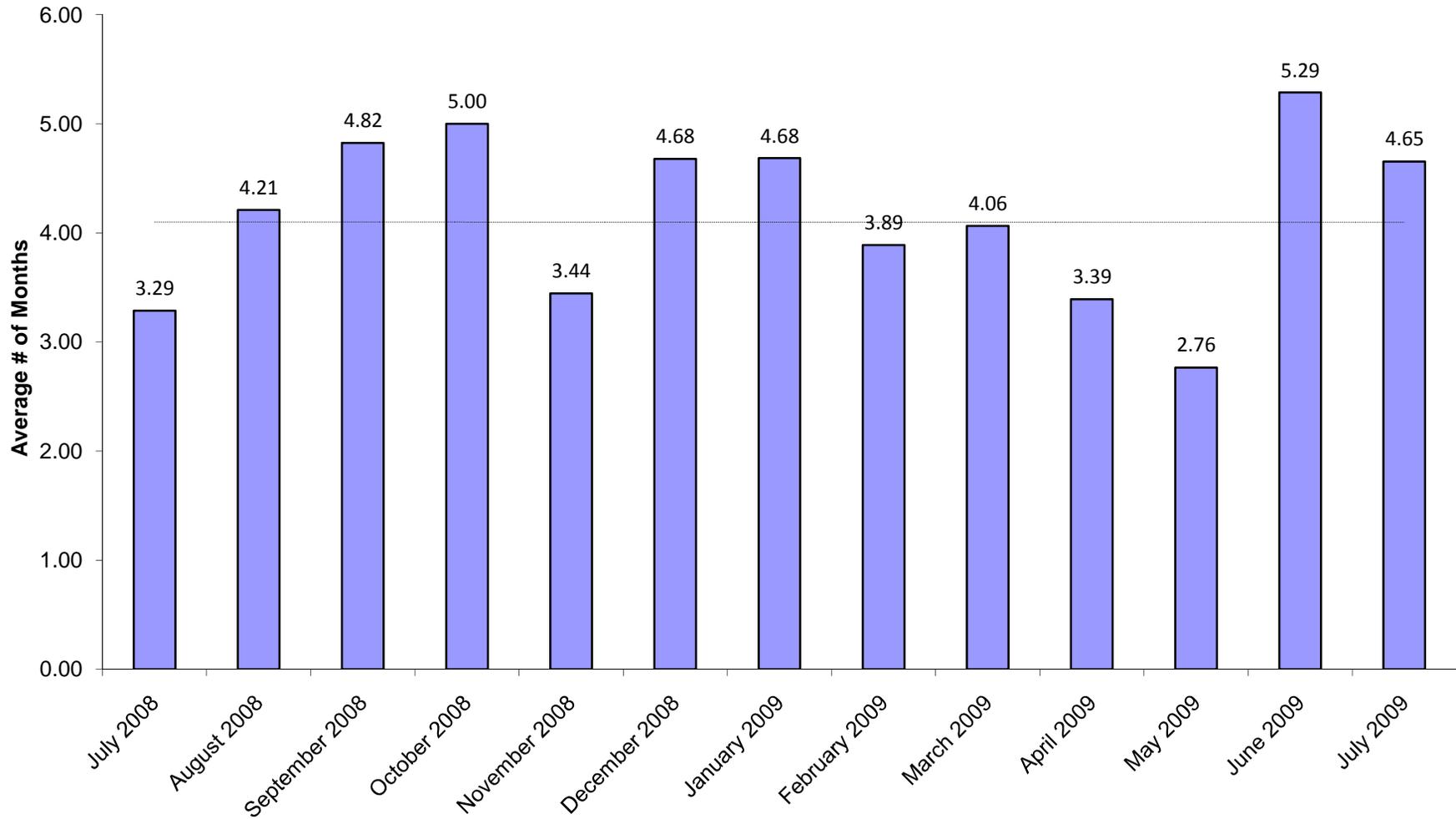
Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Treatment/Training
Net Number of Months for Program PBD Extensions / Credits for
First Admissions and Recommitments to
Heman G. Stark



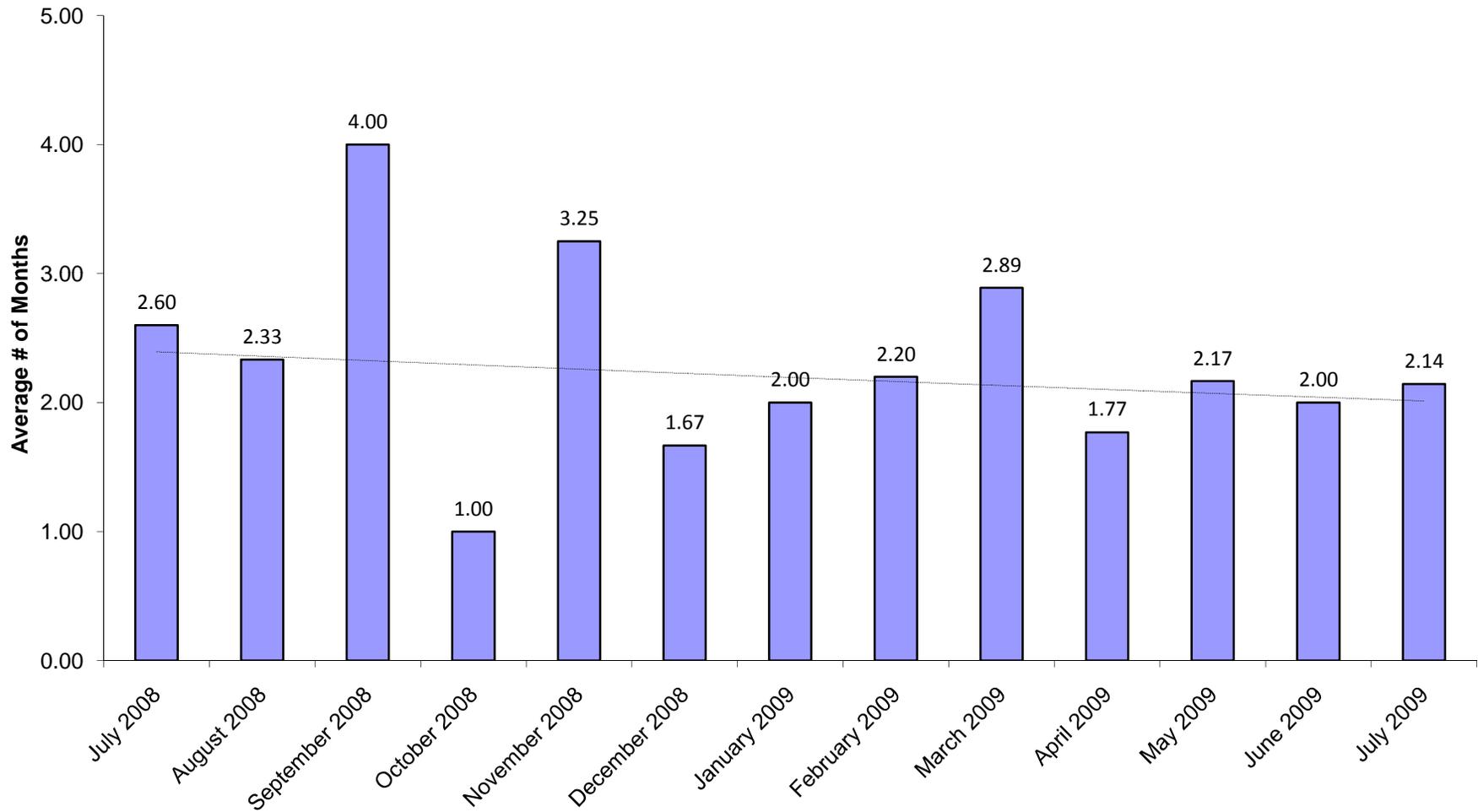
Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of PBD Extension Months Added per Youth for
First Admissions and Recommitments to
Heman G. Stark



Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of Program Credits per Youth for
First Admissions and Recommitments to
Heman G. Stark



Note: This chart depicts an "exponential" trend line.

**California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
 Heman G. Stark**

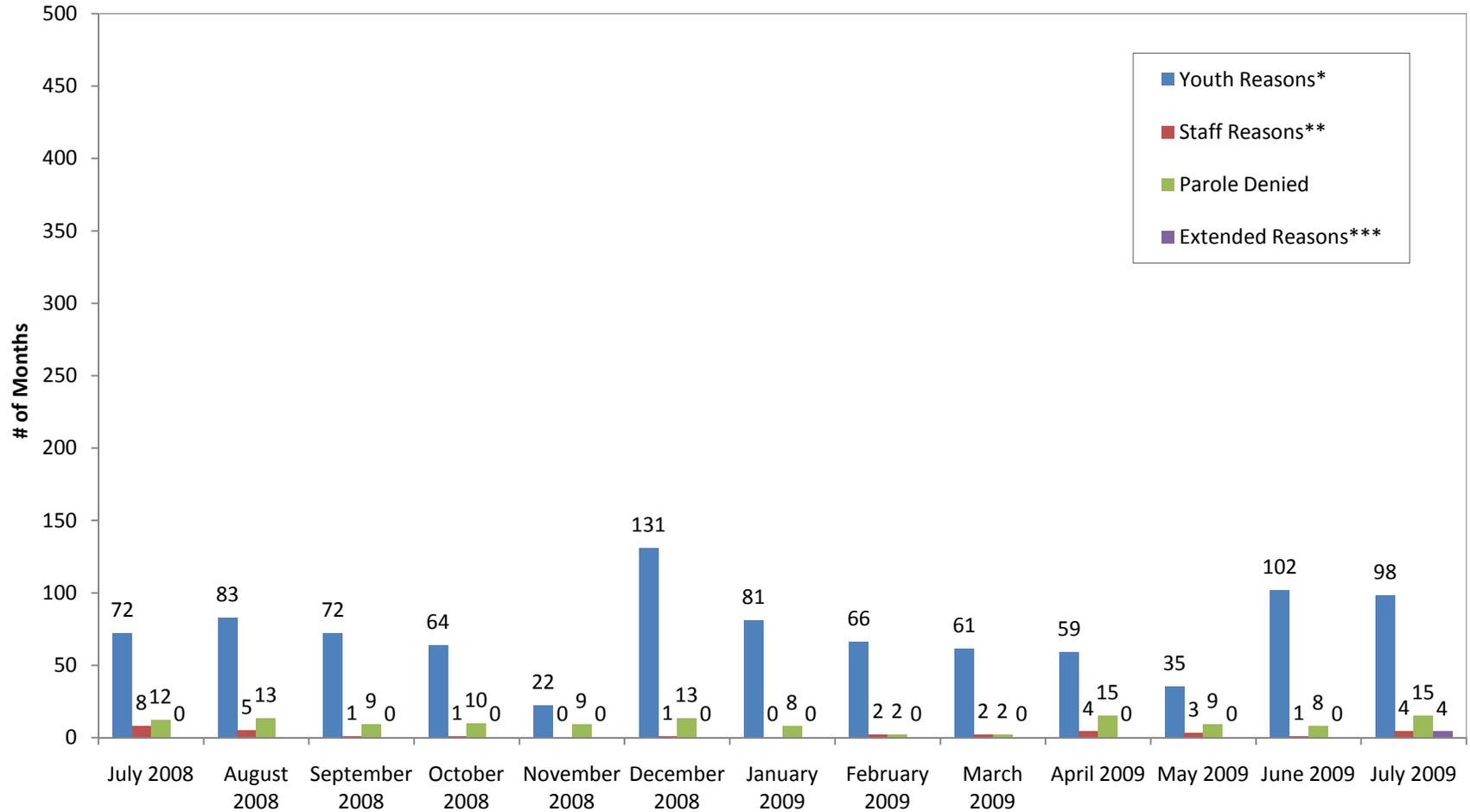
	Youth Reasons*	Staff Reasons**	Parole Denied	Extended Reasons***	Total
July 2008	72	8	12	0	92
August 2008	83	5	13	0	101
September 2008	72	1	9	0	82
October 2008	64	1	10	0	75
November 2008	22	0	9	0	31
December 2008	131	1	13	0	145
January 2009	81	0	8	0	89
February 2009	66	2	2	0	70
March 2009	61	2	2	0	65
April 2009	59	4	15	0	78
May 2009	35	3	9	0	47
June 2009	102	1	8	0	111
July 2009	98	4	15	4	121

* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.

** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.

***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

CDCR DJJ
Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
Heman G. Stark



* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.
 ** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.
 ***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Revocation Extensions (Rev-Ext)* and Program Credits for
Parole Violators in
Heman G. Stark Youth Correctional Facility**

Year/ Month	ADP ¹	Revocation Extensions					Program Credits				
		# of Rev-Ext Hearings	# of Youth Who Had a Rev-Ext	# Rev-Ext Months Added	Average Number of Rev-Ext Months Added per Hearing	Average Number of Rev-Ext Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Program Months Credited	Average Number of Program Months Credited per Hearing	Average Number of Program Months Credited per Youth
2008											
July	91	15	12	34	2.27	2.83	1	1	2	2.00	2.00
August	92	6	6	9	1.50	1.50	0	0	0	0.00	0.00
September	87	7	7	15	2.14	2.14	0	0	0	0.00	0.00
October	81	7	7	14	2.00	2.00	1	1	1	1.00	1.00
November	85	4	3	7	1.75	2.33	1	1	1	1.00	1.00
December	85	3	3	3	1.00	1.00	0	0	0	0.00	0.00
2009											
January	70	0	0	0	0.00	0.00	2	2	3	1.50	1.50
February	50	2	2	5	2.50	2.50	5	5	5	1.00	1.00
March	42	2	2	3	1.50	1.50	1	1	1	1.00	1.00
April	46	1	1	6	6.00	6.00	3	3	3	1.00	1.00
May	46	2	2	6	3.00	3.00	6	6	7	1.17	1.17
June	45	2	1	5	2.50	5.00	5	5	5	1.00	1.00
July	51	0	0	0	0.00	0.00	4	4	8	2.00	2.00

* Prior to implementation of the LH lawsuit on December 15, 2008, Revocation Extensions were referred to as "DDMS extensions".

California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Program* Projected Board Date (PBD)
Extensions for Treatment/Training (Pre L.H. Lawsuit) for
Parole Violators in
Heman G. Stark Youth Correctional Facility

Year/ Month	ADP ²	Program				
		Time Adds ¹				
		# of Program Time Add Hearings	# of Youth Who Had Program Time Added	# of Program Months Added	Average Number of Program Months Added per Hearing	Average Number of Program Months Added per Youth
2008						
July	91	17	17	59	3.47	3.47
August	92	11	11	33	3.00	3.00
September	87	6	6	29	4.83	4.83
October	81	4	3	31	7.75	10.33
November	85	3	3	9	3.00	3.00
December	85	12	12	26	2.17	2.17
2009						
January	70	0	0	0	0.00	0.00

* As of December 15, 2008, parole violators no longer receive PBD Extensions for DDMS or treatment/training.
Due to processing time frames, the youth reported in December 2008 reflect orders/hearings that originated prior to December 15, 2008.

1 WIC-1800 time adds included; Additional Commitment time adds not included.

2 Average Daily Population (ADP) for YA cases only.

Section VII:

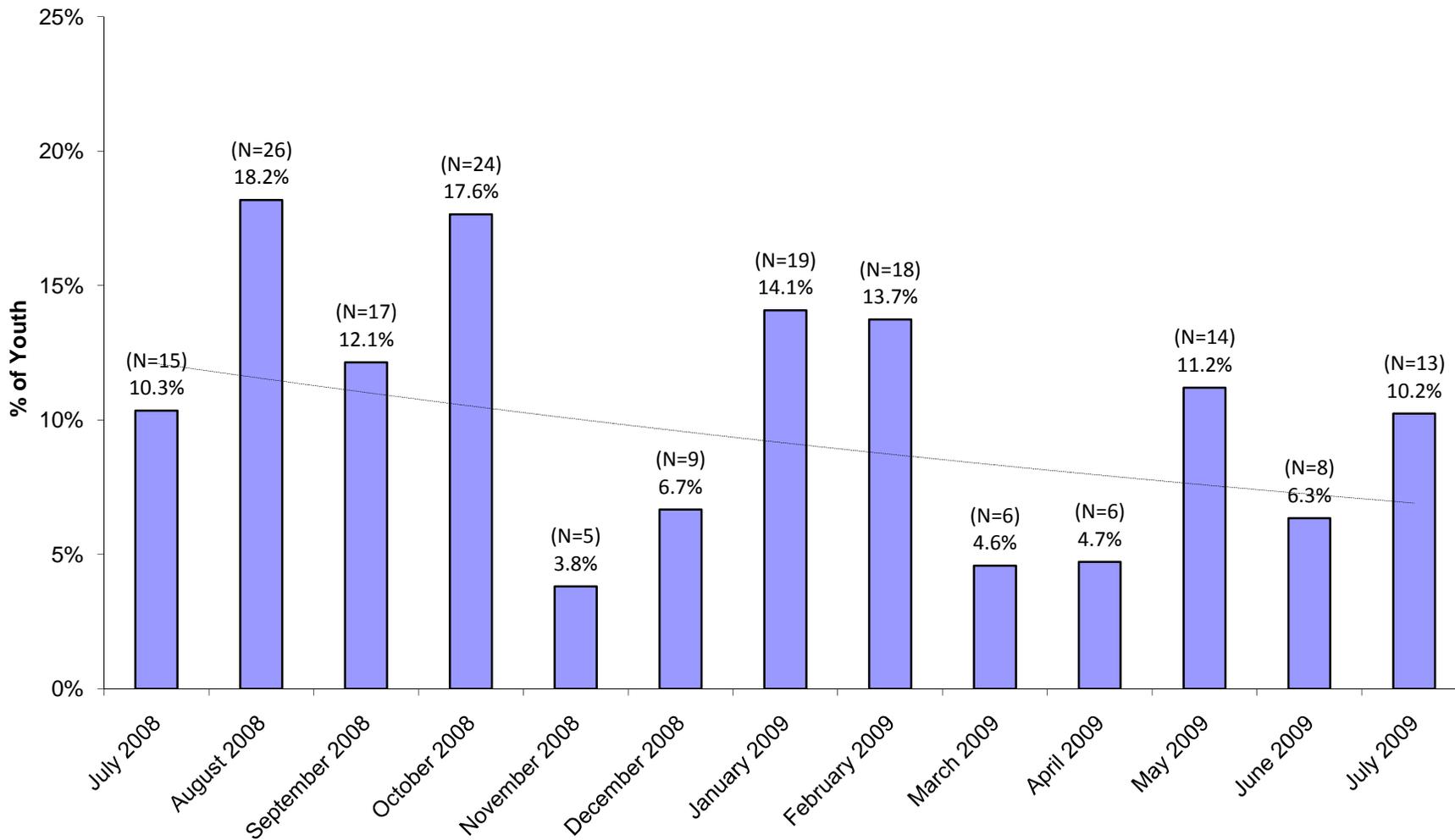
**Ventura
Youth Correctional Facility**

**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
Ventura Youth Correctional Facility**

Year/ Month	ADP ¹	DDMS									
		PBD Extensions					Restorations				
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# PBD Extension Months Added	Average Number of PBD Extension Months Added per Hearing	Average Number of PBD Extension Months Added per Youth	# of PBD Extension Time Restore Hearings	# Youth Who Had PBD Extension Time Restored	# PBD Extension Months Restored	Average Number of PBD Extension Months Restored per Hearing	Average Number of PBD Extension Months Restored per Youth
2008											
July	145	18	15	33	1.83	2.20	0	0	0	0.00	0.00
August	143	34	26	48	1.41	1.85	0	0	0	0.00	0.00
September	140	18	17	37	2.06	2.18	0	0	0	0.00	0.00
October	136	38	24	73	1.92	3.04	1	1	1	1.00	1.00
November	131	6	5	13	2.17	2.60	0	0	0	0.00	0.00
December	135	12	9	21	1.75	2.33	0	0	0	0.00	0.00
2009											
January	135	22	19	41	1.86	2.16	3	3	4	1.33	1.33
February	131	21	18	44	2.10	2.44	0	0	0	0.00	0.00
March	131	6	6	10	1.67	1.67	0	0	0	0.00	0.00
April	127	6	6	12	2.00	2.00	2	2	2	1.00	1.00
May	125	18	14	30	1.67	2.14	2	2	3	1.50	1.50
June	126	9	8	28	3.11	3.50	0	0	0	0.00	0.00
July	127	18	13	46	2.56	3.54	2	2	3	1.50	1.50

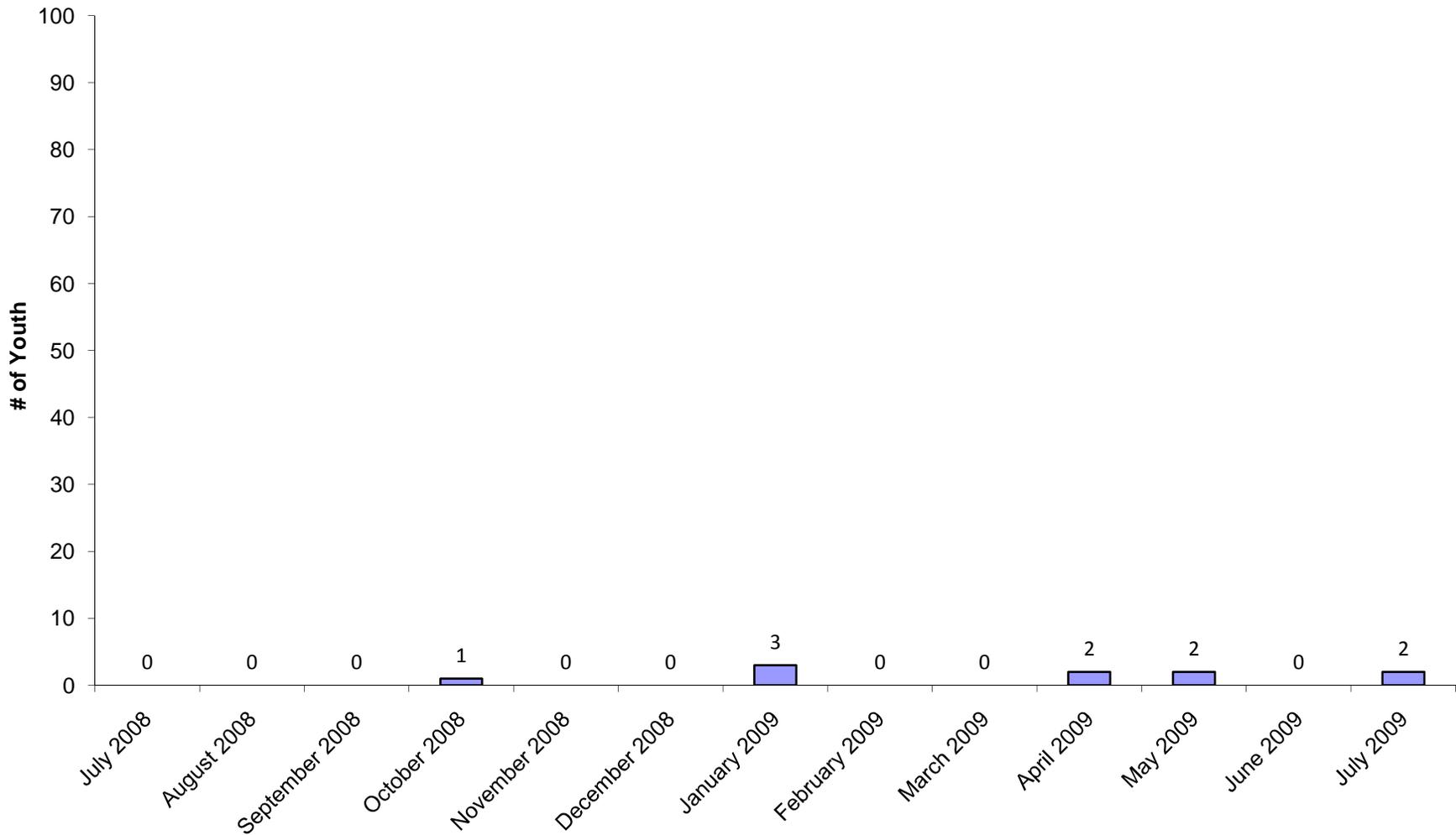
1 Average Daily Population (ADP) for YA cases only.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Percentage of Youth Who Received a Projected Board Date (PBD) Extension for
First Admissions and Recommitments to
Ventura Youth Correctional Facility

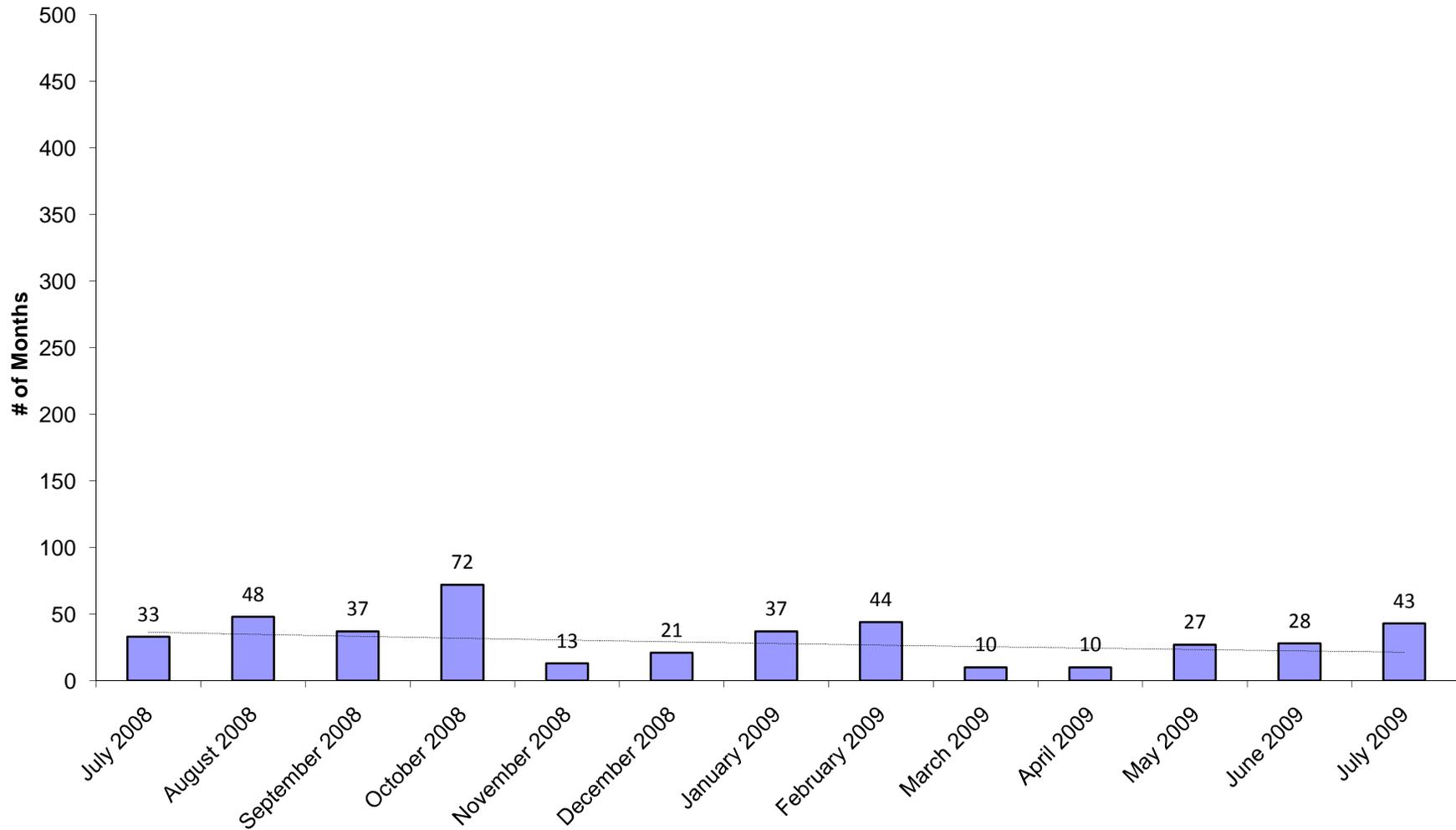


Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Number of Youth Who Received Projected Board Date (PBD) Time Restorations for
First Admissions and Recommitments to
Ventura Youth Correctional Facility

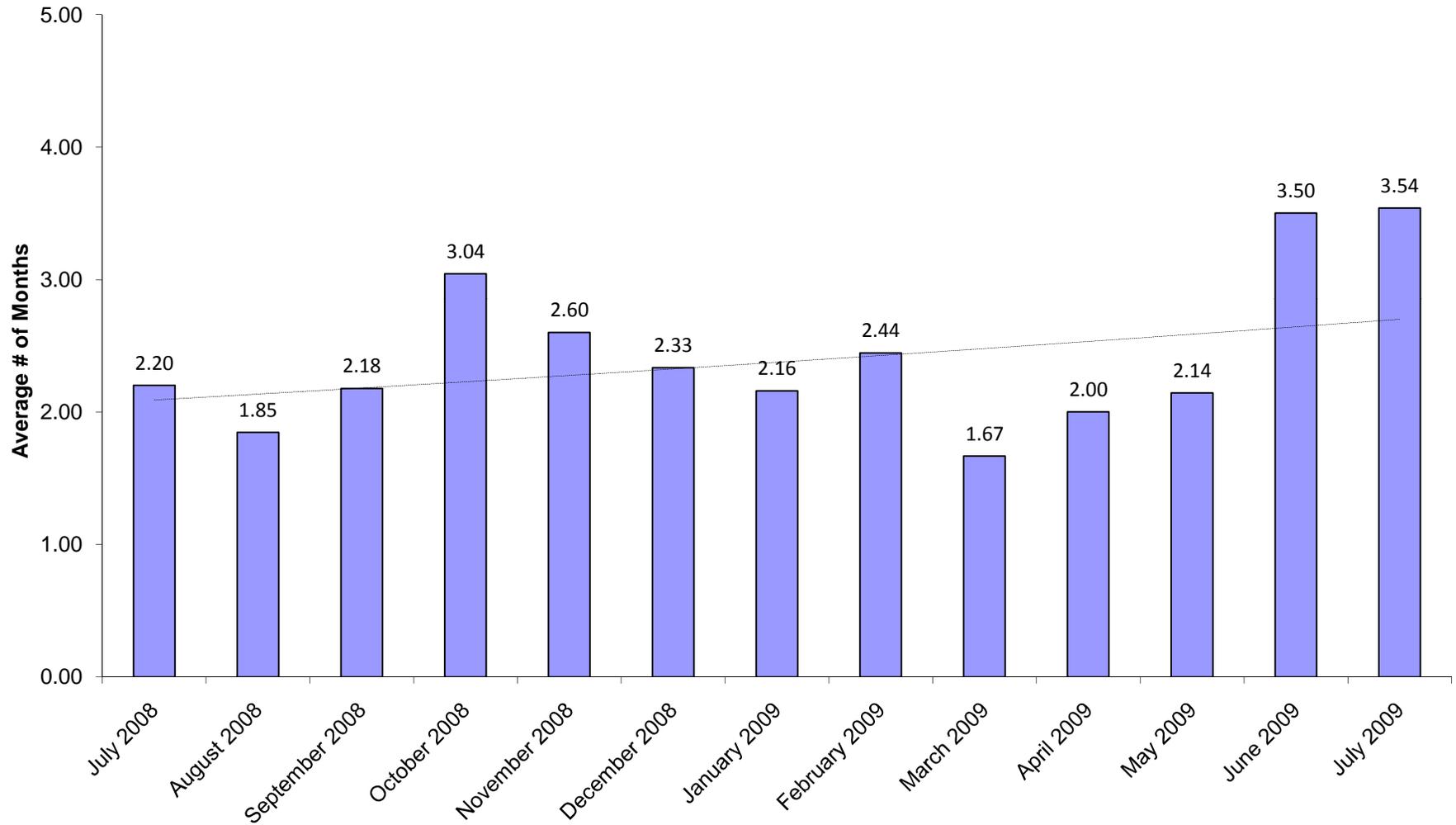


CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Net Number of Months of Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
Ventura Youth Correctional Facility



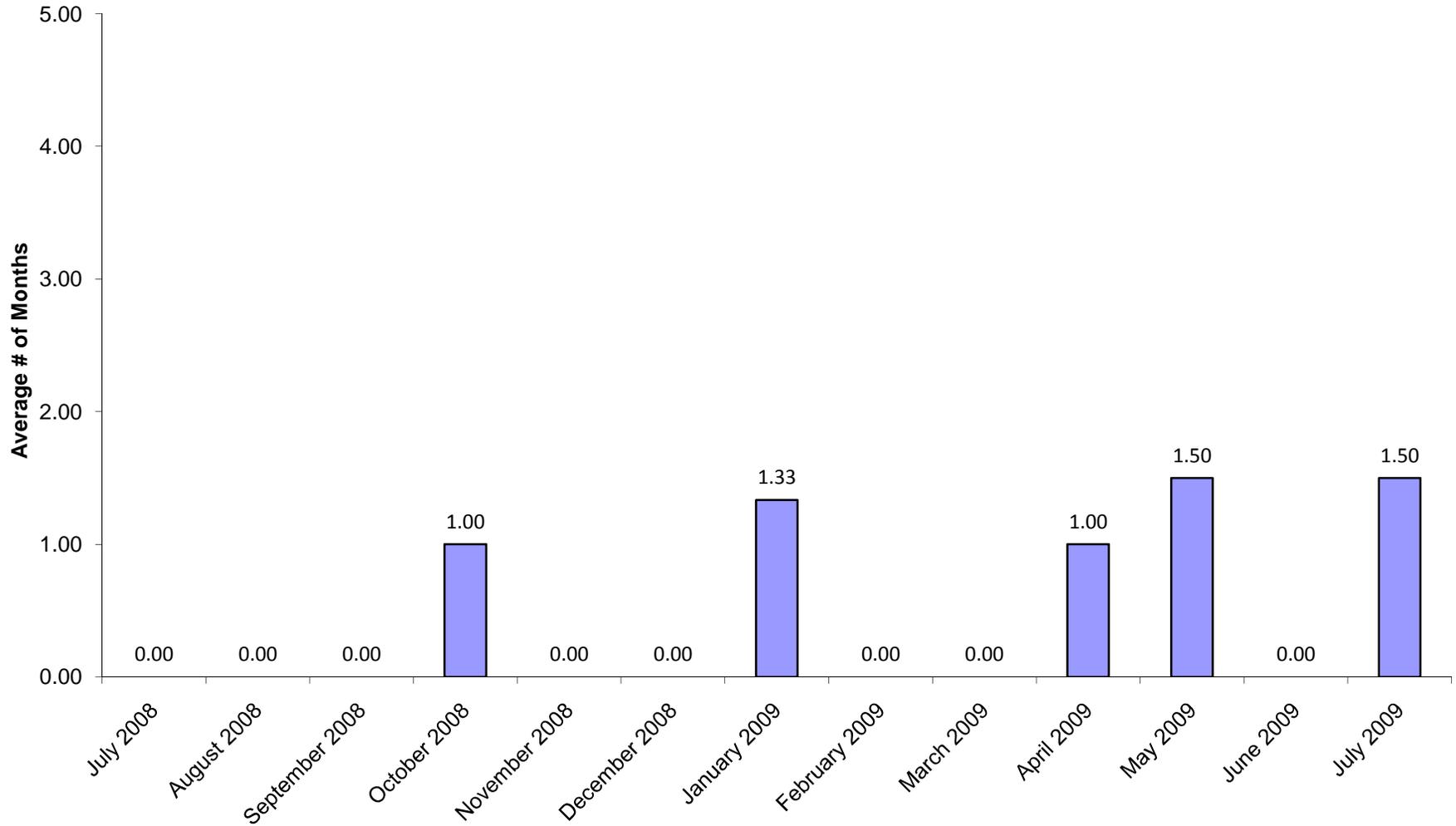
Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Extension Months Added per Youth for
First Admissions and Recommitments to
Ventura Youth Correctional Facility



Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Months Restored per Youth for
First Admissions and Recommitments to
Ventura Youth Correctional Facility



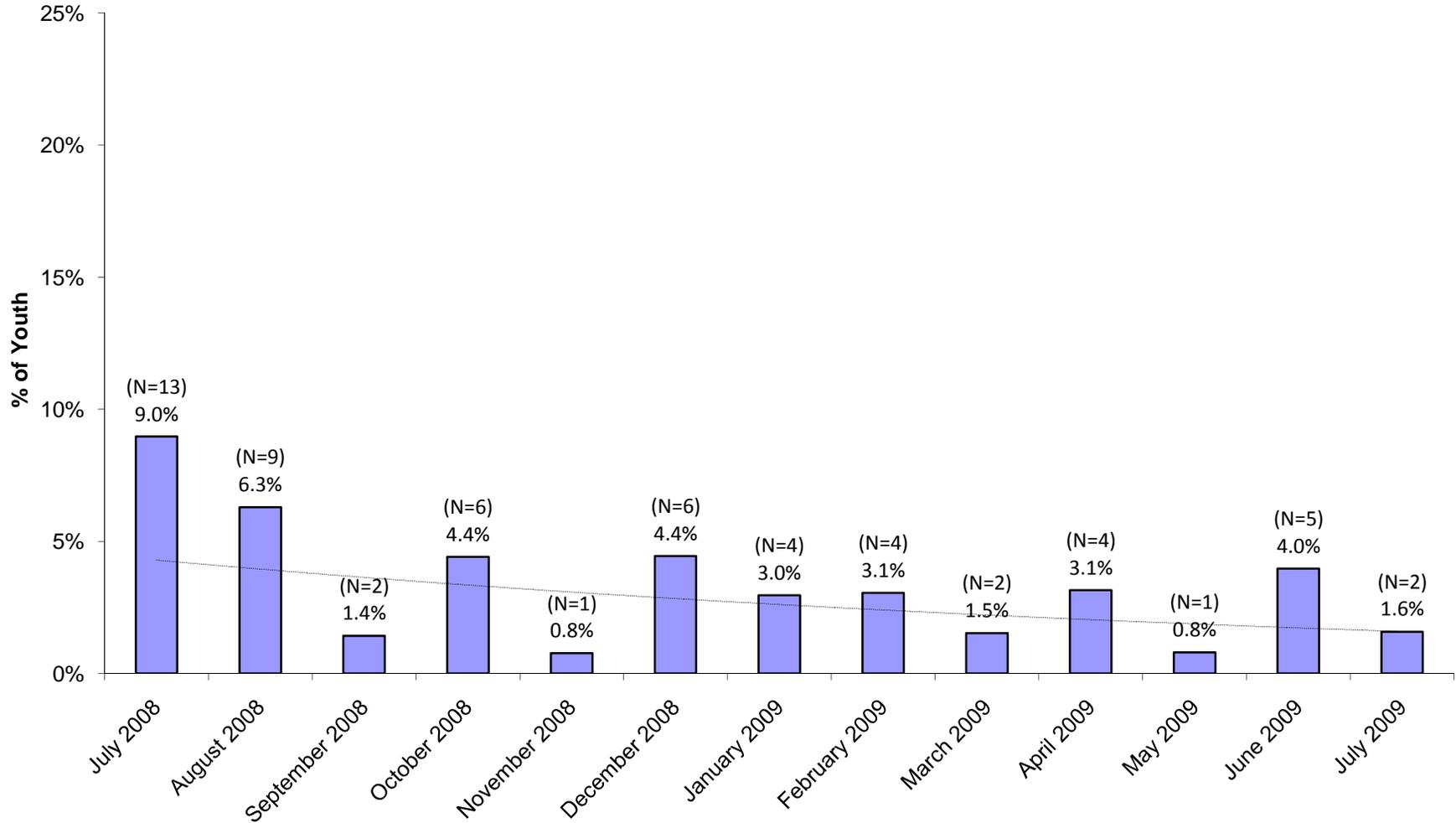
California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Monthly Tracking of
 Projected Board Date (PBD) Extensions for Treatment/Training and Program Credits for
 First Admissions and Recommitments to
 Ventura Youth Correctional Facility

Year/ Month	ADP ²	Program ¹							
		PBD Extensions				Credits			
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# of PBD Extension Months Added	Average Number of PBD Extension Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Months Program Months Credited	Average Number of Program Months Cut per Youth
2008									
July	145	13	13	45	3.46	3	3	10	3.33
August	143	9	9	23	2.56	2	2	4	2.00
September	140	2	2	6	3.00	1	1	1	1.00
October	136	6	6	29	4.83	5	5	6	1.20
November	131	1	1	6	6.00	0	0	0	0.00
December	135	6	6	18	3.00	2	2	3	1.50
2009									
January	135	4	4	14	3.50	1	1	2	2.00
February	131	4	4	15	3.75	3	3	6	2.00
March	131	2	2	8	4.00	5	5	12	2.40
April	127	4	4	12	3.00	8	8	18	2.25
May	125	1	1	5	5.00	3	3	7	2.33
June	126	6	5	18	3.60	11	11	27	2.45
July	127	2	2	7	3.50	4	4	14	3.50

1 WIC-1800 time adds included; Additional Commitment time adds not included.

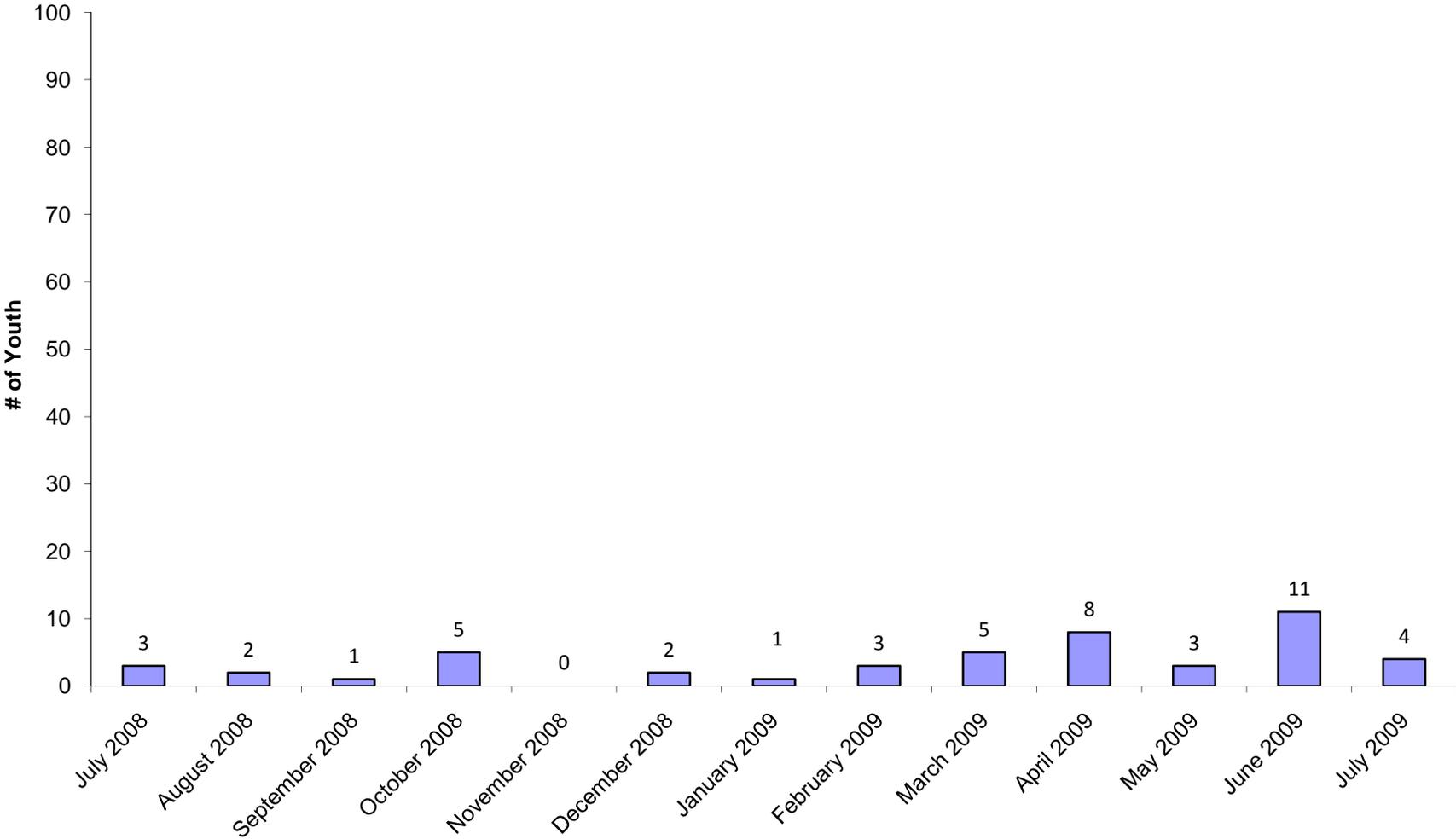
2 Average Daily Population (ADP) for YA cases only.

CDCR DJJ
Monthly Tracking of Treatment/Training
Percentage of Youth Who Received a PBD Extension for
First Admissions and Recommitments to
Ventura Youth Correctional Facility

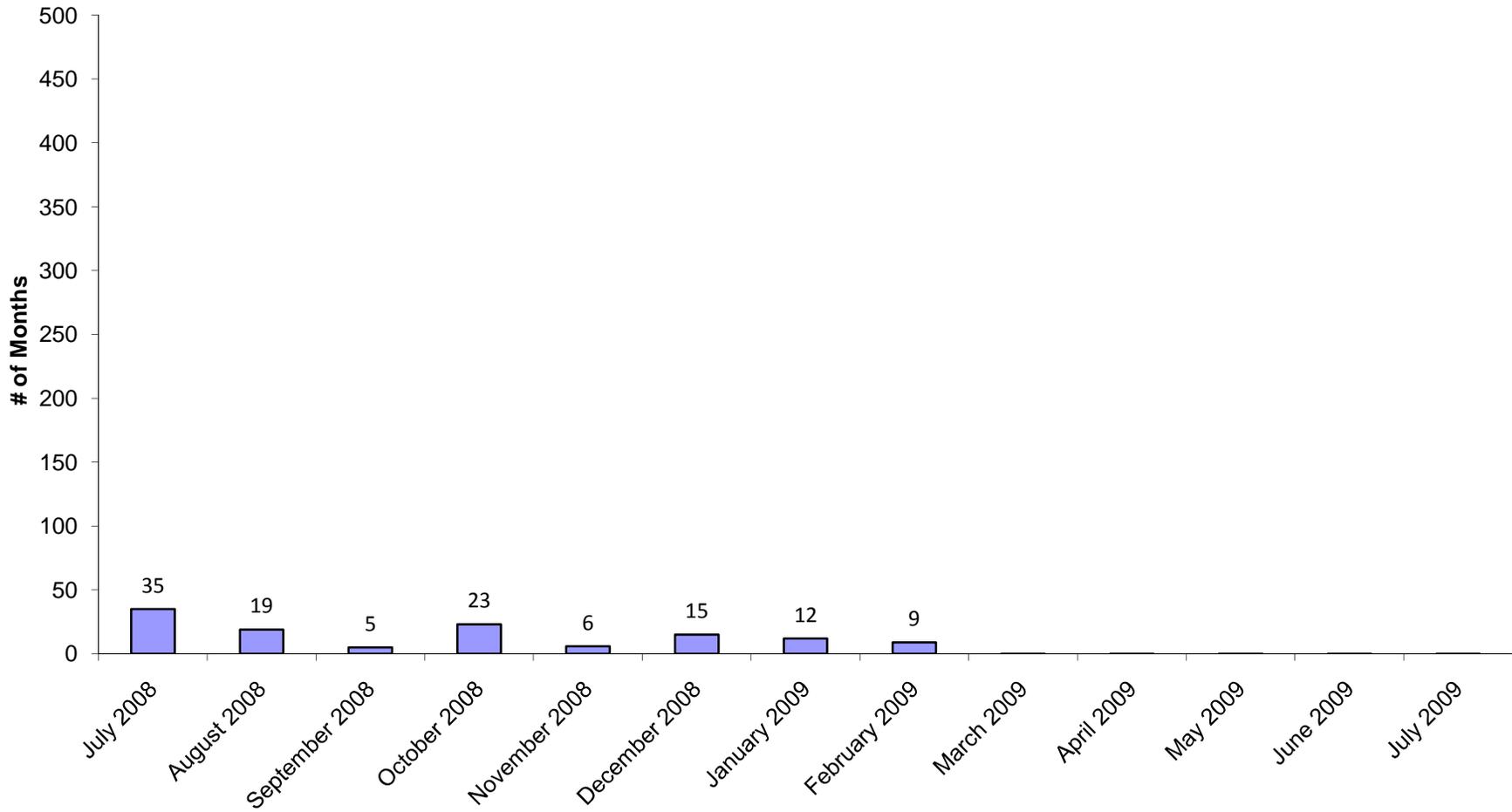


Note: This chart depicts an "exponential" trend line.

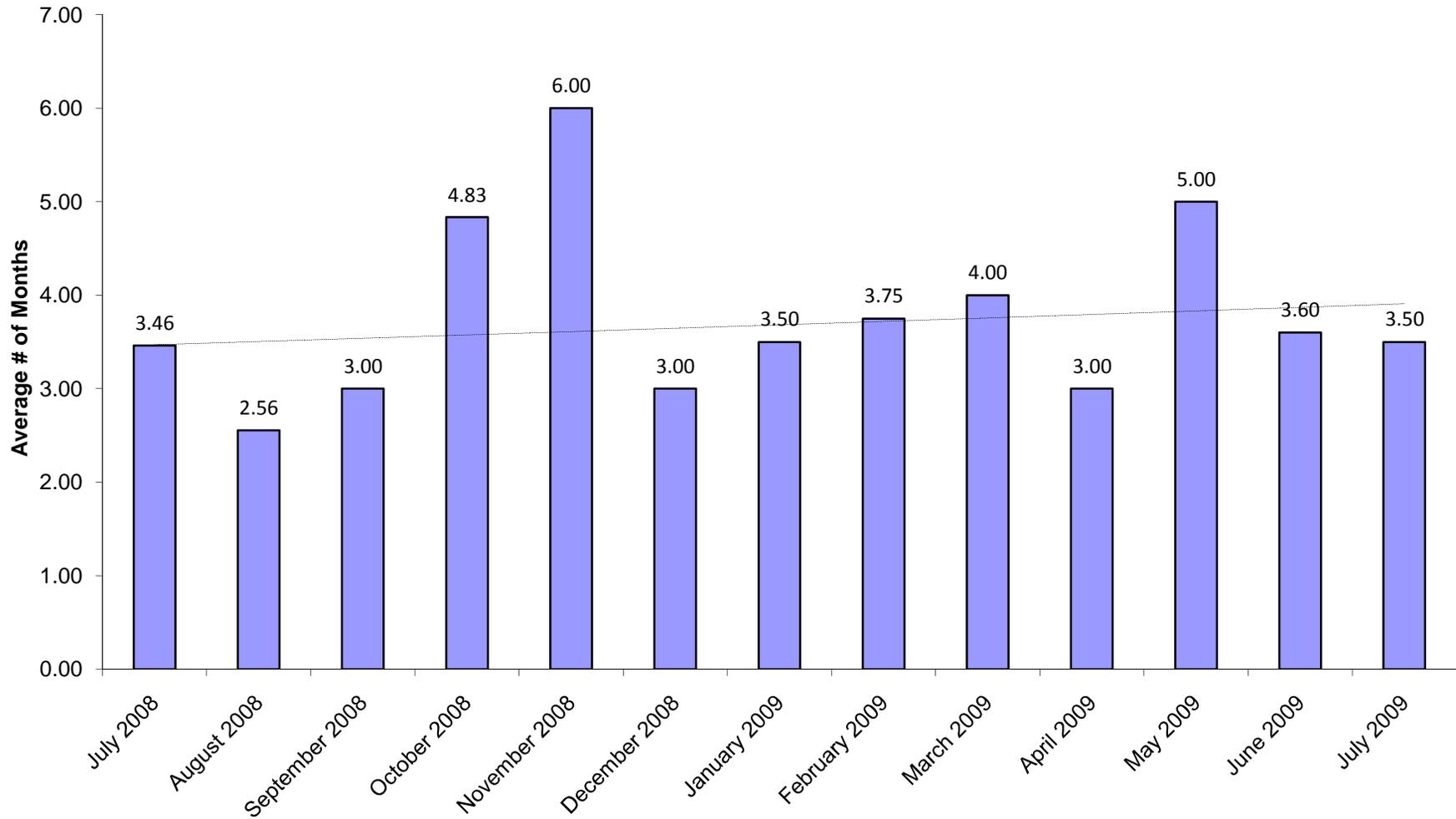
CDCR DJJ
Monthly Tracking of Treatment/Training
Number of Youth Who Received Program Credits for
First Admissions and Recommitments to
Ventura Youth Correctional Facility



CDCR DJJ
Monthly Tracking of Treatment/Training
Net Number of Months for Program PBD Extensions / Credits for
First Admissions and Recommitments to
Ventura Youth Correctional Facility

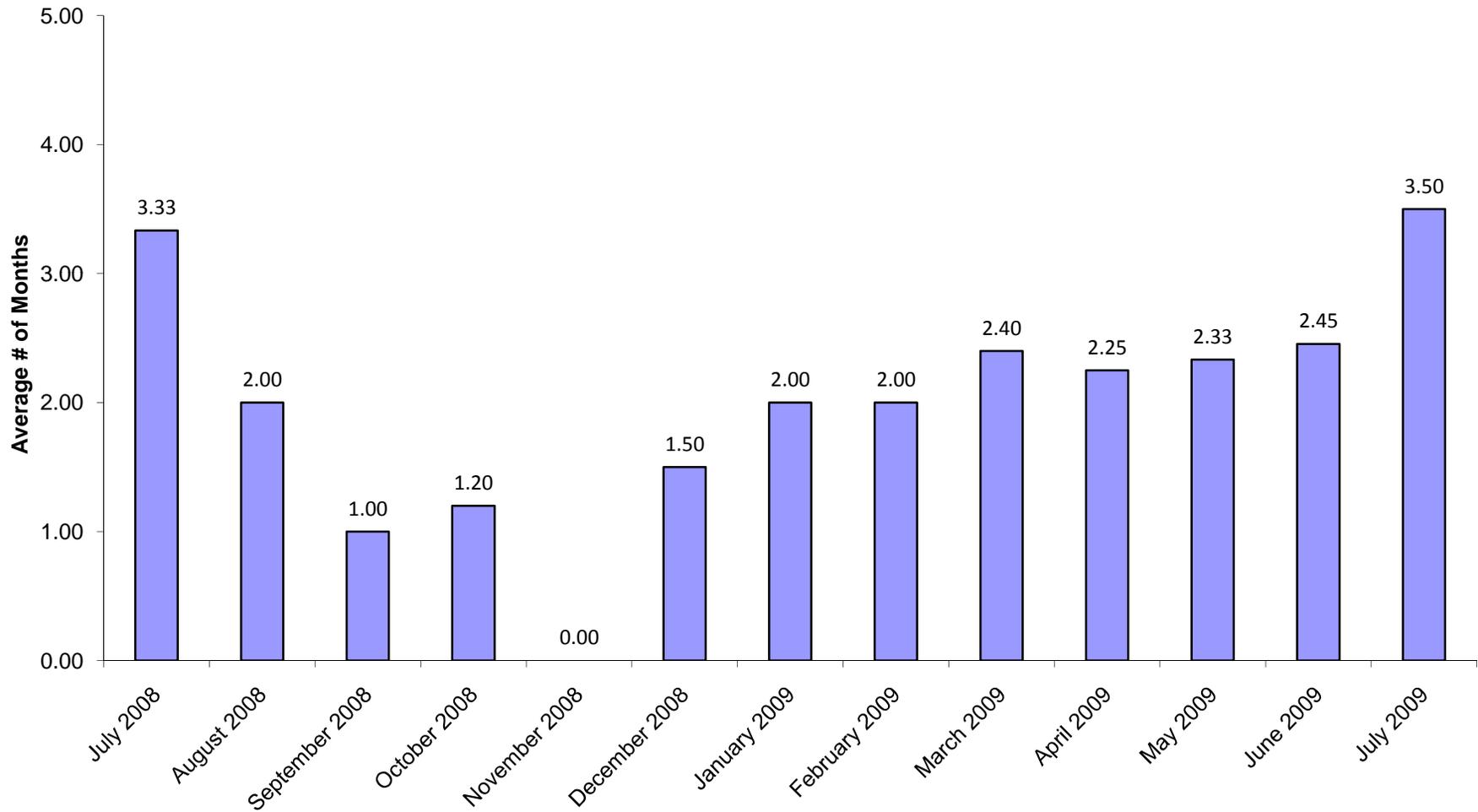


CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of PBD Extension Months Added per Youth for
First Admissions and Recommitments to
Ventura Youth Correctional Facility



Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of Program Credits per Youth for
First Admissions and Recommitments to
Ventura Youth Correctional Facility



**California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
 Ventura Youth Correctional Facility**

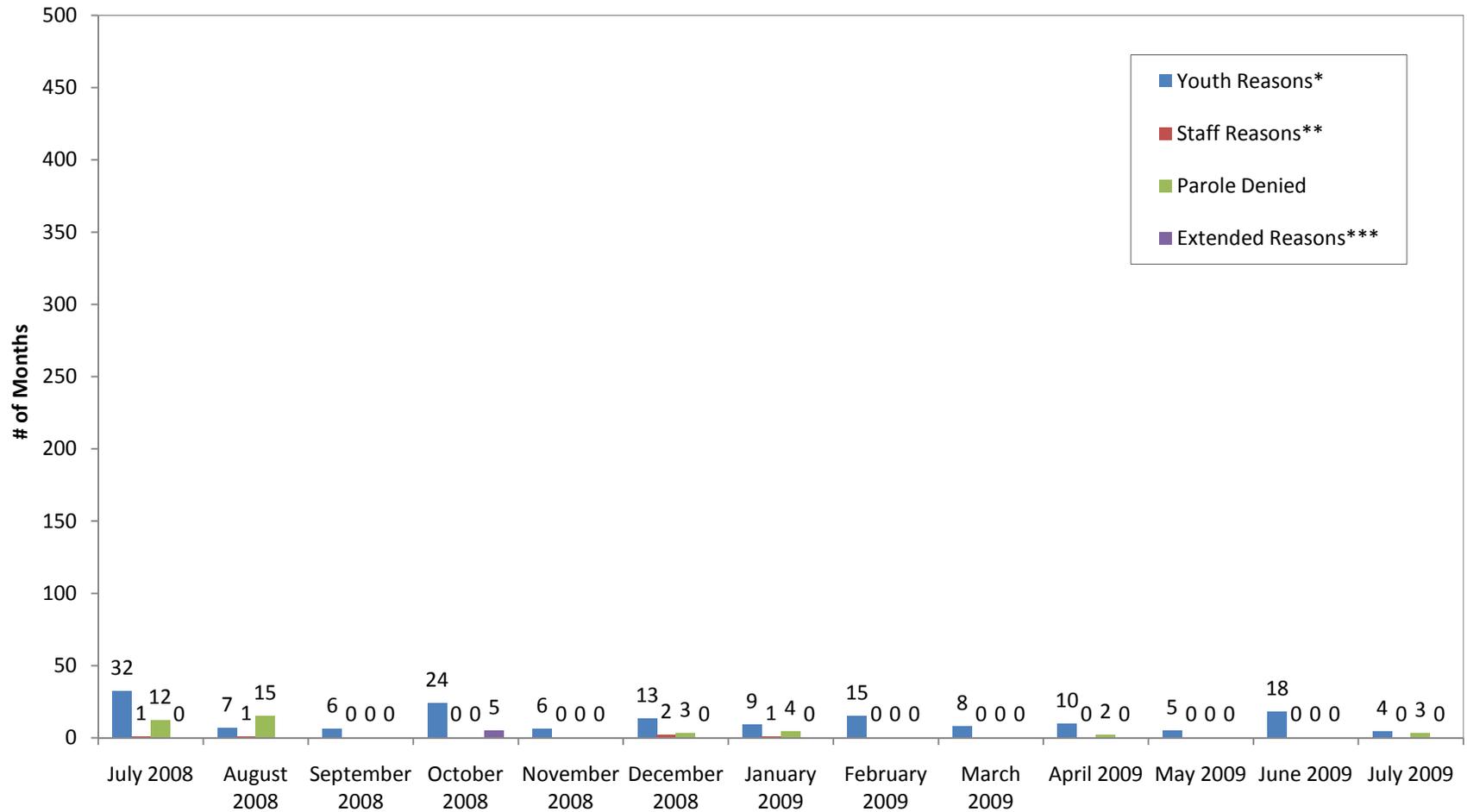
	Youth Reasons*	Staff Reasons**	Parole Denied	Extended Reasons***	Total
July 2008	32	1	12	0	45
August 2008	7	1	15	0	23
September 2008	6	0	0	0	6
October 2008	24	0	0	5	29
November 2008	6	0	0	0	6
December 2008	13	2	3	0	18
January 2009	9	1	4	0	14
February 2009	15	0	0	0	15
March 2009	8	0	0	0	8
April 2009	10	0	2	0	12
May 2009	5	0	0	0	5
June 2009	18	0	0	0	18
July 2009	4	0	3	0	7

* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.

** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.

***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

CDCR DJJ
Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
Ventura Youth Correctional Facility



* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.

** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.

***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Revocation Extensions (Rev-Ext)* and Program Credits for
Parole Violators in
Ventura Youth Correctional Facility**

Year/ Month	ADP ¹	Revocation Extensions					Program Credits				
		# of Rev-Ext Hearings	# of Youth Who Had a Rev-Ext	# Rev-Ext Months Added	Average Number of Rev-Ext Months Added per Hearing	Average Number of Rev-Ext Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Program Months Credited	Average Number of Program Months Credited per Hearing	Average Number of Program Months Credited per Youth
2008											
July	10	0	0	0	0.00	0.00	0	0	0	0.00	0.00
August	10	0	0	0	0.00	0.00	0	0	0	0.00	0.00
September	10	0	0	0	0.00	0.00	0	0	0	0.00	0.00
October	9	2	2	4	2.00	2.00	0	0	0	0.00	0.00
November	8	2	1	2	1.00	2.00	0	0	0	0.00	0.00
December	8	1	1	2	2.00	2.00	0	0	0	0.00	0.00
2009											
January	10	0	0	0	0.00	0.00	0	0	0	0.00	0.00
February	10	0	0	0	0.00	0.00	0	0	0	0.00	0.00
March	11	0	0	0	0.00	0.00	0	0	0	0.00	0.00
April	11	0	0	0	0.00	0.00	1	1	1	1.00	1.00
May	9	0	0	0	0.00	0.00	0	0	0	0.00	0.00
June	7	0	0	0	0.00	0.00	1	1	1	1.00	1.00
July	8	0	0	0	0.00	0.00	1	1	2	2.00	2.00

* Prior to implementation of the LH lawsuit on December 15, 2008, Revocation Extensions were referred to as "DDMS extensions".

California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Program* Projected Board Date (PBD)
Extensions for Treatment/Training (Pre L.H. Lawsuit) for
Parole Violators in
Ventura Youth Correctional Facility

Month / Year	ADP ²	Program				
		Time Adds ¹				
		# of Program Time Add Hearings	# of Youth Who Had Program Time Added	# of Program Months Added	Average Number of Program Months Added per Hearing	Average Number of Program Months Added per Youth
2008						
July	10	4	4	20	5.00	5.00
August	10	1	1	6	6.00	6.00
September	10	0	0	0	0.00	0.00
October	9	4	4	19	4.75	4.75
November	8	1	1	2	2.00	2.00
December	8	0	0	0	0.00	0.00
2009						
January	10	0	0	0	0.00	0.00

* As of December 15, 2008, parole violators no longer receive PBD Extensions for DDMS or treatment/training.
Due to processing time frames, the youth reported in December 2008 reflect orders/hearings that originated prior to December 15, 2008.

1 WIC-1800 time adds included; Additional Commitment time adds not included.

2 Average Daily Population (ADP) for YA cases only.

Section VIII:

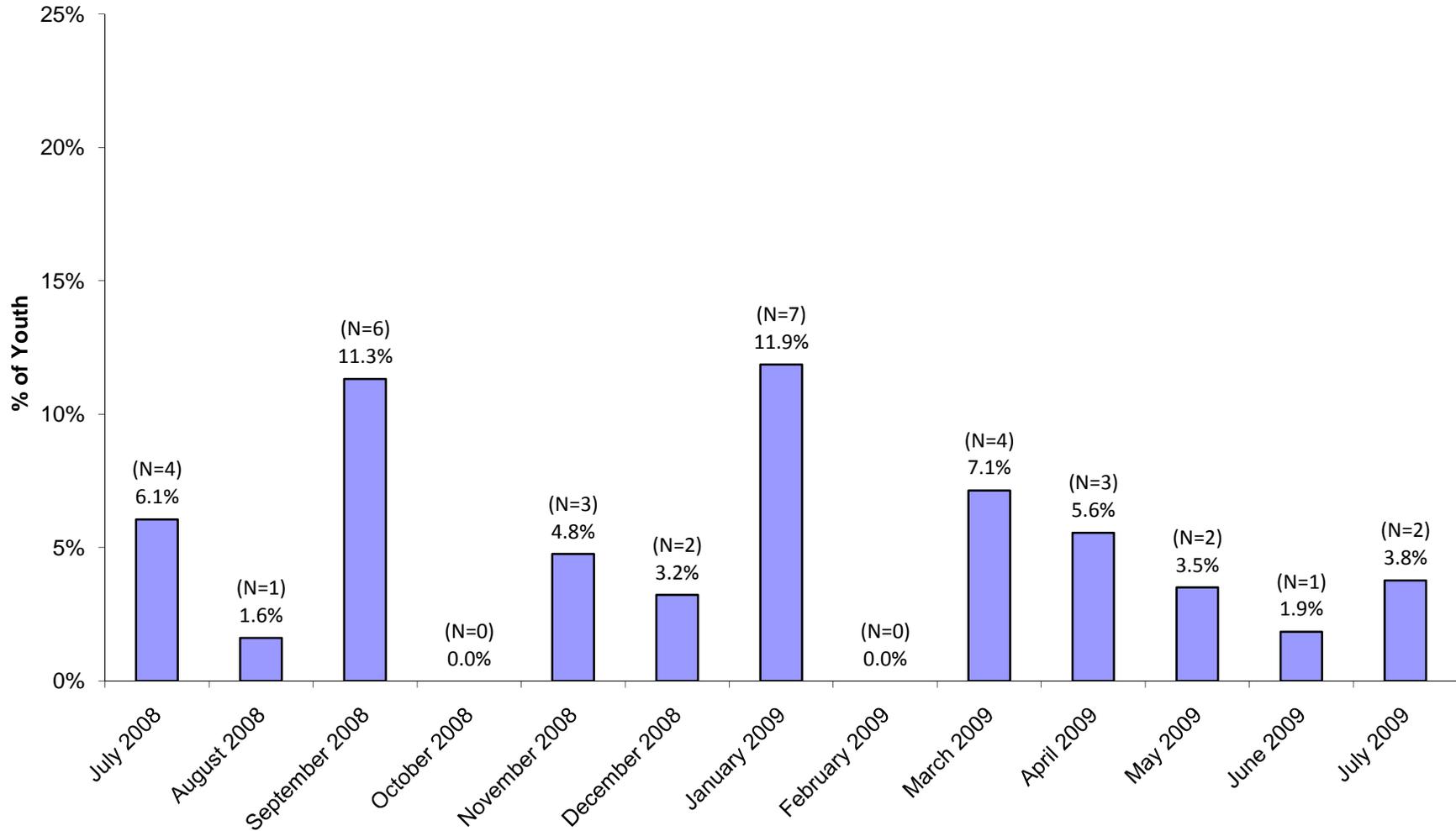
**Pine Grove
Youth Conservation Camp**

**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
Pine Grove Youth Conservation Camp**

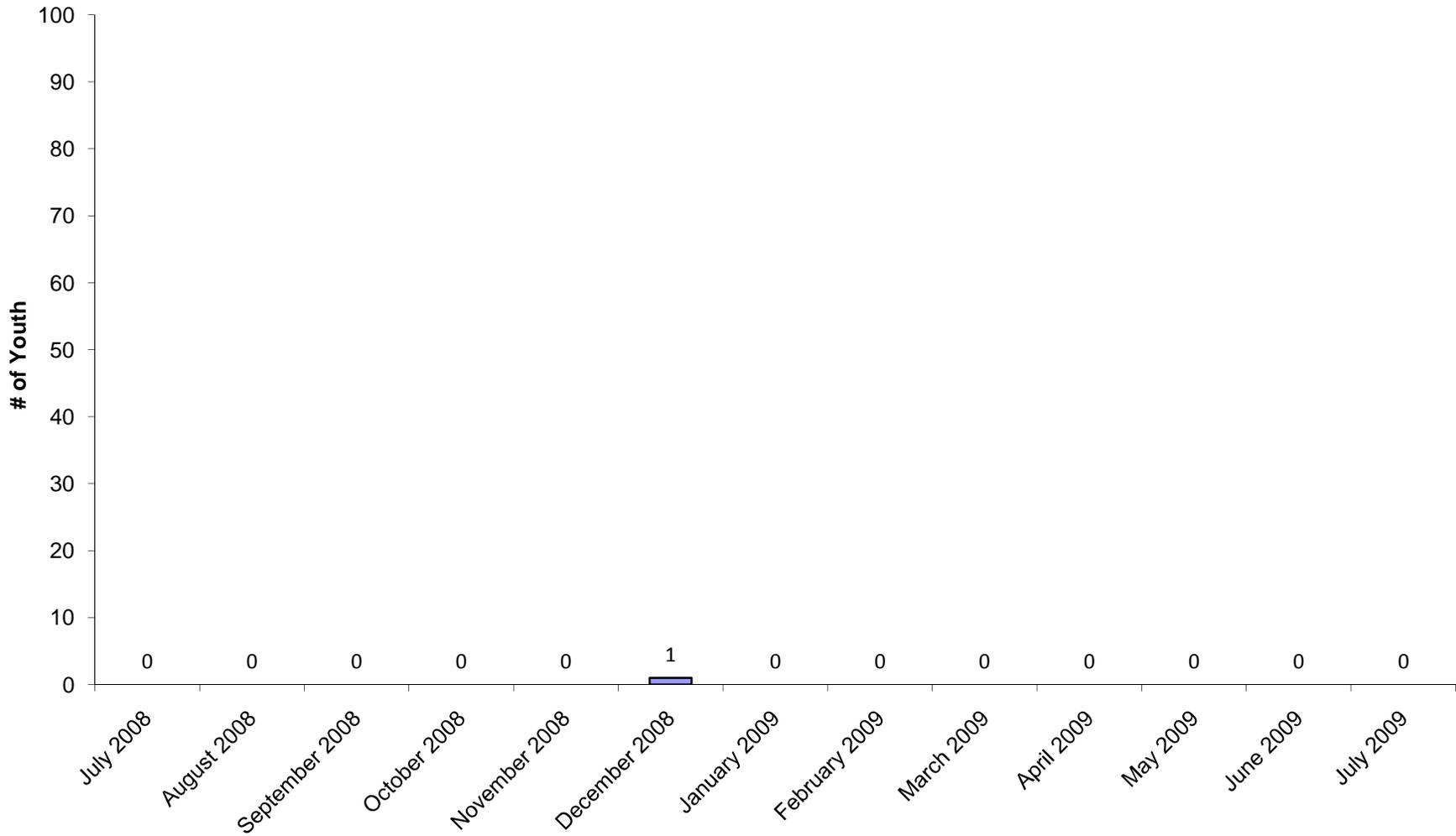
Year/ Month	ADP ¹	DDMS									
		PBD Extensions					Restorations				
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# PBD Extension Months Added	Average Number of PBD Extension Months Added per Hearing	Average Number of PBD Extension Months Added per Youth	# of PBD Extension Time Restore Hearings	# Youth Who Had PBD Extension Time Restored	# PBD Extension Months Restored	Average Number of PBD Extension Months Restored per Hearing	Average Number of PBD Extension Months Restored per Youth
2008											
July	66	4	4	9	2.25	2.25	0	0	0	0.00	0.00
August	62	1	1	1	1.00	1.00	0	0	0	0.00	0.00
September	53	7	6	15	2.14	2.50	0	0	0	0.00	0.00
October	56	0	0	0	0.00	0.00	0	0	0	0.00	0.00
November	63	3	3	4	1.33	1.33	0	0	0	0.00	0.00
December	62	2	2	3	1.50	1.50	1	1	1	1.00	1.00
2009											
January	59	8	7	24	3.00	3.43	0	0	0	0.00	0.00
February	58	0	0	0	0.00	0.00	0	0	0	0.00	0.00
March	56	4	4	7	1.75	1.75	0	0	0	0.00	0.00
April	54	3	3	6	2.00	2.00	0	0	0	0.00	0.00
May	57	2	2	5	2.50	2.50	0	0	0	0.00	0.00
June	54	1	1	2	2.00	2.00	0	0	0	0.00	0.00
July	53	2	2	2	1.00	1.00	0	0	0	0.00	0.00

1 Average Daily Population (ADP) for YA cases only.

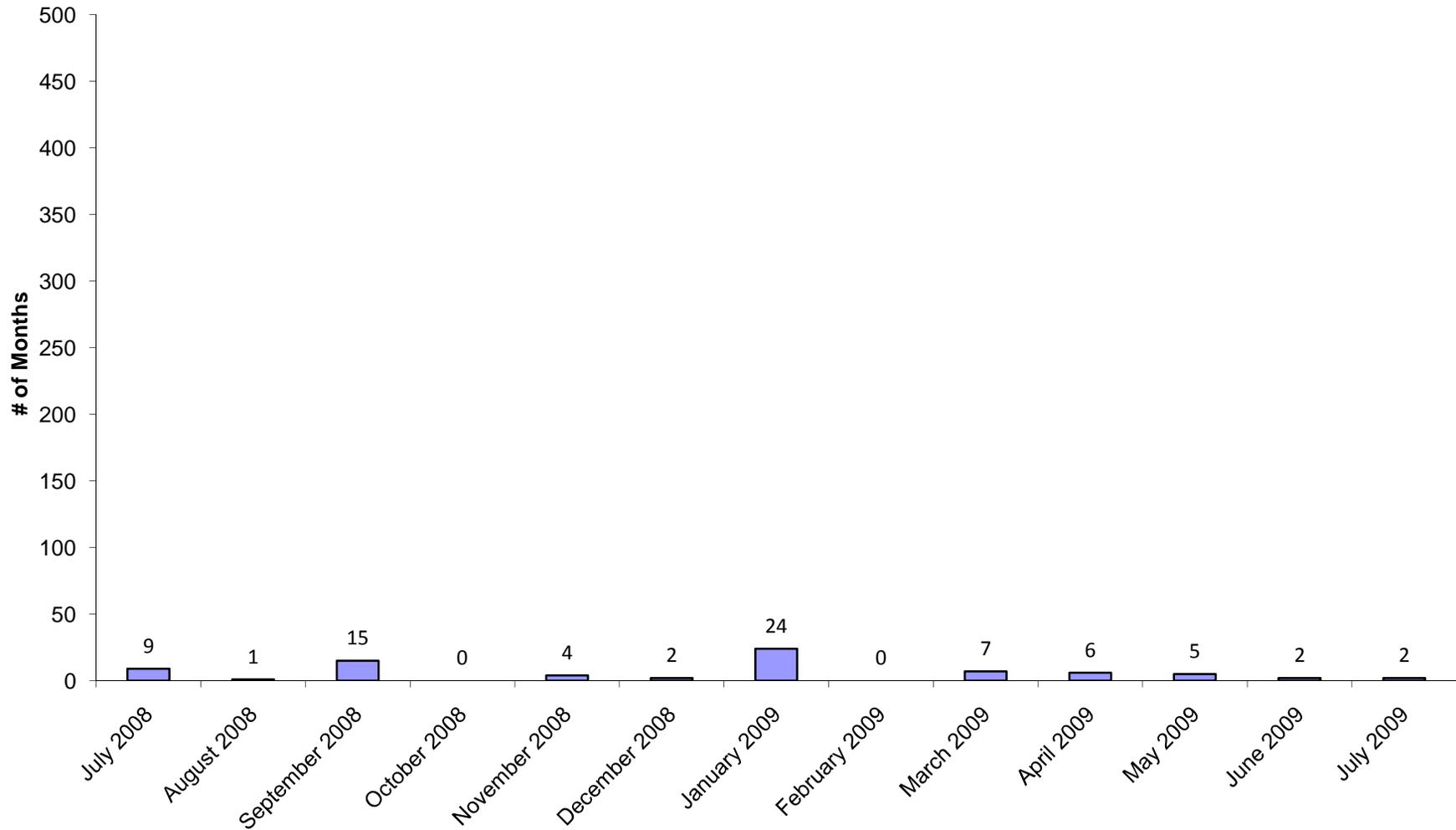
CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Percentage of Youth Who Received a Projected Board Date (PBD) Extension for
First Admissions and Recommitments to
Pine Grove Youth Conservation Camp



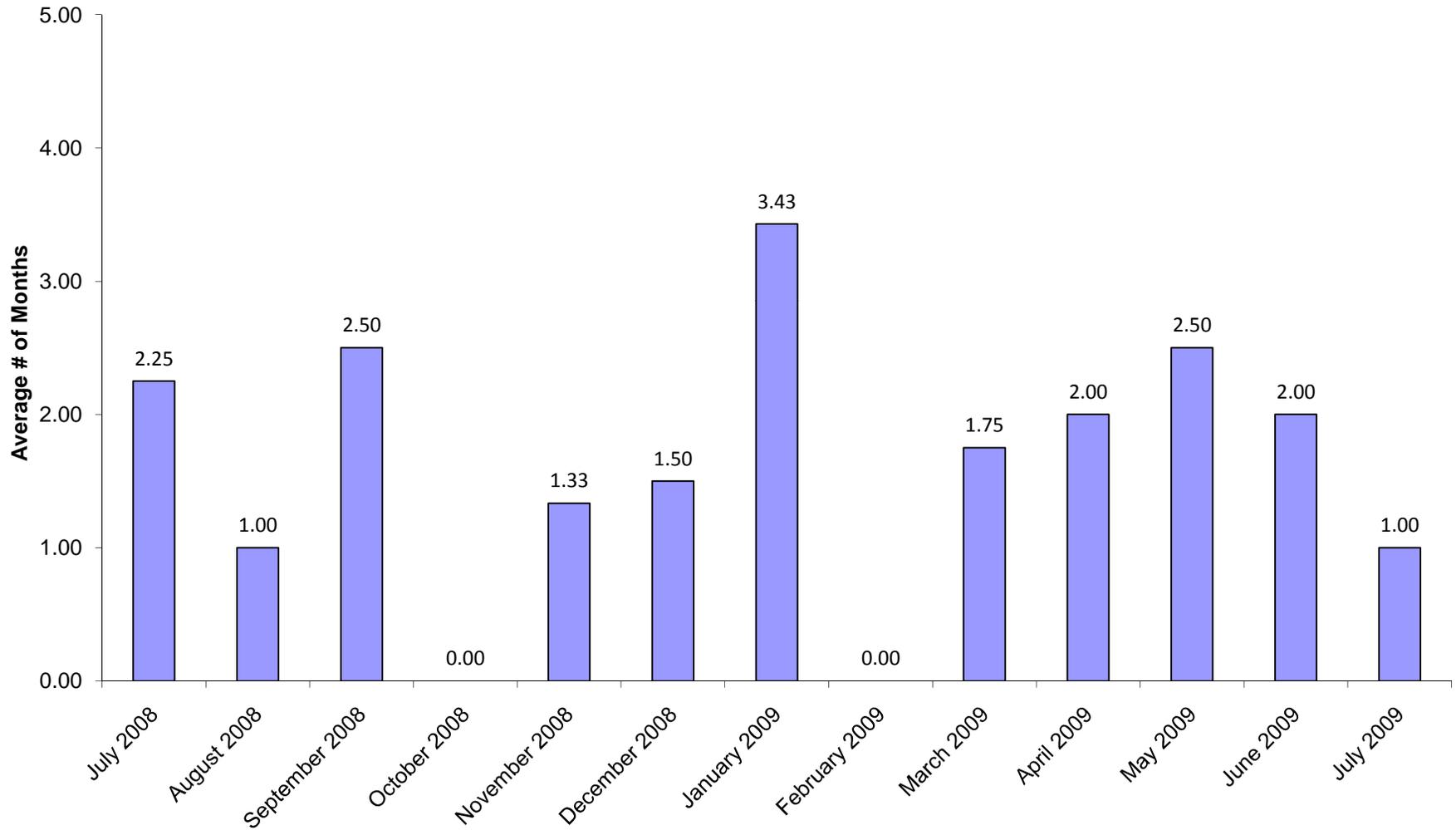
CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Number of Youth Who Received Projected Board Date (PBD) Time Restorations for
First Admissions and Recommitments to
Pine Grove Youth Conservation Camp



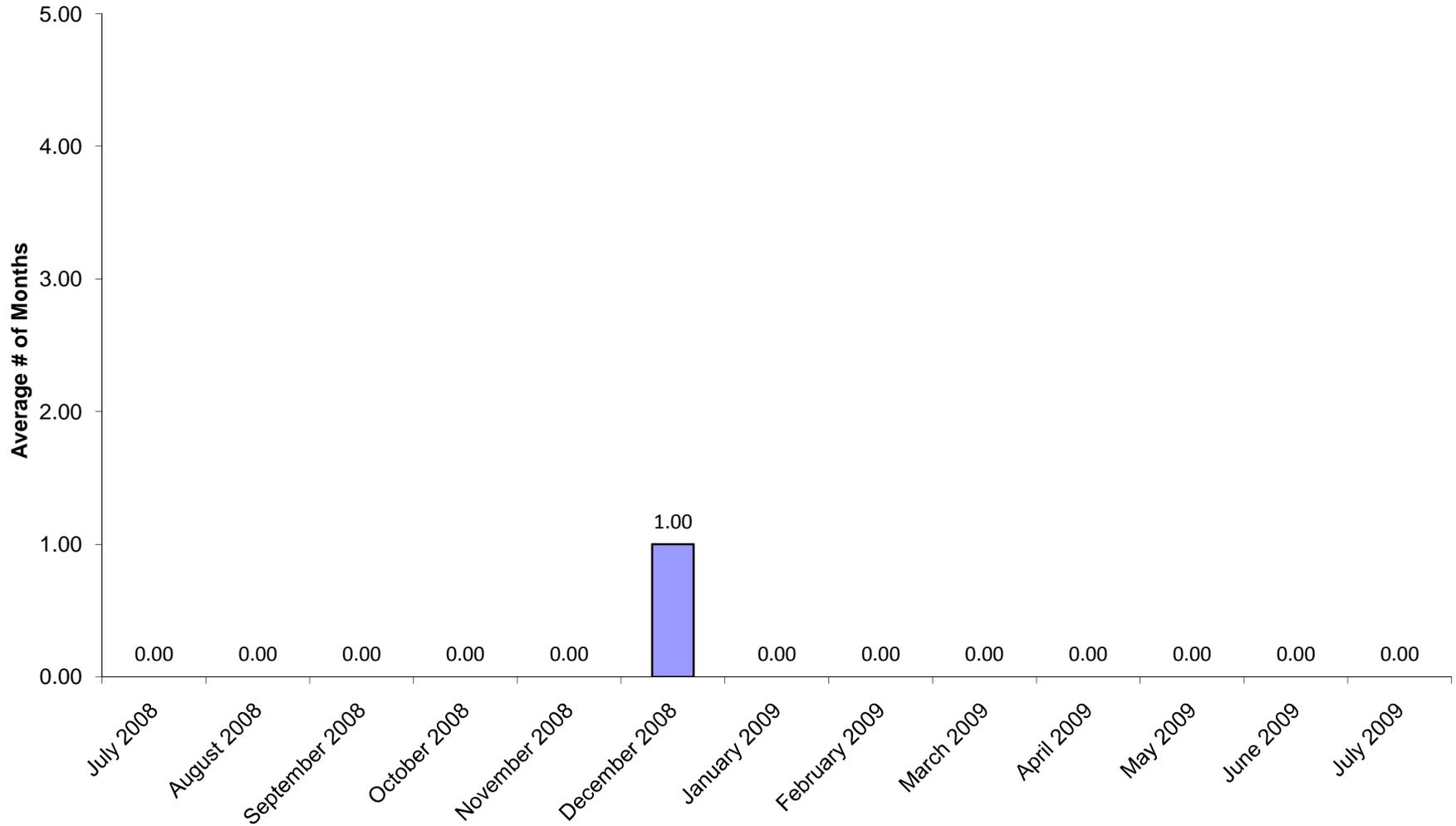
CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Net Number of Months of Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
Pine Grove Youth Conservation Camp



CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Extension Months Added per Youth for
First Admissions and Recommitments to
Pine Grove Youth Conservation Camp



CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Months Restored per Youth for
First Admissions and Recommitments to
Pine Grove Youth Conservation Camp



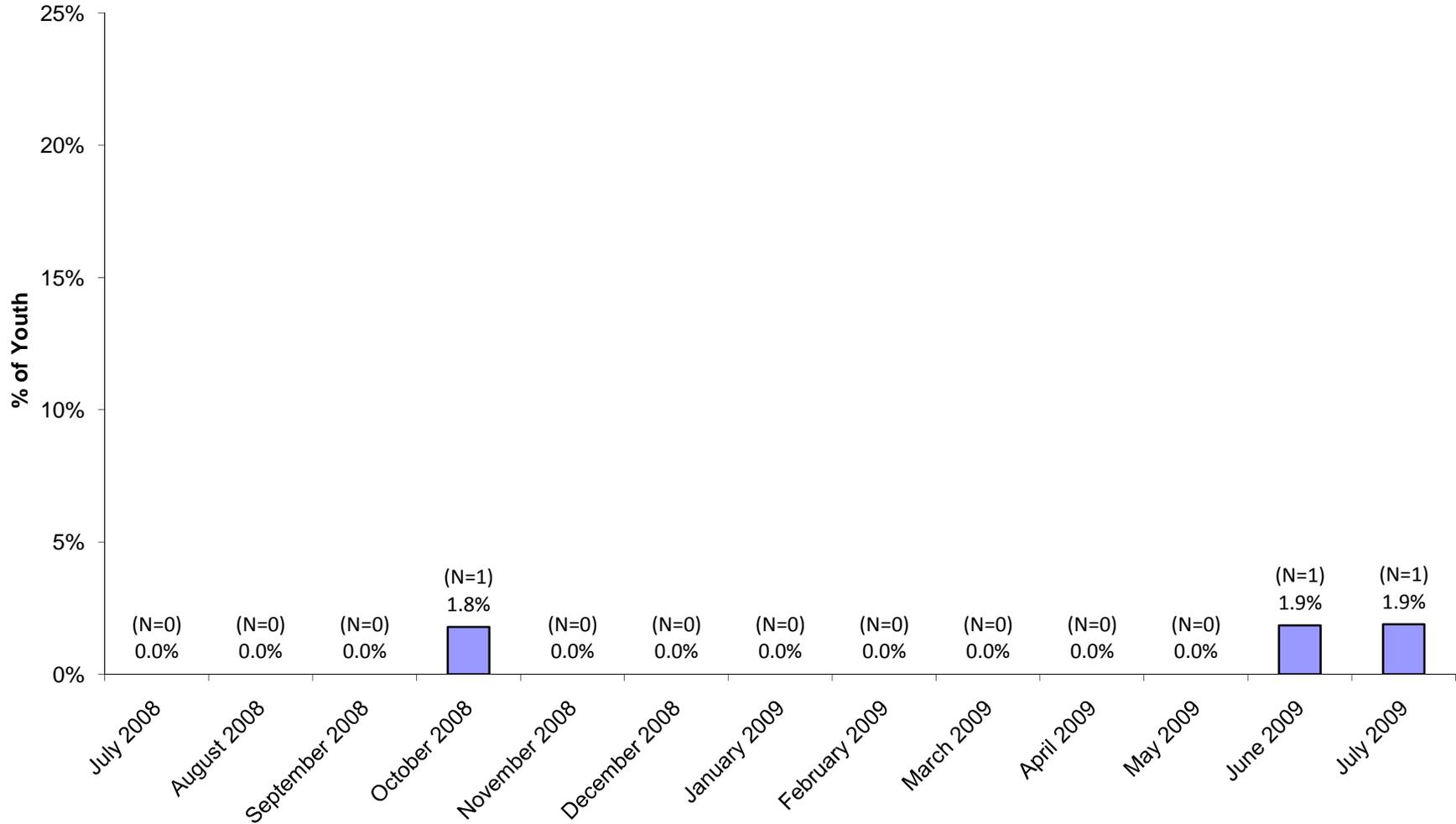
California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of
Projected Board Date (PBD) Extensions for Treatment/Training and Program Credits for
First Admissions and Recommitments to
Pine Grove Youth Conservation Camp

Year/ Month	ADP ²	Program ¹							
		PBD Extensions				Credits			
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# of PBD Extension Months Added	Average Number of PBD Extension Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Months Program Months Credited	Average Number of Program Months Cut per Youth
2008									
July	66	0	0	0	0.00	3	3	6	2.00
August	62	0	0	0	0.00	4	4	5	1.25
September	53	0	0	0	0.00	7	7	13	1.86
October	56	1	1	5	5.00	6	6	12	2.00
November	63	0	0	0	0.00	3	3	5	1.67
December	62	0	0	0	0.00	7	7	19	2.71
2009									
January	59	0	0	0	0.00	4	4	8	2.00
February	58	0	0	0	0.00	2	2	5	2.50
March	56	0	0	0	0.00	10	10	25	2.50
April	54	0	0	0	0.00	7	7	22	3.14
May	57	0	0	0	0.00	6	6	15	2.50
June	54	1	1	1	1.00	3	3	6	2.00
July	53	1	1	4	4.00	5	5	10	2.00

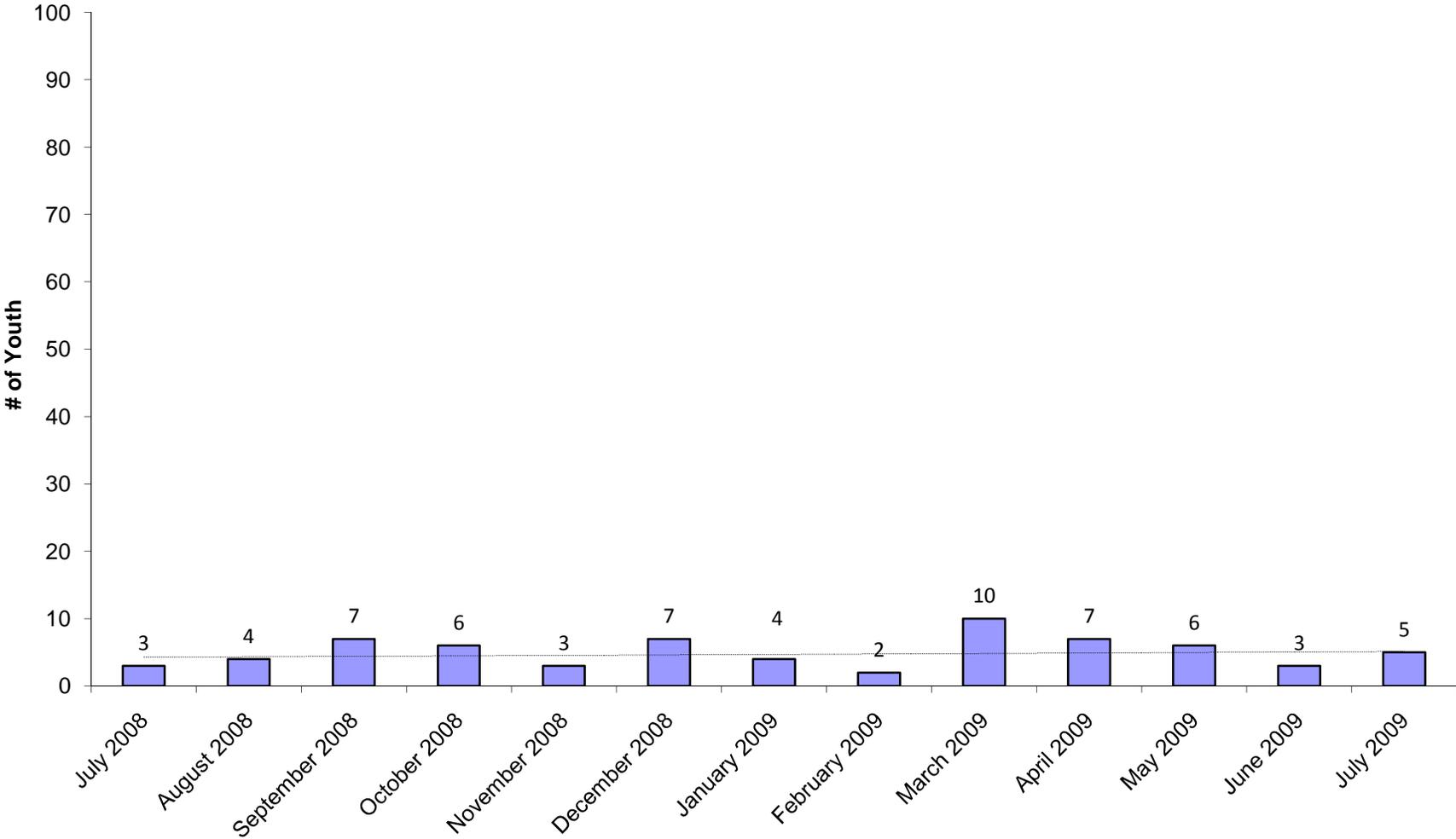
1 WIC-1800 time adds included; Additional Commitment time adds not included.

2 Average Daily Population (ADP) for YA cases only.

CDCR DJJ
Monthly Tracking of Treatment/Training
Percentage of Youth Who Received a PBD Extension for
First Admissions and Recommitments to
Pine Grove Youth Conservation Camp

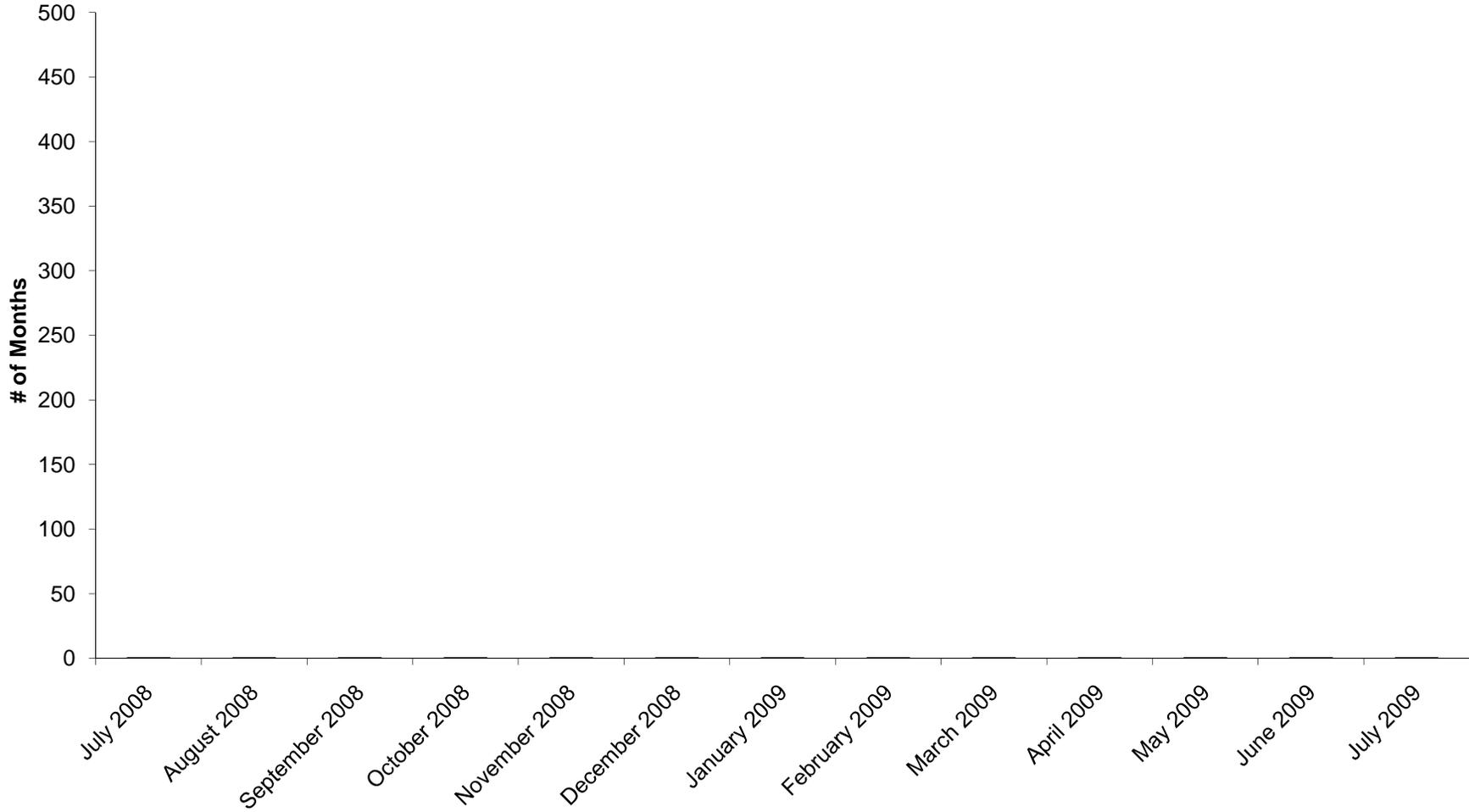


CDCR DJJ
Monthly Tracking of Treatment/Training
Number of Youth Who Received Program Credits for
First Admissions and Recommitments to
Pine Grove Youth Conservation Camp

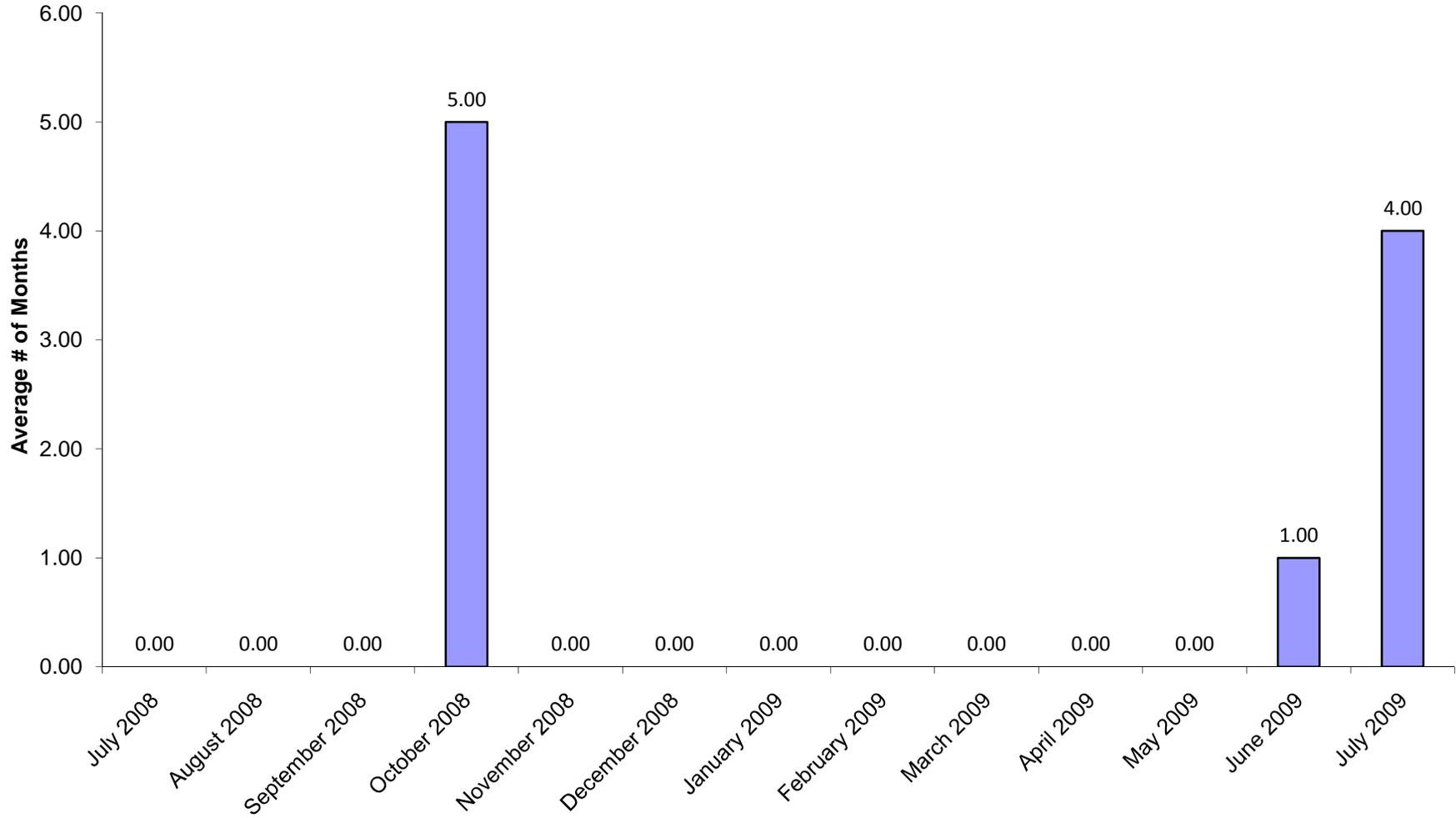


Note: This chart depicts an "exponential" trend line.

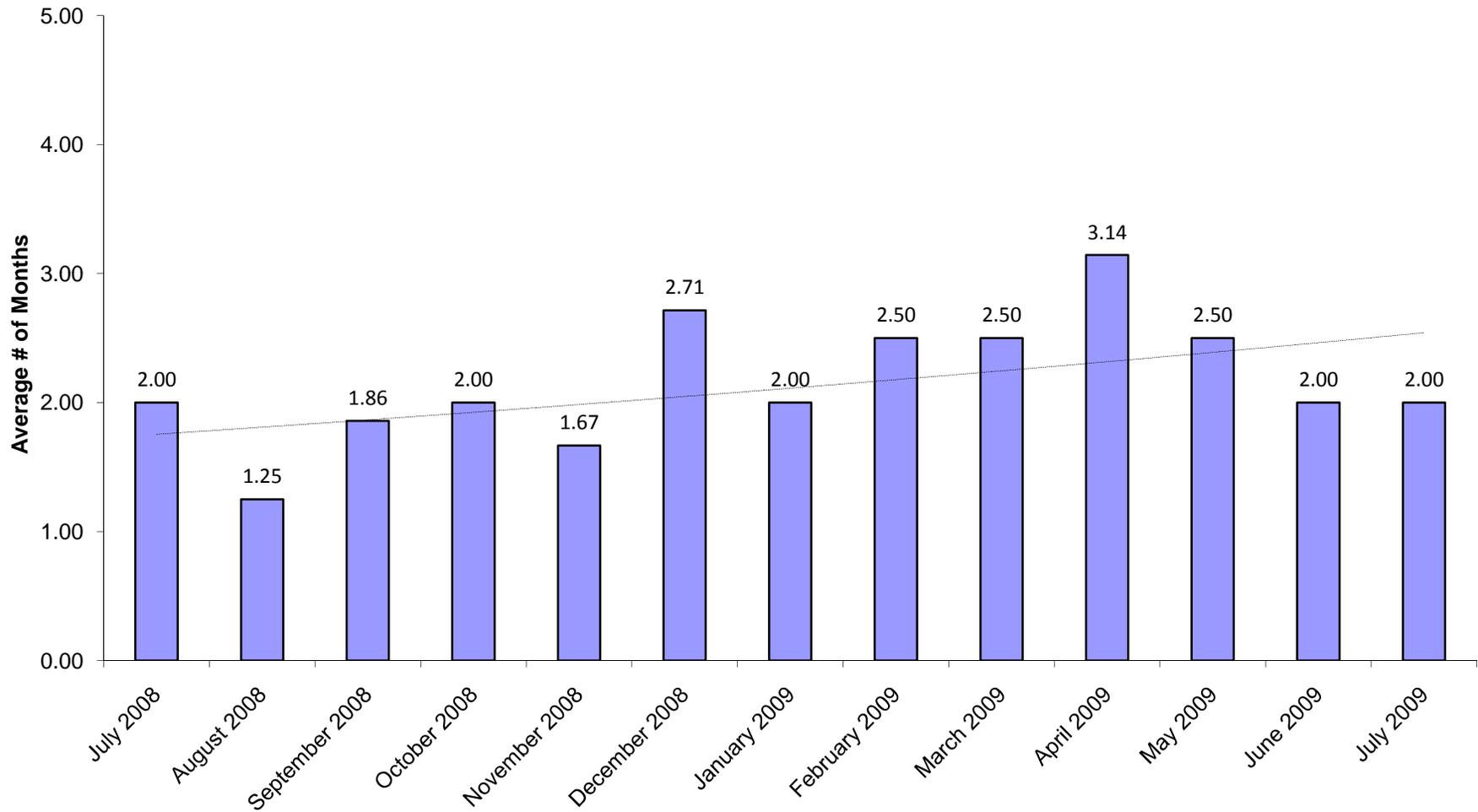
**CDCR DJJ
Monthly Tracking of Treatment/Training
Net Number of Months for Program PBD Extensions / Credits for
First Admissions and Recommitments to
Pine Grove Youth Conservation Camp**



**CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of PBD Extension Months Added per Youth for
First Admissions and Recommitments to
Pine Grove Youth Conservation Camp**



CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of Program Credits per Youth for
First Admissions and Recommitments to
Pine Grove Youth Conservation Camp



Note: This chart depicts an "exponential" trend line.

**California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
 Pine Grove Youth Conservation Camp**

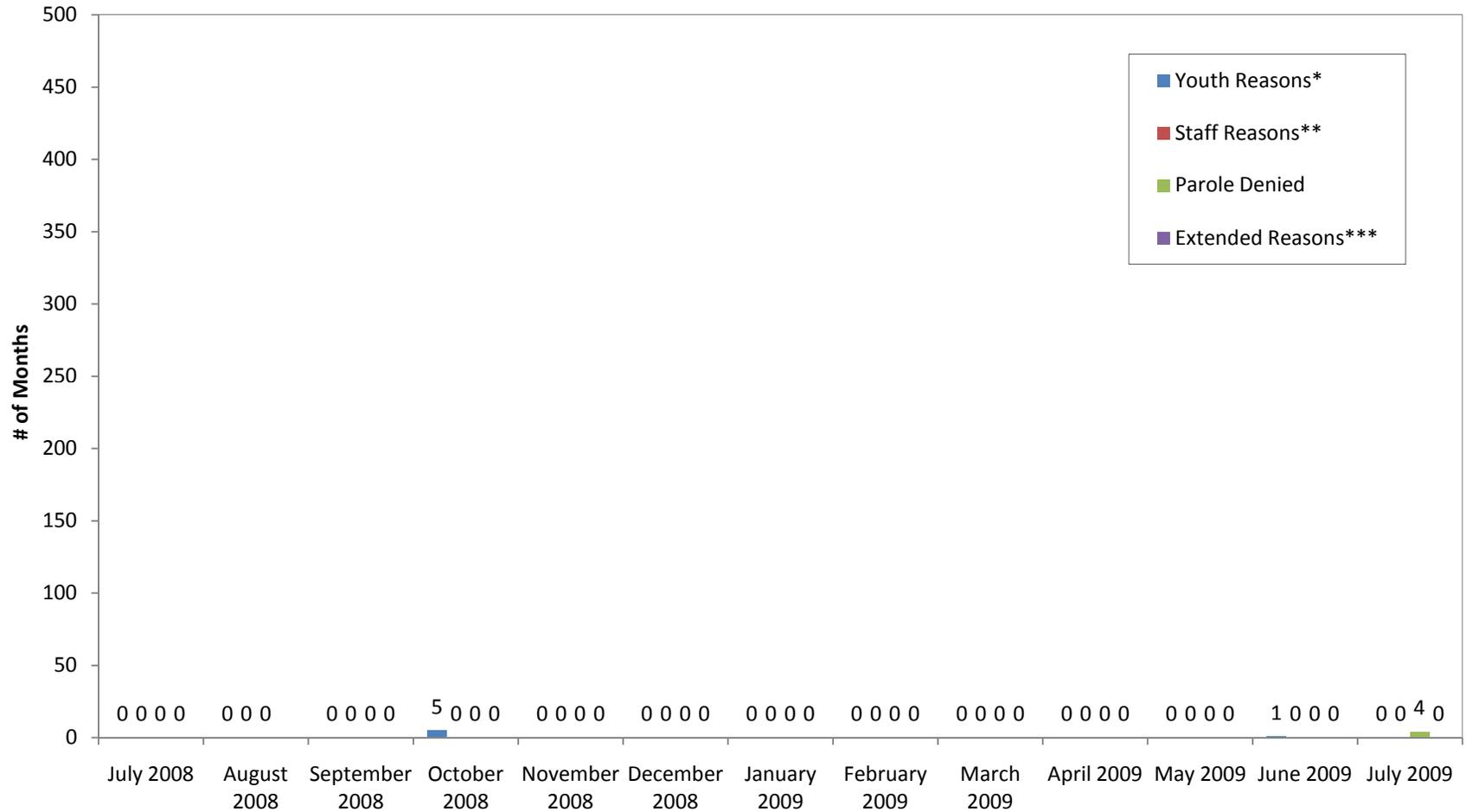
	Youth Reasons*	Staff Reasons**	Parole Denied	Extended Reasons***	Total
July 2008	0	0	0	0	0
August 2008	0	0	0	0	0
September 2008	0	0	0	0	0
October 2008	5	0	0	0	5
November 2008	0	0	0	0	0
December 2008	0	0	0	0	0
January 2009	0	0	0	0	0
February 2009	0	0	0	0	0
March 2009	0	0	0	0	0
April 2009	0	0	0	0	0
May 2009	0	0	0	0	0
June 2009	1	0	0	0	1
July 2009	0	0	4	0	4

* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.

** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.

***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

CDCR DJJ
Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
Pine Grove Youth Conservation Camp



* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.
 ** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.
 ***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Revocation Extensions (Rev-Ext)* and Program Credits for
Parole Violators in
Pine Grove Youth Conservation Camp**

Year/ Month	ADP ¹	Revocation Extensions					Program Credits				
		# of Rev-Ext Hearings	# of Youth Who Had a Rev-Ext	# Rev-Ext Months Added	Average Number of Rev-Ext Months Added per Hearing	Average Number of Rev-Ext Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Program Months Credited	Average Number of Program Months Credited per Hearing	Average Number of Program Months Credited per Youth
2008											
July	7	0	0	0	0.00	0.00	2	2	2	1.00	1.00
August	6	0	0	0	0.00	0.00	0	0	0	0.00	0.00
September	5	0	0	0	0.00	0.00	2	2	2	1.00	1.00
October	3	1	1	3	3.00	3.00	0	0	0	0.00	0.00
November	3	0	0	0	0.00	0.00	0	0	0	0.00	0.00
December	1	0	0	0	0.00	0.00	1	1	1	1.00	1.00
2009											
January	1	0	0	0	0.00	0.00	0	0	0	0.00	0.00
February	1	0	0	0	0.00	0.00	0	0	0	0.00	0.00
March	1	0	0	0	0.00	0.00	0	0	0	0.00	0.00
April	1	0	0	0	0.00	0.00	0	0	0	0.00	0.00
May	2	0	0	0	0.00	0.00	1	1	1	1.00	1.00
June	3	0	0	0	0.00	0.00	0	0	0	0.00	0.00
July	5	0	0	0	0.00	0.00	0	0	0	0.00	0.00

* Prior to implementation of the LH lawsuit on December 15, 2008, Revocation Extensions were referred to as "DDMS extensions".

California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Program* Projected Board Date (PBD)
Extensions for Treatment/Training (Pre L.H. Lawsuit) for
Parole Violators in
Pine Grove Youth Conservation Camp

Year/ Month	ADP ²	Program				
		Time Adds ¹				
		# of Program Time Add Hearings	# of Youth Who Had Program Time Added	# of Program Months Added	Average Number of Program Months Added per Hearing	Average Number of Program Months Added per Youth
2008						
July	7	1	1	3	3.00	3.00
August	6	0	0	0	0.00	0.00
September	5	0	0	0	0.00	0.00
October	3	1	1	3	3.00	3.00
November	3	0	0	0	0.00	0.00
December	1	0	0	0	0.00	0.00
2009						
January	1	0	0	0	0.00	0.00

* As of December 15, 2008, parole violators no longer receive PBD Extensions for DDMS or treatment/training.
Due to processing time frames, the youth reported in December 2008 reflect orders/hearings that originated prior to December 15, 2008.

1 WIC-1800 time adds included; Additional Commitment time adds not included.

2 Average Daily Population (ADP) for YA cases only.

Section IX:

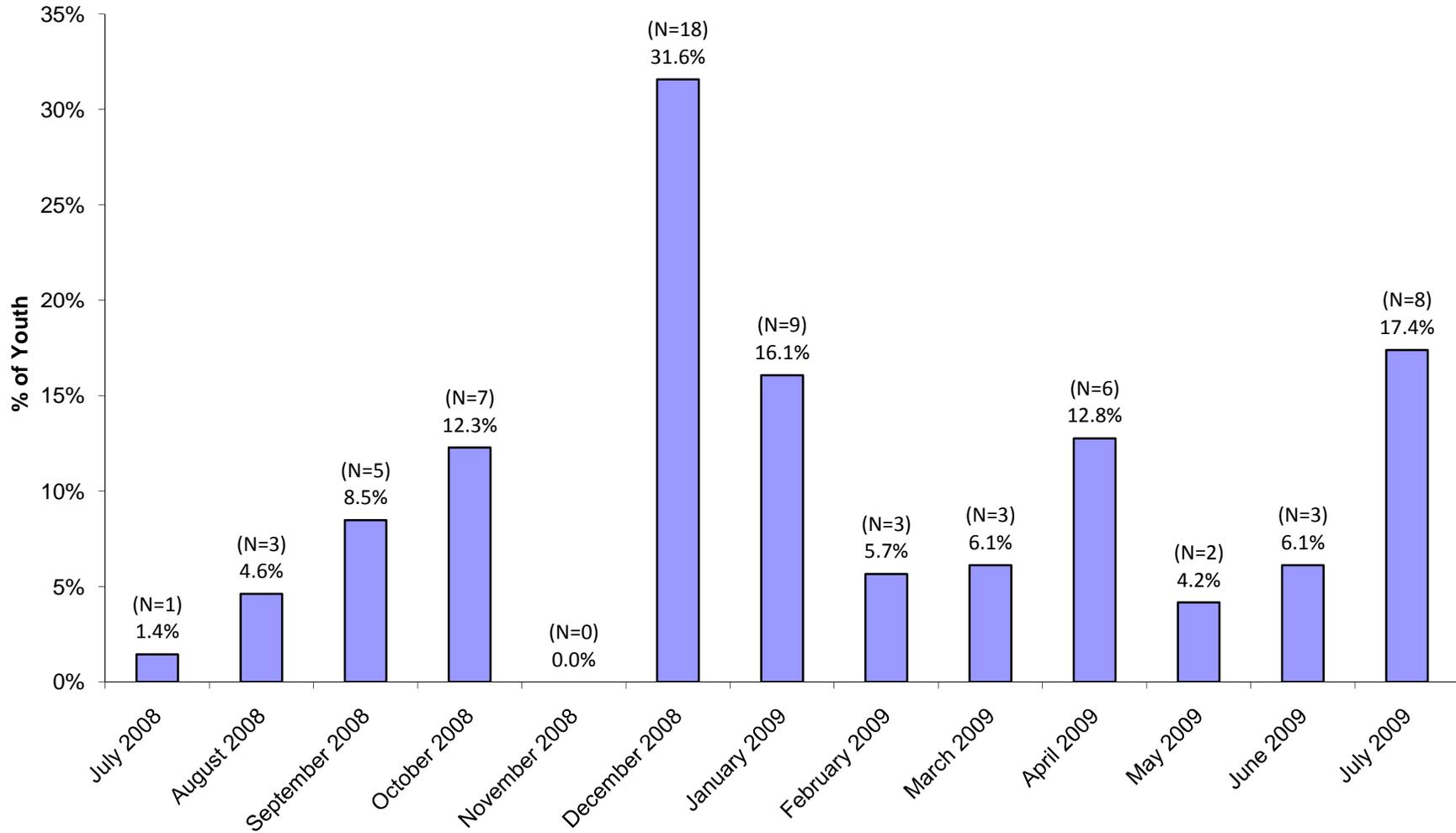
**Sylvester Carraway
Public Service and Fire Center
(also known as Ventura Camp)**

**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
Sylvester Carraway Public Service and Fire Center (also known as Ventura Camp)**

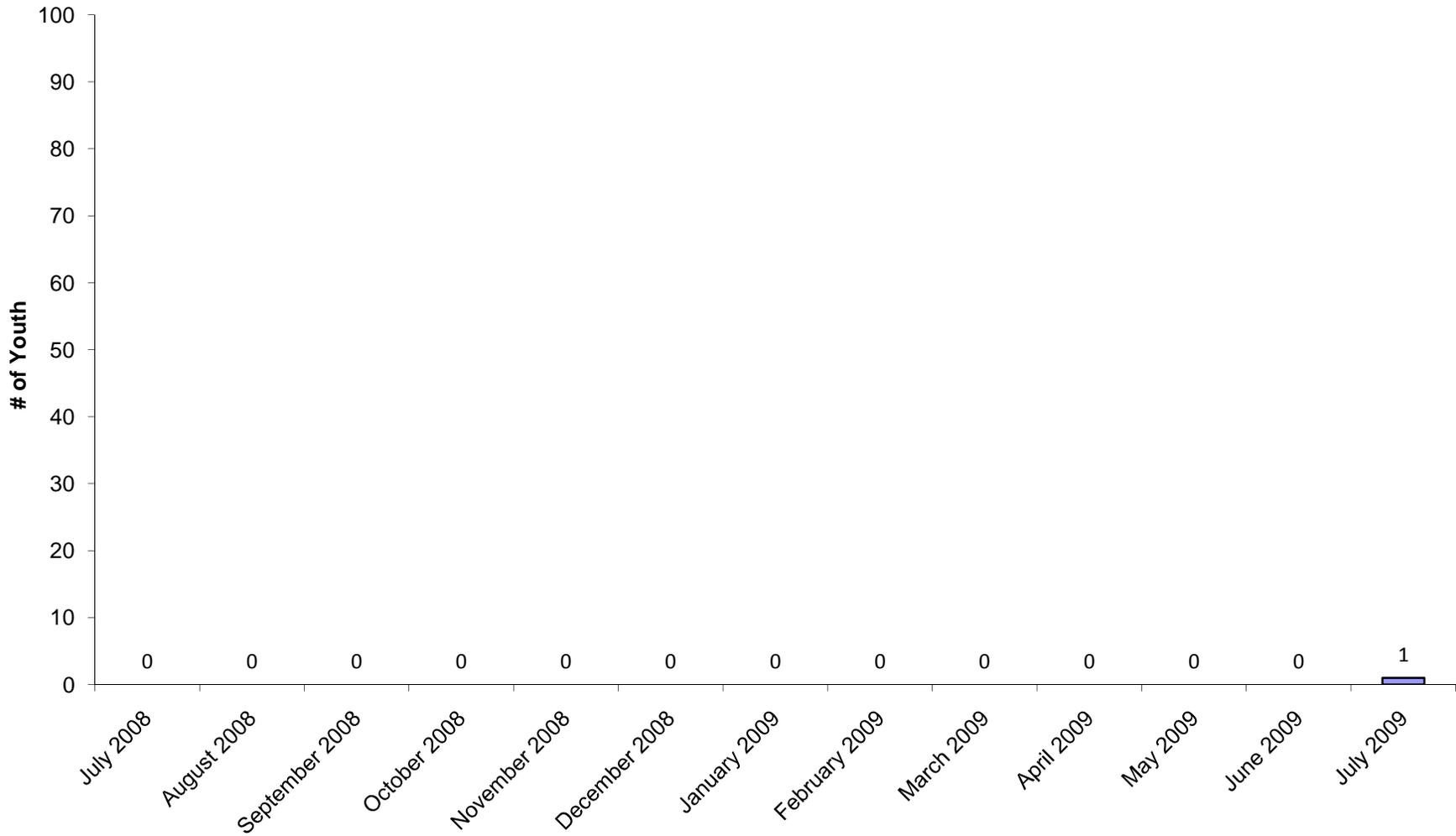
Year/ Month	ADP ¹	DDMS									
		PBD Extensions					Restorations				
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# PBD Extension Months Added	Average Number of PBD Extension Months Added per Hearing	Average Number of PBD Extension Months Added per Youth	# of PBD Extension Time Restore Hearings	# Youth Who Had PBD Extension Time Restored	# PBD Extension Months Restored	Average Number of PBD Extension Months Restored per Hearing	Average Number of PBD Extension Months Restored per Youth
2008											
July	69	1	1	2	2.00	2.00	0	0	0	0.00	0.00
August	65	3	3	7	2.33	2.33	0	0	0	0.00	0.00
September	59	5	5	16	3.20	3.20	0	0	0	0.00	0.00
October	57	7	7	16	2.29	2.29	0	0	0	0.00	0.00
November	60	0	0	0	0.00	0.00	0	0	0	0.00	0.00
December	57	19	18	33	1.74	1.83	0	0	0	0.00	0.00
2009											
January	56	9	9	12	1.33	1.33	0	0	0	0.00	0.00
February	53	3	3	8	2.67	2.67	0	0	0	0.00	0.00
March	49	3	3	10	3.33	3.33	0	0	0	0.00	0.00
April	47	7	6	23	3.29	3.83	0	0	0	0.00	0.00
May	48	2	2	4	2.00	2.00	0	0	0	0.00	0.00
June	49	3	3	7	2.33	2.33	0	0	0	0.00	0.00
July	46	9	8	25	2.78	3.13	1	1	2	2.00	2.00

1 Average Daily Population (ADP) for YA cases only.

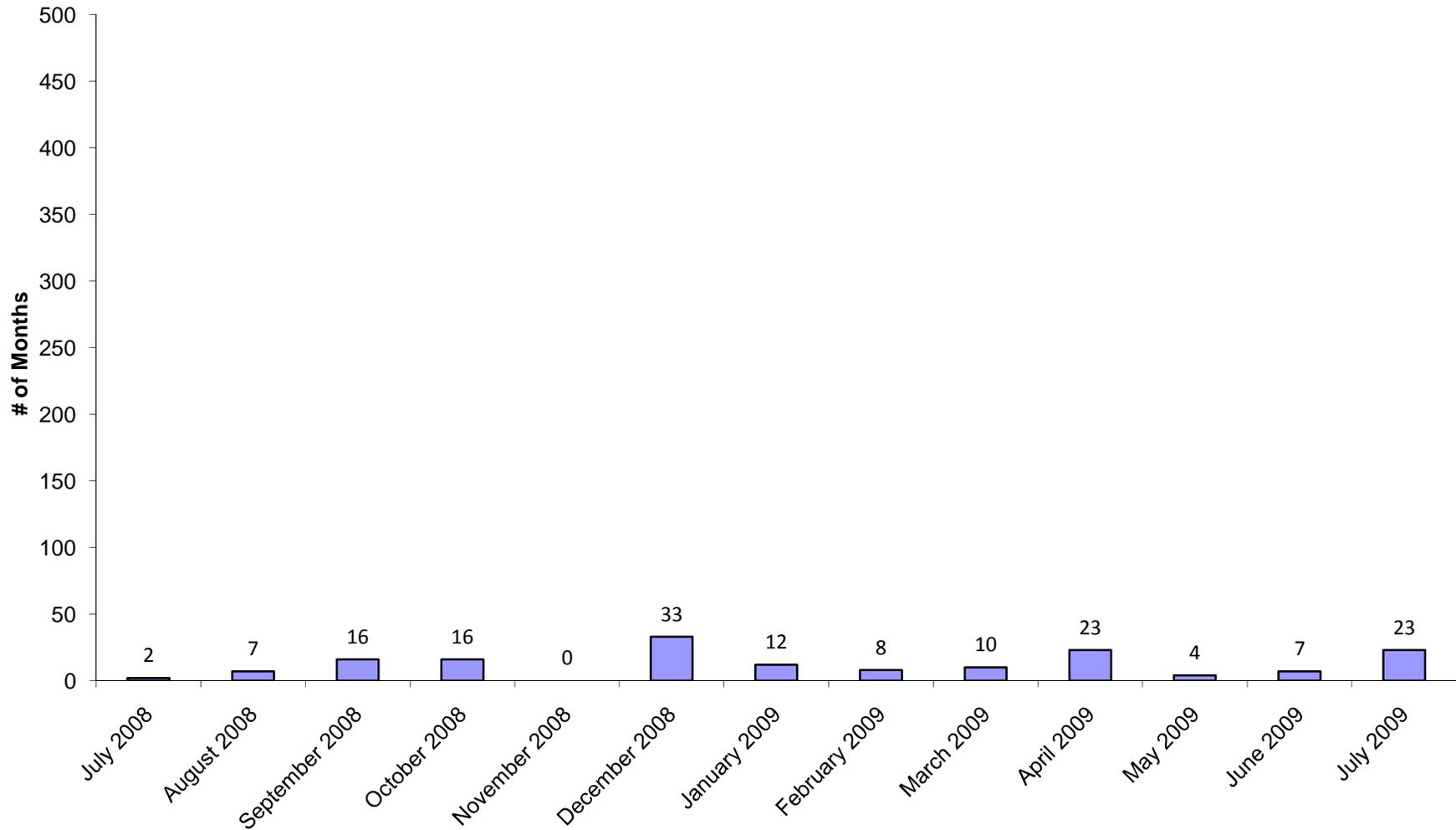
**CDCR DJJ
 Monthly Tracking of Disciplinary Decision-Making System (DDMS)
 Percentage of Youth Who Received a Projected Board Date (PBD) Extension for
 First Admissions and Recommitments to
 Ventura Camp**



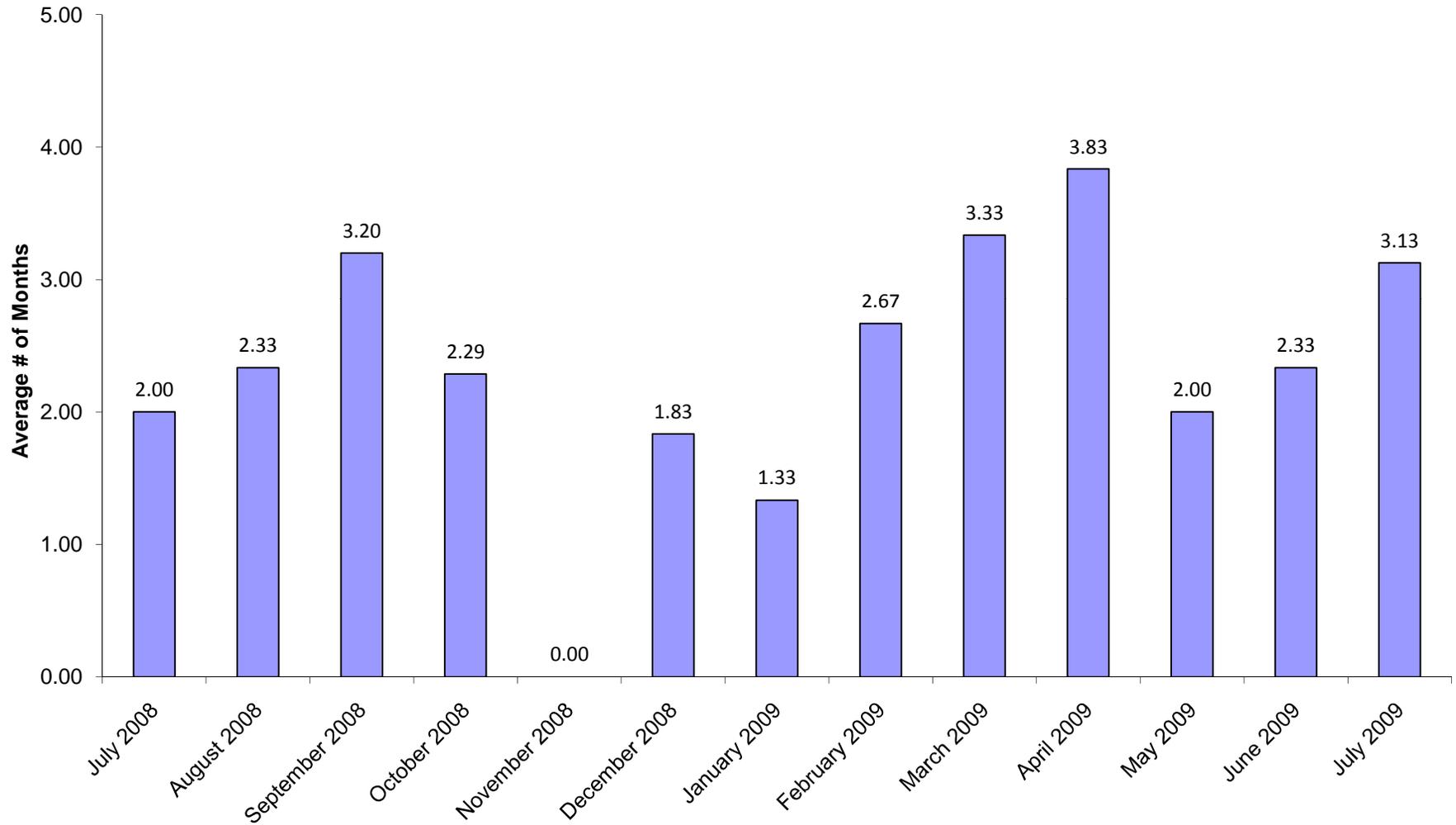
CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Number of Youth Who Received Projected Board Date (PBD) Time Restorations for
First Admissions and Recommitments to
Ventura Camp



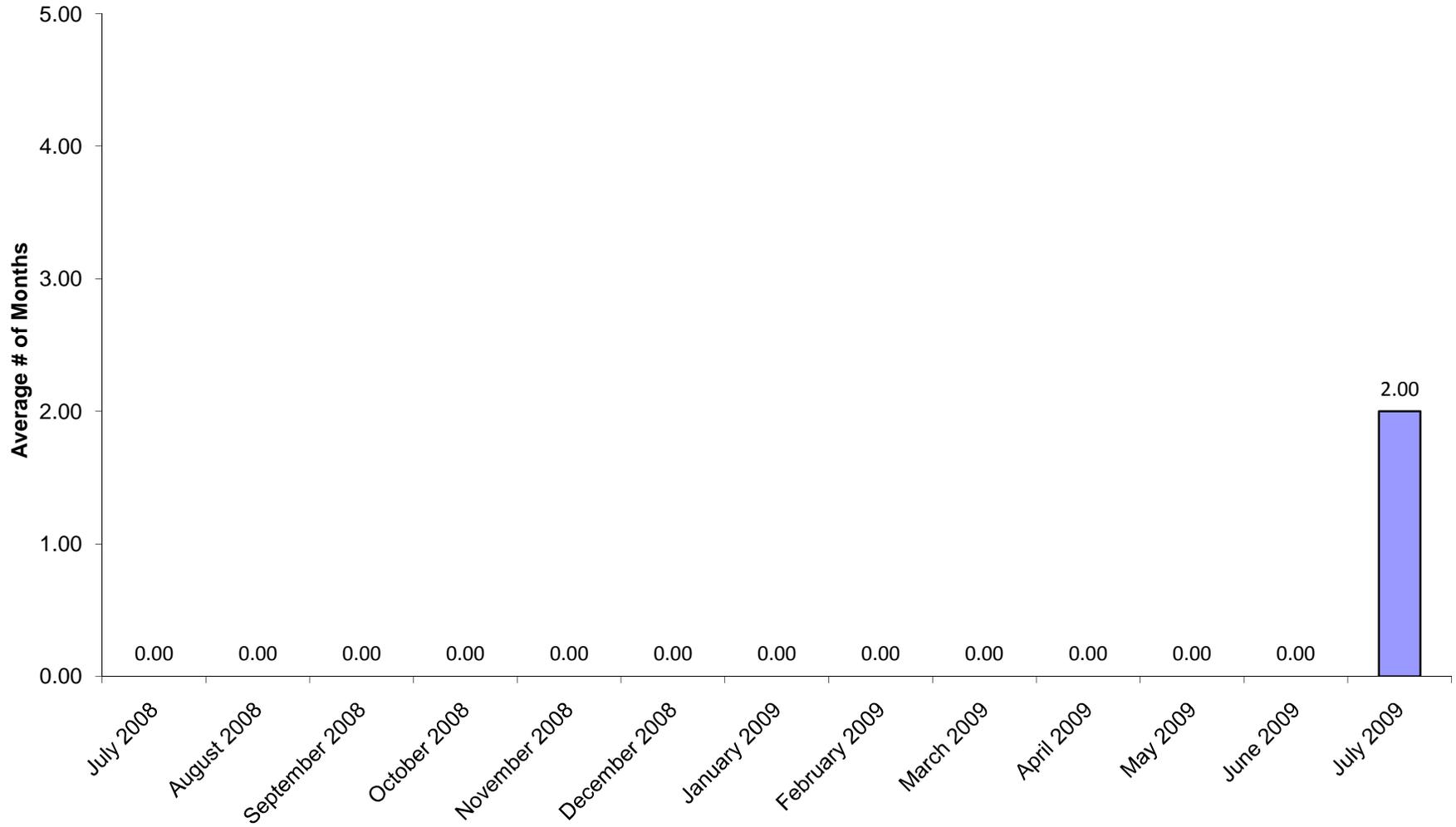
CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Net Number of Months of Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
Ventura Camp



CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Extension Months Added per Youth for
First Admissions and Recommitments to
Ventura Camp



CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Months Restored per Youth for
First Admissions and Recommitments to
Ventura Camp



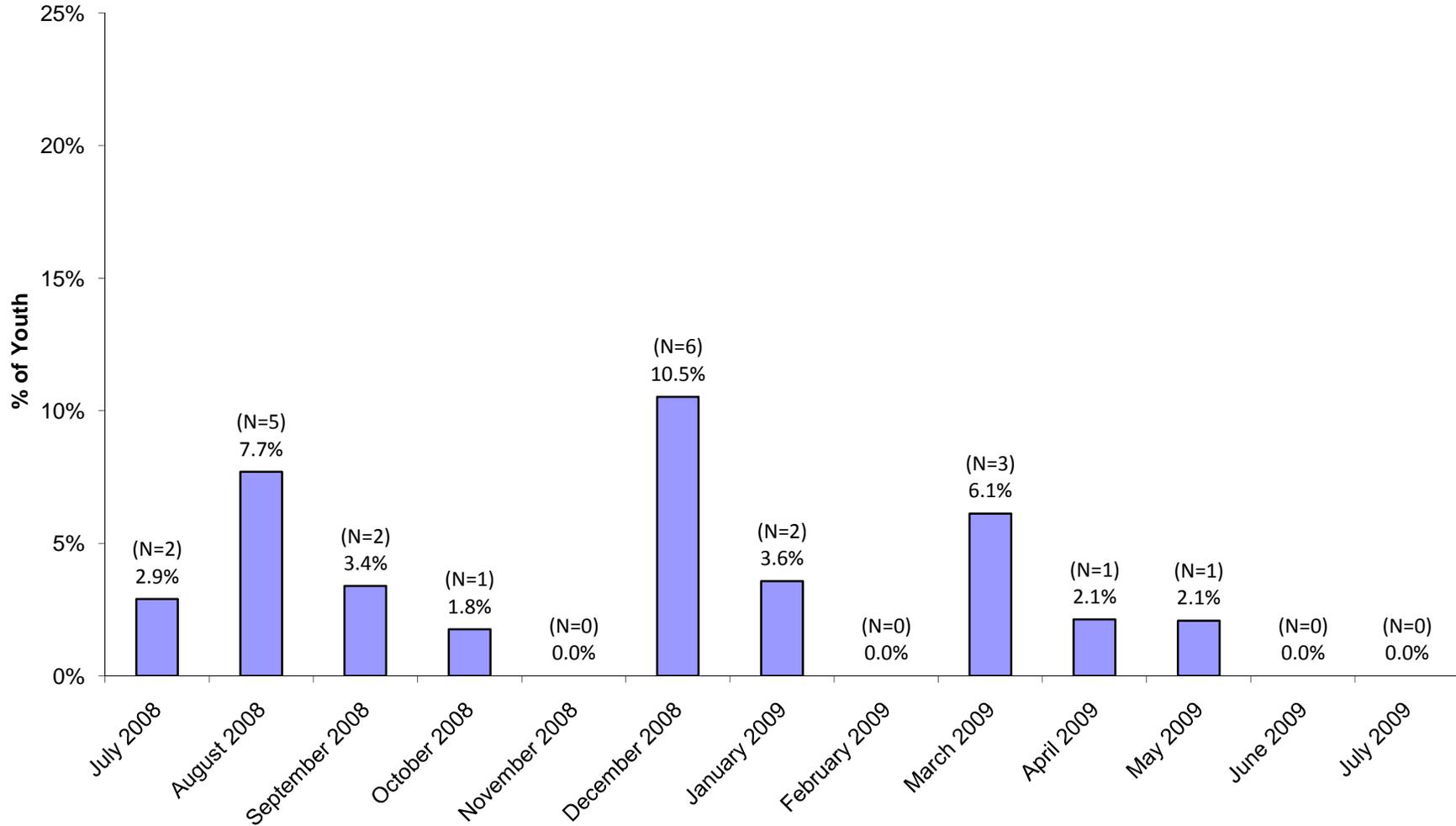
California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Monthly Tracking of
 Projected Board Date (PBD) Extensions for Treatment/Training and Program Credits for
 First Admissions and Recommitments to
 Sylvester Carraway Public Service and Fire Center (also known as Ventura Camp)

Year/ Month	ADP ²	Program ¹							
		PBD Extensions				Credits			
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# of PBD Extension Months Added	Average Number of PBD Extension Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Months Program Months Credited	Average Number of Program Months Cut per Youth
2008									
July	69	2	2	9	4.50	1	1	1	1.00
August	65	5	5	18	3.60	0	0	0	0.00
September	59	2	2	10	5.00	1	1	2	2.00
October	57	1	1	2	2.00	0	0	0	0.00
November	60	0	0	0	0.00	0	0	0	0.00
December	57	6	6	19	3.17	3	3	5	1.67
2009									
January	56	2	2	6	3.00	1	1	2	2.00
February	53	0	0	0	0.00	0	0	0	0.00
March	49	3	3	8	2.67	1	1	2	2.00
April	47	1	1	3	3.00	1	1	1	1.00
May	48	1	1	3	3.00	0	0	0	0.00
June	49	0	0	0	0.00	0	0	0	0.00
July	46	0	0	0	0.00	0	0	0	0.00

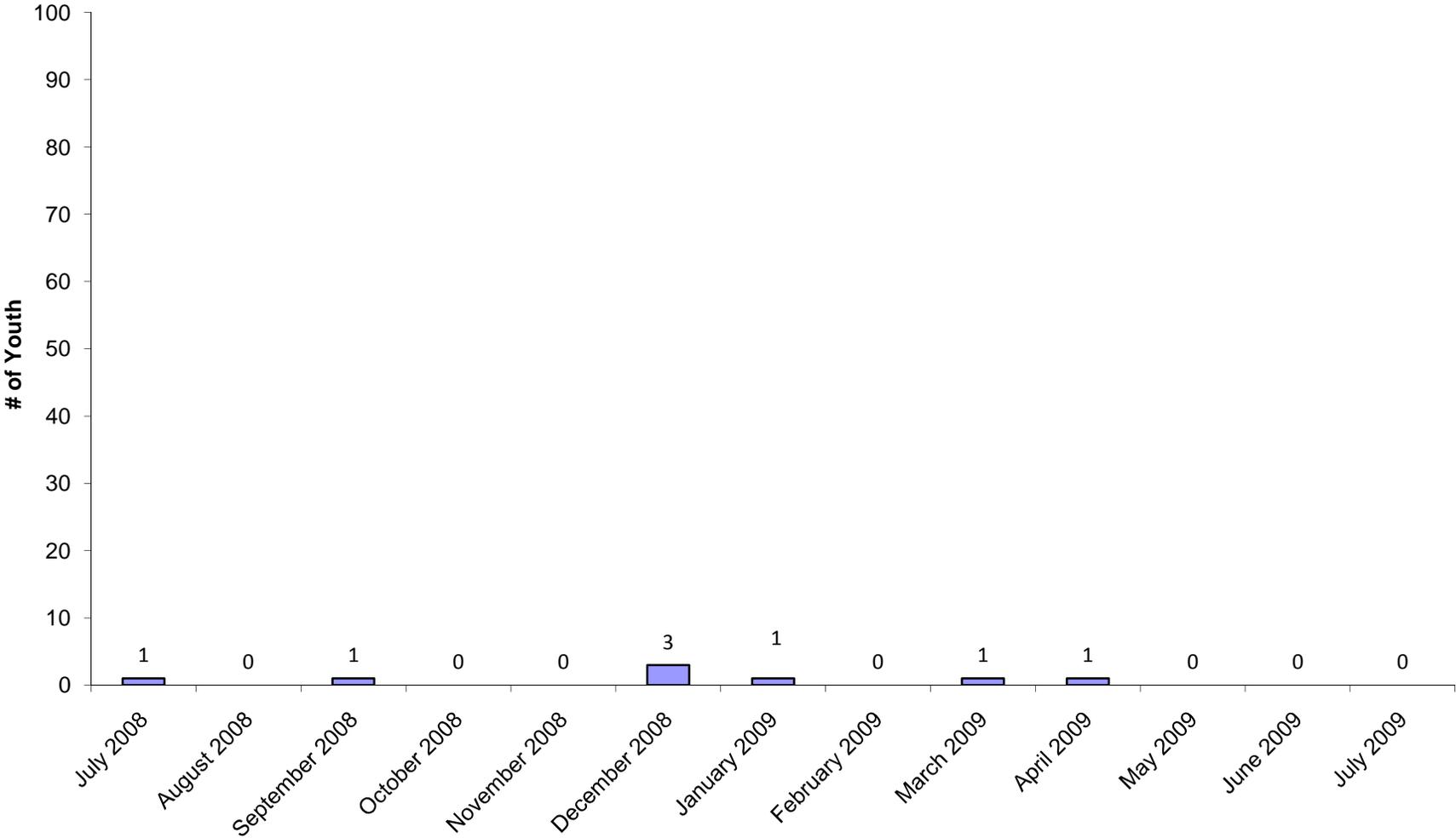
1 WIC-1800 time adds included; Additional Commitment time adds not included.

2 Average Daily Population (ADP) for YA cases only.

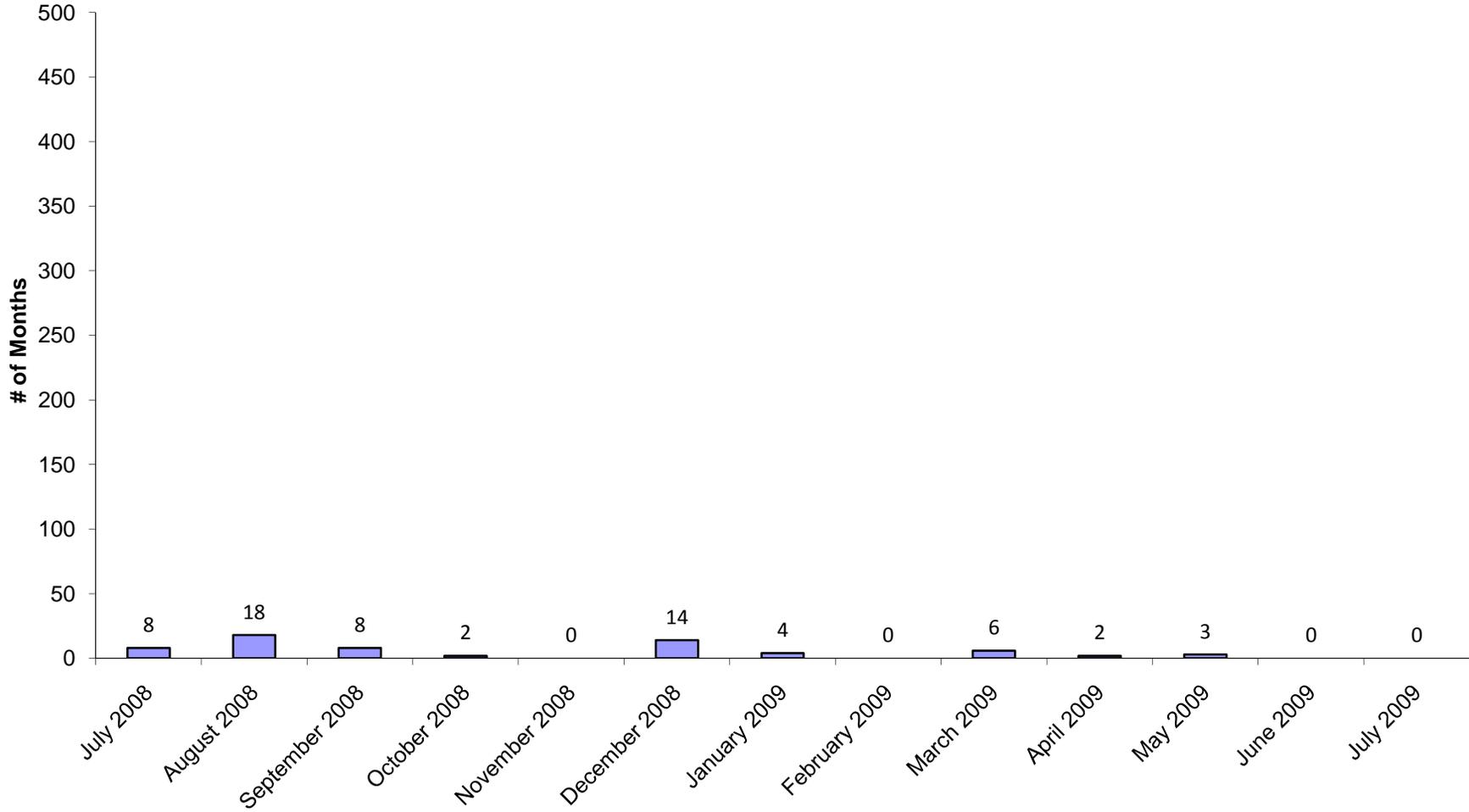
CDCR DJJ
Monthly Tracking of Treatment/Training
Percentage of Youth Who Received a PBD Extension for
First Admissions and Recommitments to
Ventura Camp



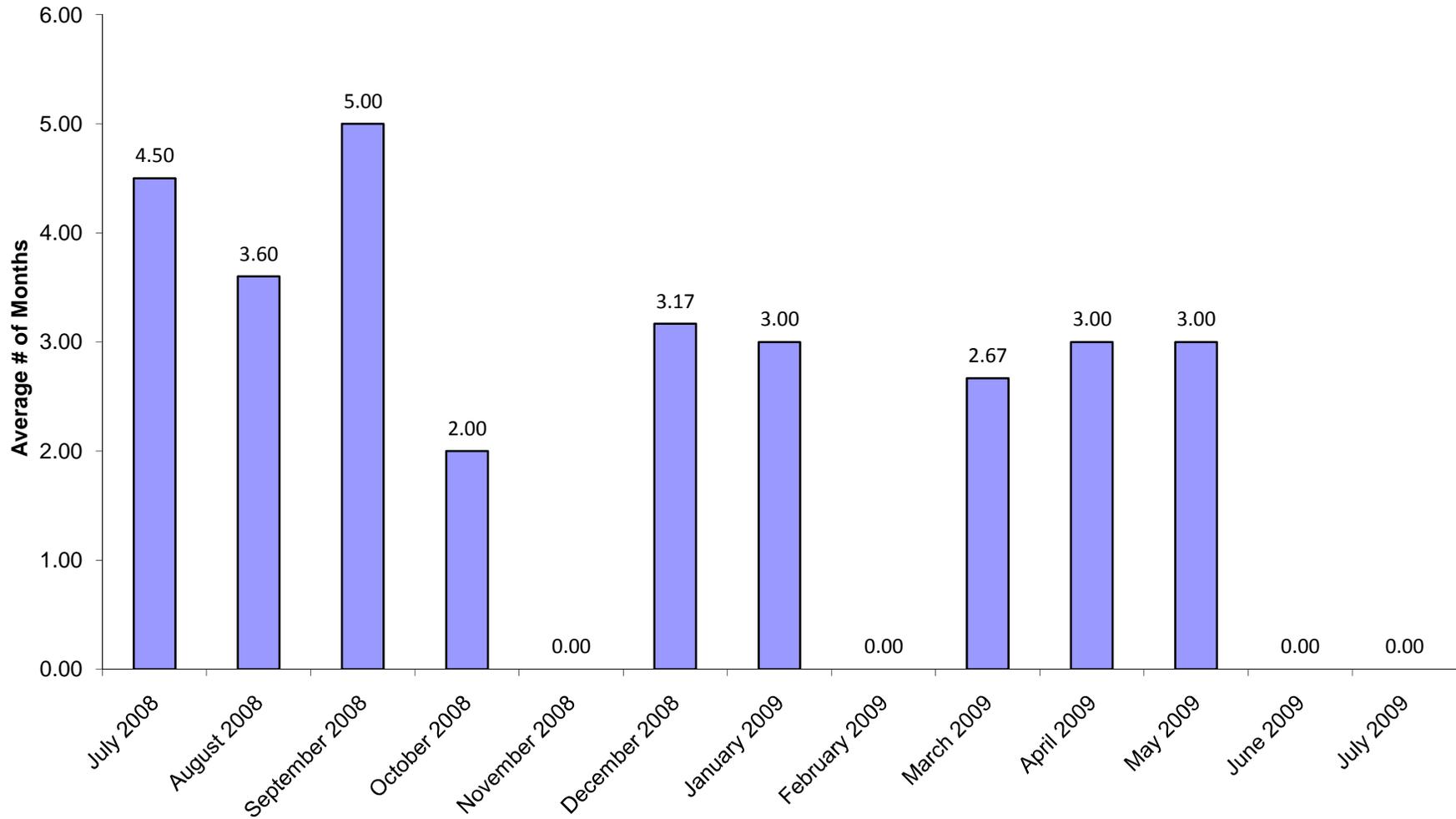
CDCR DJJ
Monthly Tracking of Treatment/Training
Number of Youth Who Received Program Credits for
First Admissions and Recommitments to



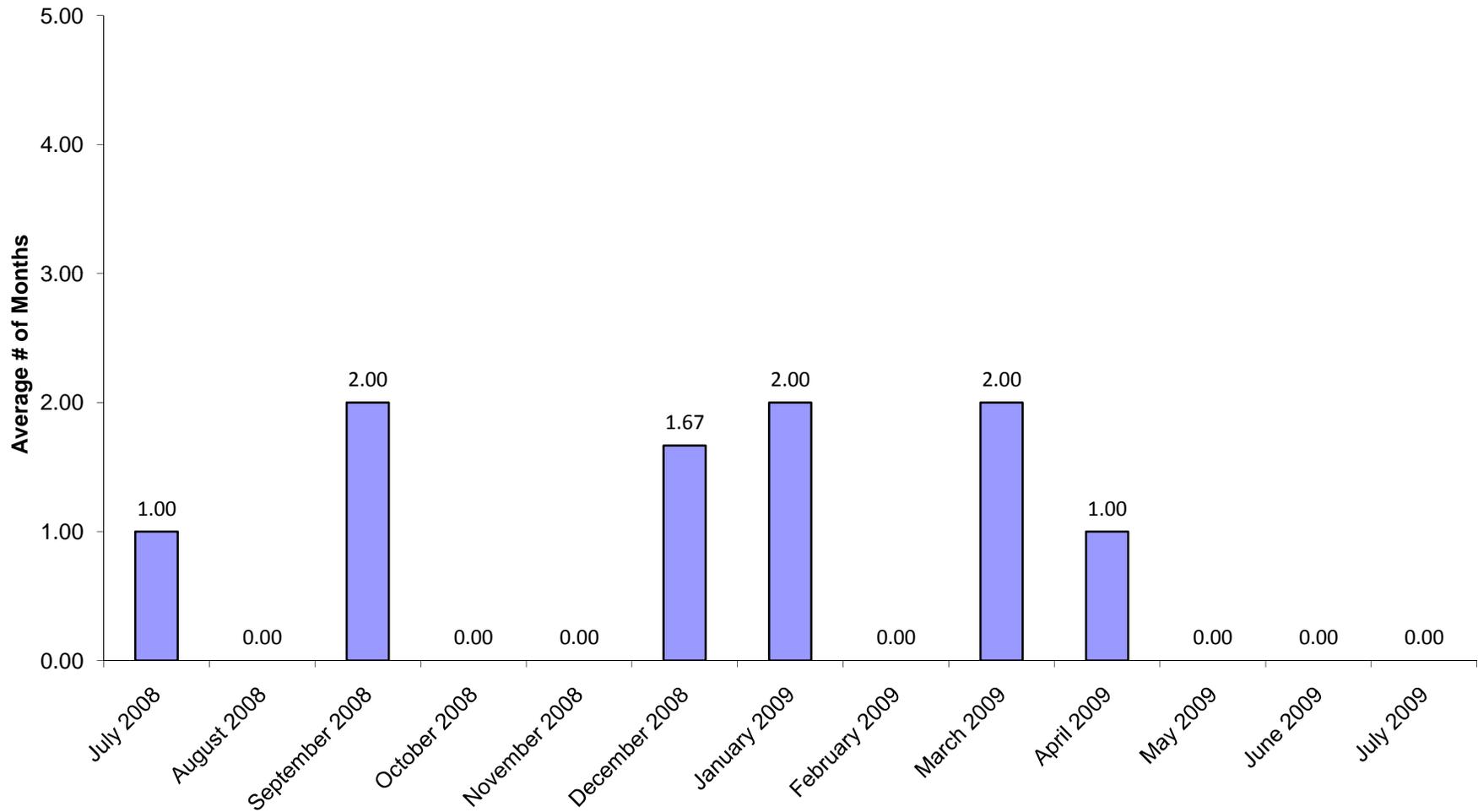
CDCR DJJ
Monthly Tracking of Treatment/Training
Net Number of Months for Program PBD Extensions / Credits for
First Admissions and Recommitments to
Ventura Camp



CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of PBD Extension Months Added per Youth for
First Admissions and Recommitments to
Ventura Camp



CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of Program Credits per Youth for
First Admissions and Recommitments to
Ventura Camp



**California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
 Ventura Camp**

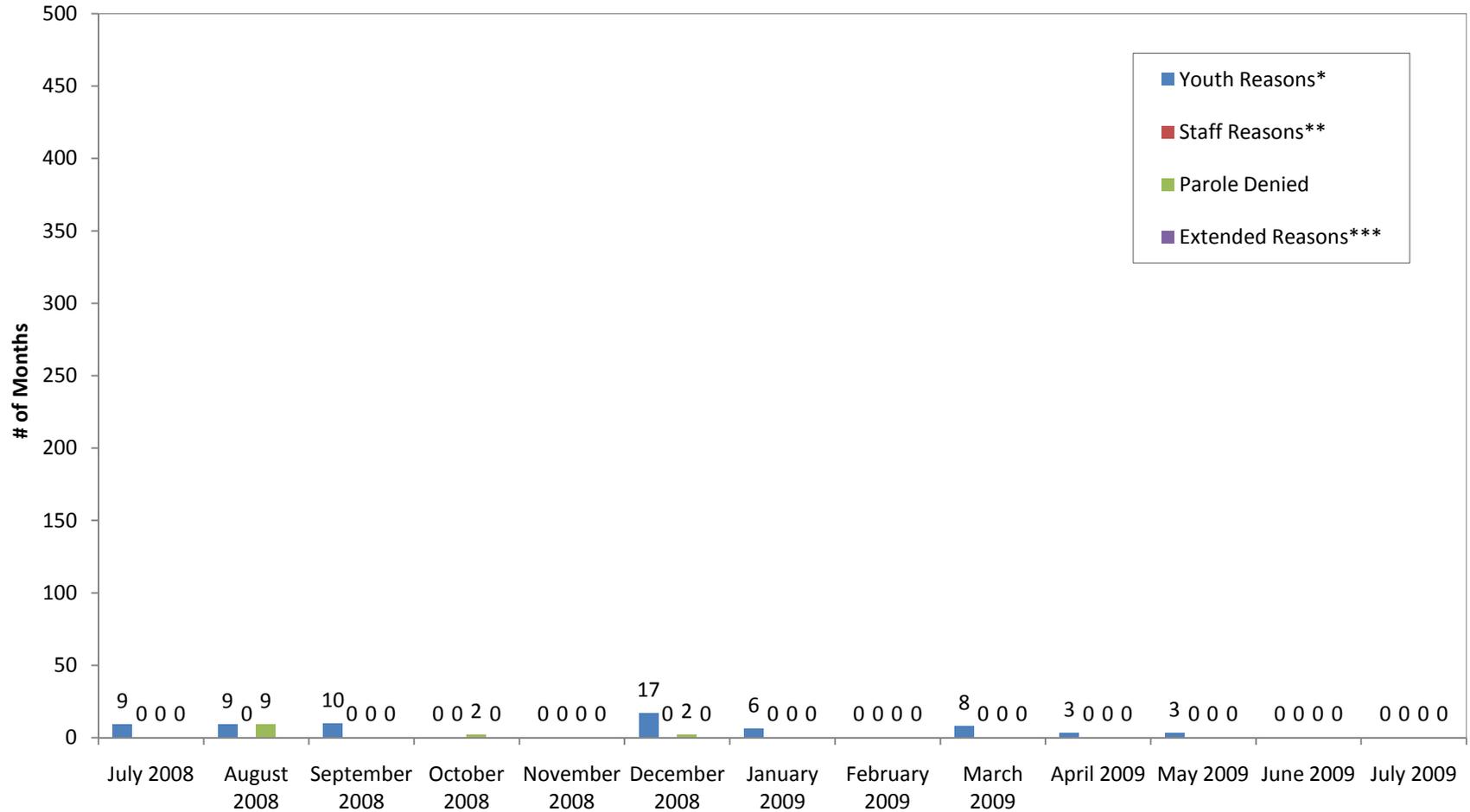
	Youth Reasons*	Staff Reasons**	Parole Denied	Extended Reasons***	Total
July 2008	9	0	0	0	9
August 2008	9	0	9	0	18
September 2008	10	0	0	0	10
October 2008	0	0	2	0	2
November 2008	0	0	0	0	0
December 2008	17	0	2	0	19
January 2009	6	0	0	0	6
February 2009	0	0	0	0	0
March 2009	8	0	0	0	8
April 2009	3	0	0	0	3
May 2009	3	0	0	0	3
June 2009	0	0	0	0	0
July 2009	0	0	0	0	0

* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.

** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.

***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

CDCR DJJ
Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
Ventura Camp



* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.
 ** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.
 ***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

**California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Monthly Tracking of Revocation Extensions (Rev-Ext)* and Program Credits for
 Parole Violators in
 Sylvester Carraway Public Service and Fire Center
 (also known as Ventura Camp)**

Year/ Month	ADP ¹	Revocation Extensions					Program Credits				
		# of Rev-Ext Hearings	# of Youth Who Had a Rev-Ext	# Rev-Ext Months Added	Average Number of Rev-Ext Months Added per Hearing	Average Number of Rev-Ext Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Program Months Credited	Average Number of Program Months Credited per Hearing	Average Number of Program Months Credited per Youth
2008											
July	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00
August	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00
September	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00
October	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00
November	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00
December	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00
2009											
January	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00
February	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00
March	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00
April	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00
May	0	0	0	0	0.00	0.00	0	0	0	0.00	0.00
June	2	0	0	0	0.00	0.00	0	0	0	0.00	0.00
July	2	0	0	0	0.00	0.00	0	0	0	0.00	0.00

* Prior to implementation of the LH lawsuit on December 15, 2008, Revocation Extensions were referred to as "DDMS extensions".

California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Program* Projected Board Date (PBD)
Extensions for Treatment/Training (Pre L.H. Lawsuit) for
Parole Violators in
Sylvester Carraway Public Service and Fire Center
(also known as Ventura Camp)

Year/ Month	ADP ²	Program				
		Time Adds ¹				
		# of Program Time Add Hearings	# of Youth Who Had Program Time Added	# of Program Months Added	Average Number of Program Months Added per Hearing	Average Number of Program Months Added per Youth
2008						
July	0	0	0	0	0.00	0.00
August	0	0	0	0	0.00	0.00
September	0	0	0	0	0.00	0.00
October	0	0	0	0	0.00	0.00
November	0	0	0	0	0.00	0.00
December	0	0	0	0	0.00	0.00
2009						
January	0	0	0	0	0.00	0.00

* As of December 15, 2008, parole violators no longer receive PBD Extensions for DDMS or treatment/training.

Due to processing time frames, the youth reported in December 2008 reflect orders/hearings that originated prior to December 15, 2008.

1 WIC-1800 time adds included; Additional Commitment time adds not included.

2 Average Daily Population (ADP) for YA cases only.

Section X:

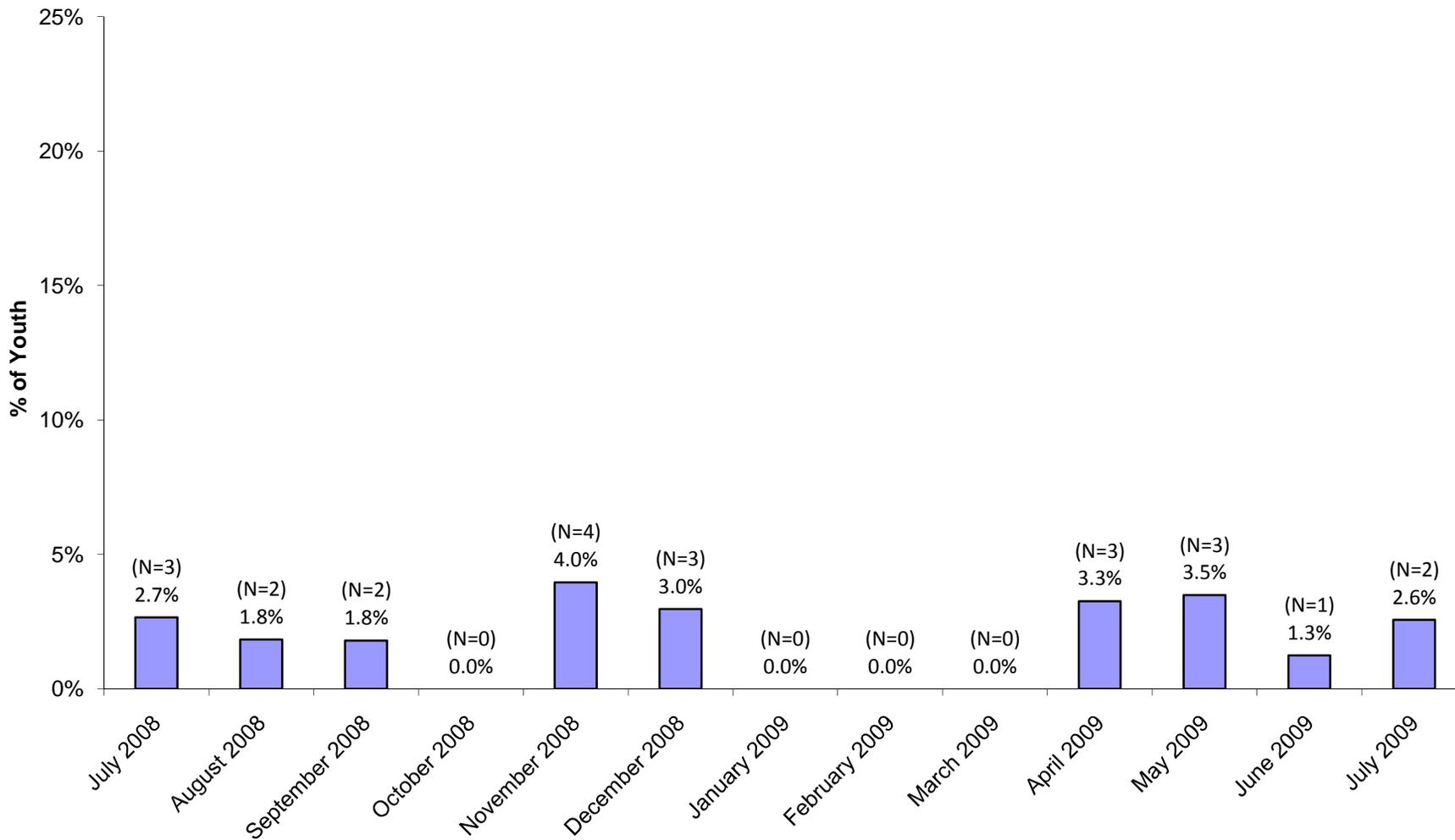
**The Division of Adult Institutions
(DAI)**

**California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Monthly Tracking of Disciplinary Decision-Making System (DDMS)
 Projected Board Date (PBD) Extensions and Restorations for
 First Admissions and Recommitments to
 Division of Adult Institutions (DAI)**

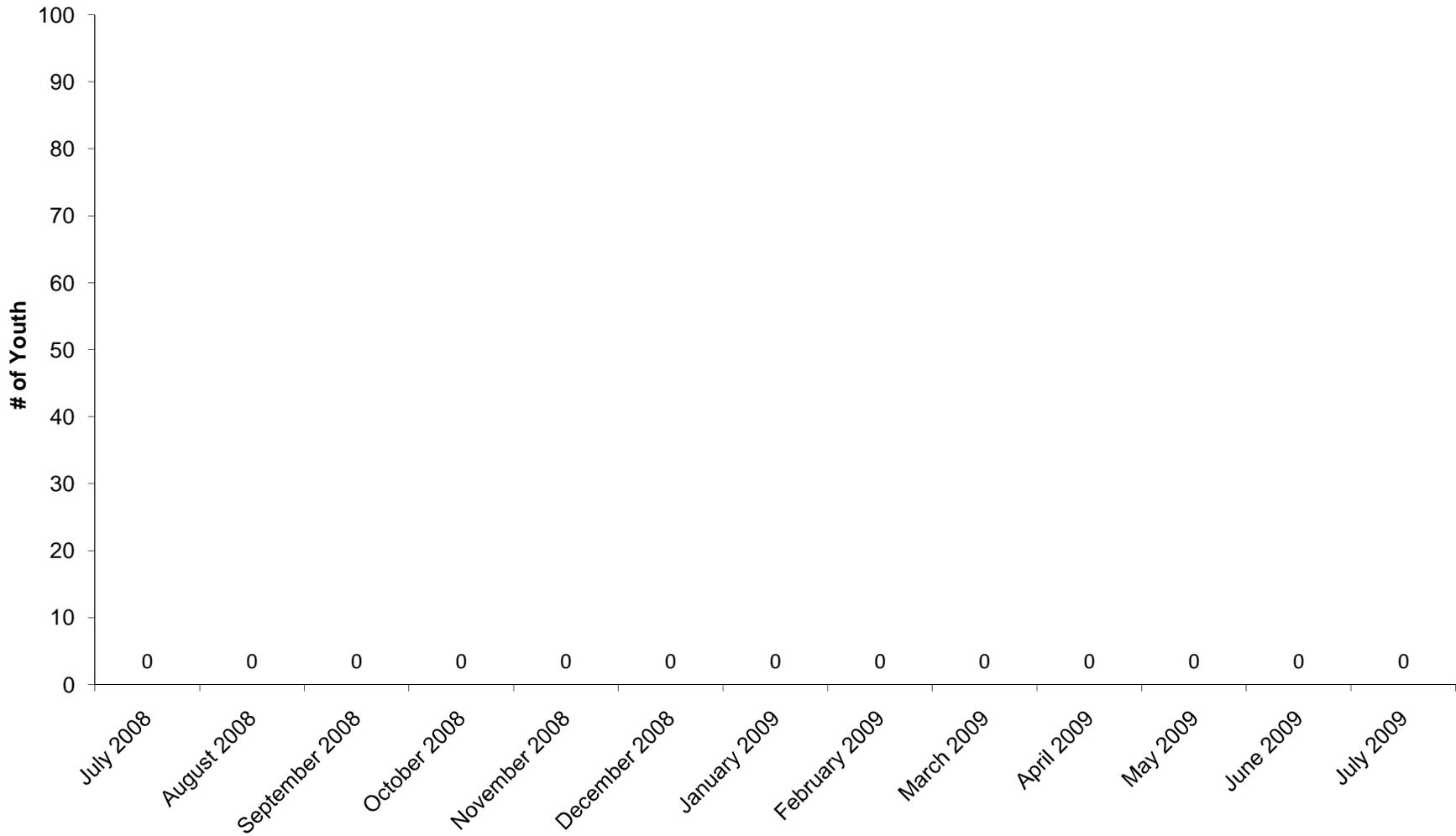
Year/ Month	ADP ¹	DDMS									
		PBD Extensions					Restorations				
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# PBD Extension Months Added	Average Number of PBD Extension Months Added per Hearing	Average Number of PBD Extension Months Added per Youth	# of PBD Extension Time Restore Hearings	# Youth Who Had PBD Extension Time Restored	# PBD Extension Months Restored	Average Number of PBD Extension Months Restored per Hearing	Average Number of PBD Extension Months Restored per Youth
2008											
July	113	3	3	12	4.00	4.00	0	0	0	0.00	0.00
August	109	2	2	6	3.00	3.00	0	0	0	0.00	0.00
September	111	3	2	7	2.33	3.50	0	0	0	0.00	0.00
October	108	0	0	0	0.00	0.00	0	0	0	0.00	0.00
November	101	4	4	22	5.50	5.50	0	0	0	0.00	0.00
December	101	3	3	15	5.00	5.00	0	0	0	0.00	0.00
2009											
January	96	0	0	0	0.00	0.00	0	0	0	0.00	0.00
February	93	0	0	0	0.00	0.00	0	0	0	0.00	0.00
March	91	0	0	0	0.00	0.00	0	0	0	0.00	0.00
April	92	3	3	10	3.33	3.33	0	0	0	0.00	0.00
May	86	3	3	8	2.67	2.67	0	0	0	0.00	0.00
June	80	1	1	1	1.00	1.00	0	0	0	0.00	0.00
July	78	2	2	3	1.50	1.50	0	0	0	0.00	0.00

1 Average Daily Population (ADP) for YA cases only.

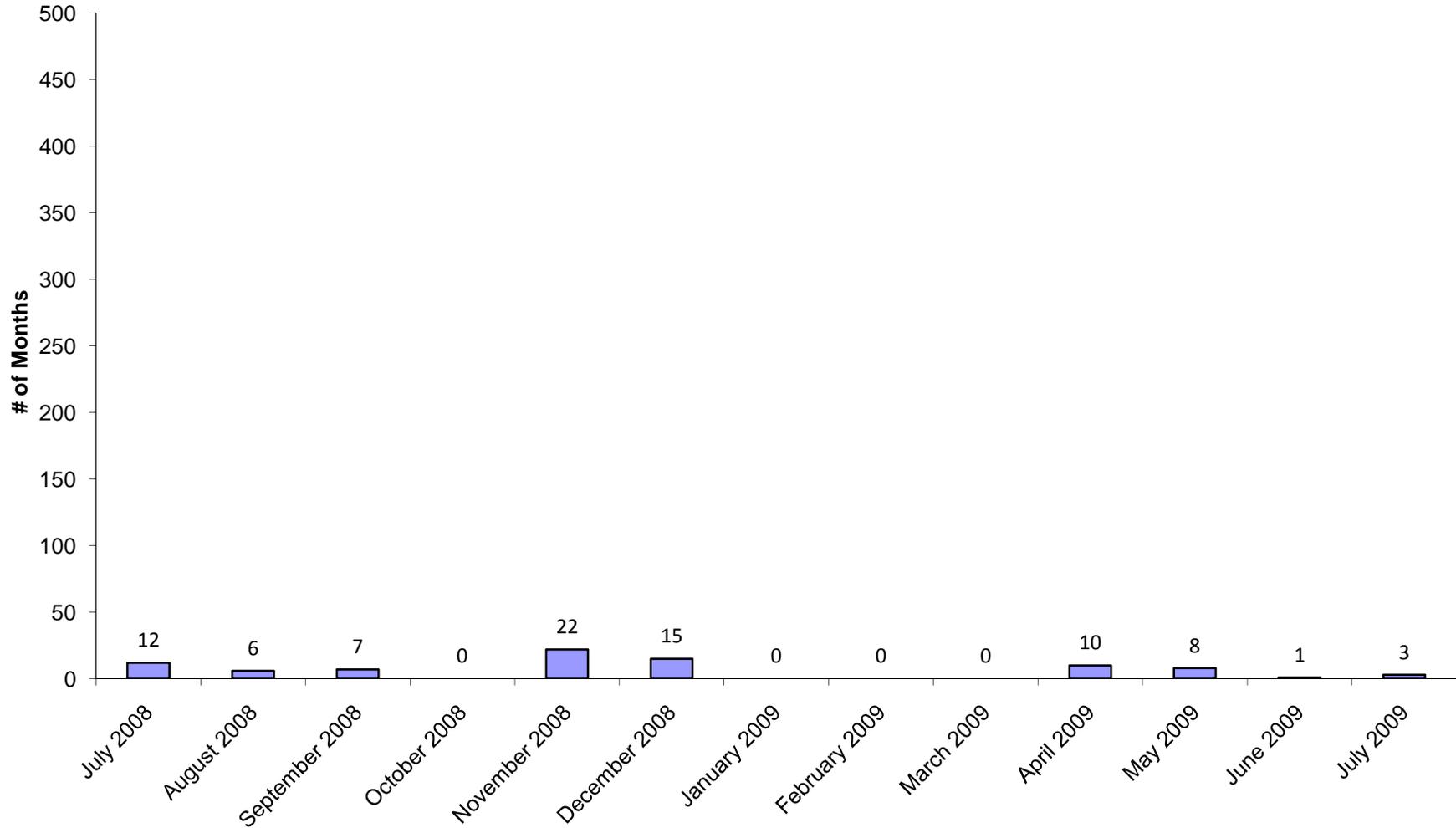
CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Percentage of Youth Who Received a Projected Board Date (PBD) Extension for
First Admissions and Recommitments to
Division of Adult Institutions (DAI)



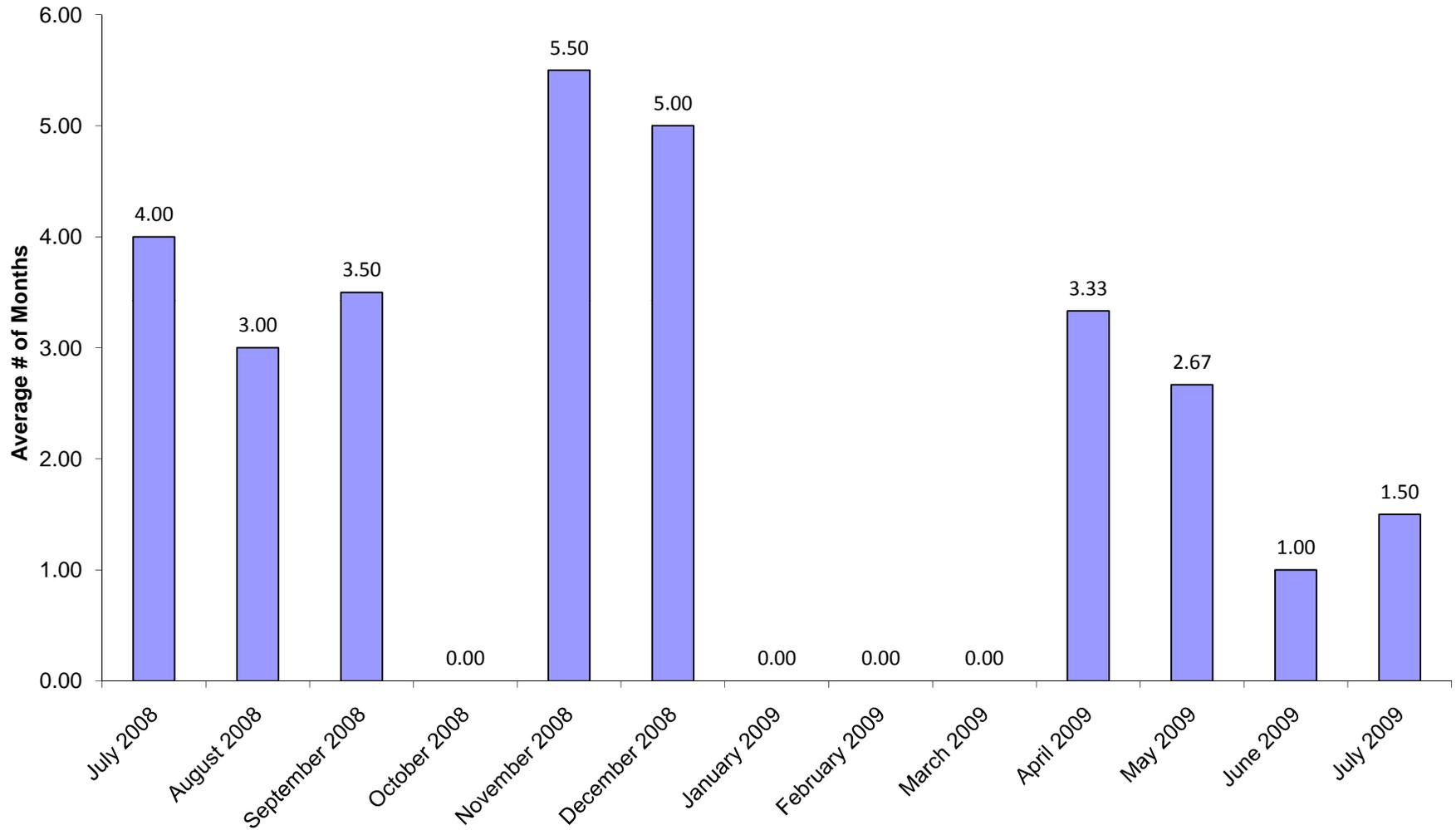
CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Number of Youth Who Received Projected Board Date (PBD) Time Restorations for
First Admissions and Recommitments to
Division of Adult Institutions (DAI)



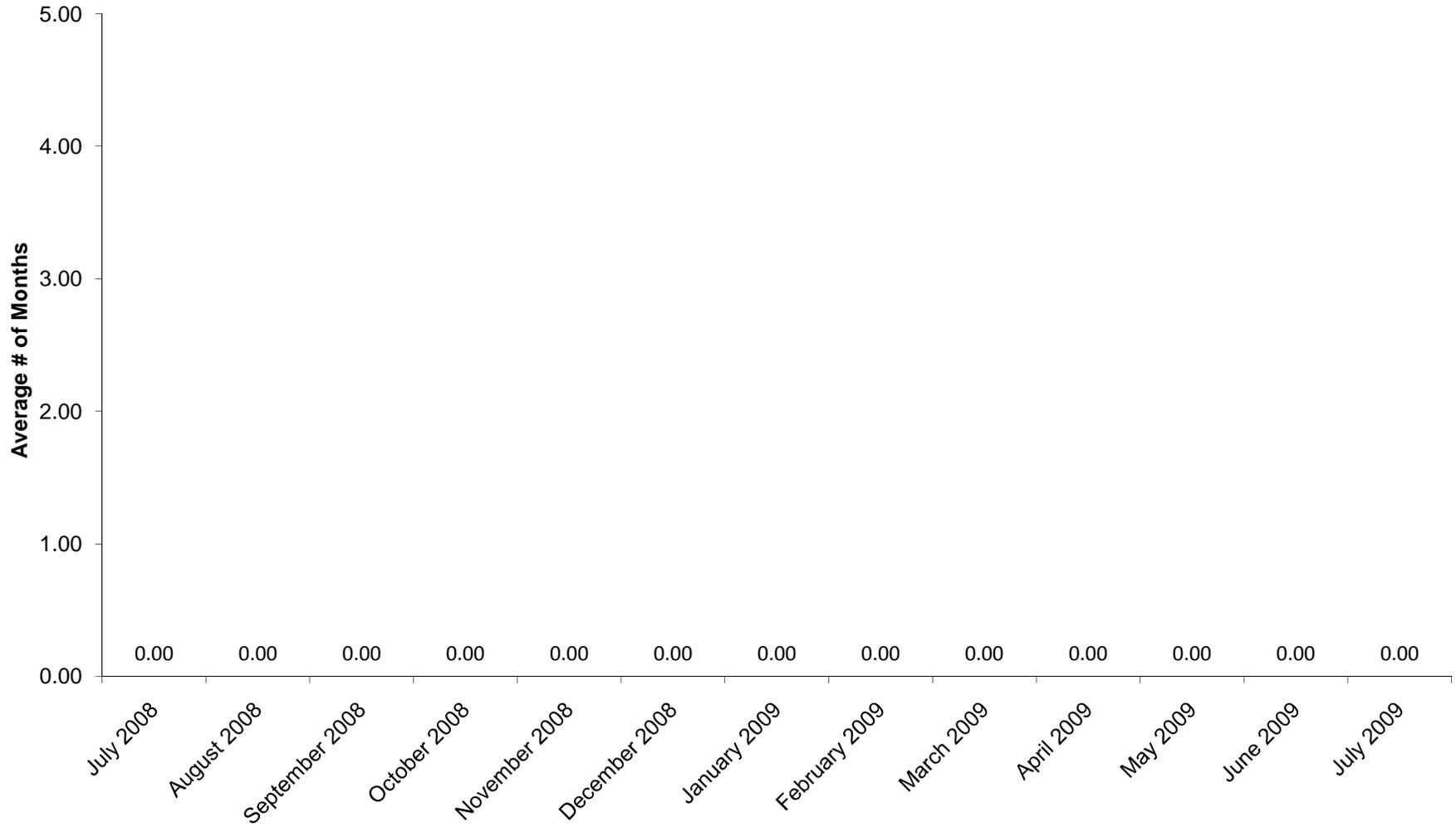
CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Net Number of Months of Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
Division of Adult Institutions (DAI)



CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Extension Months Added per Youth for
First Admissions and Recommitments to
Division of Adult Institutions (DAI)



CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Months Restored per Youth for
First Admissions and Recommitments to
Division of Adult Institutions (DAI)



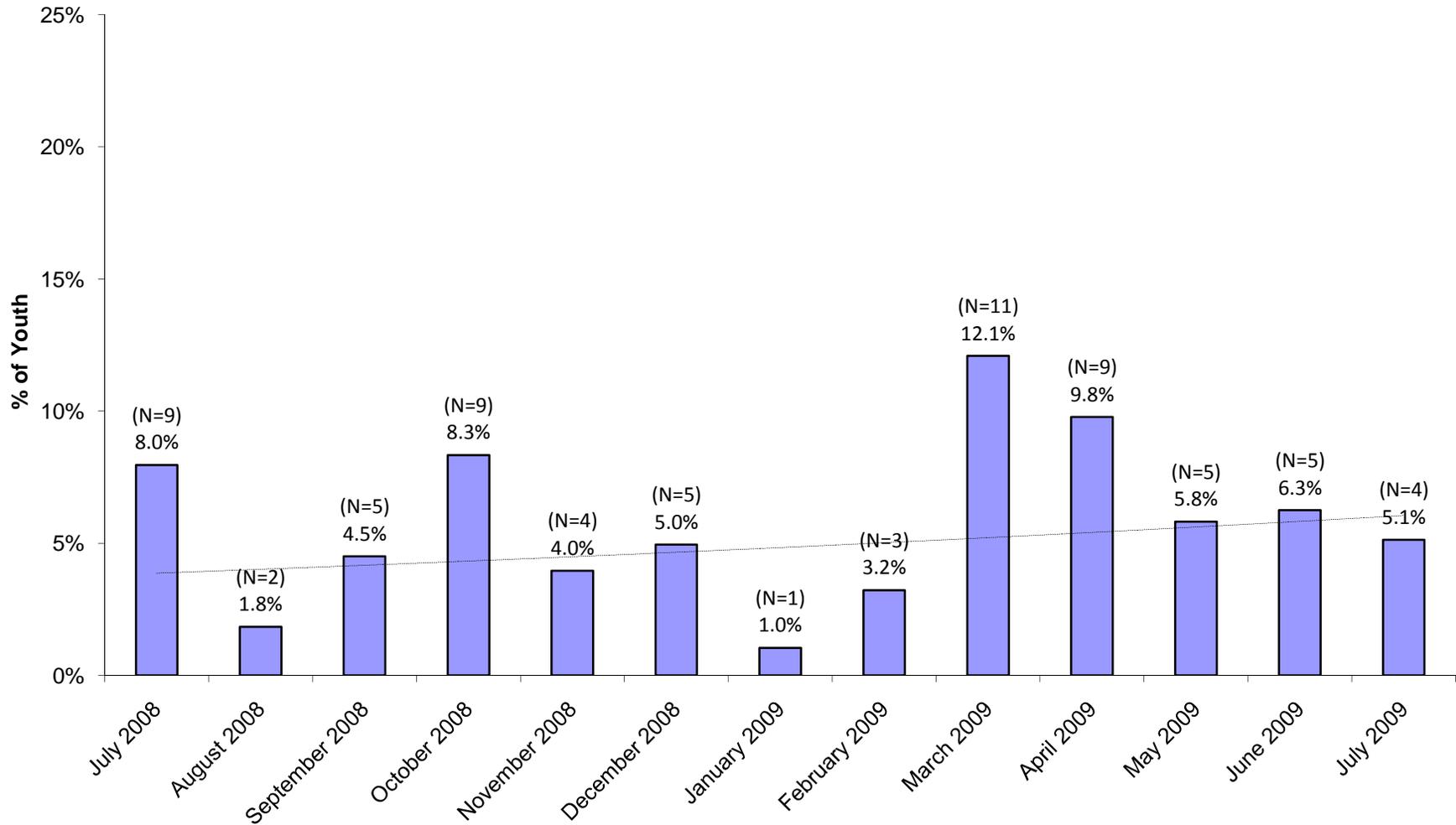
California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of
Projected Board Date (PBD) Extensions for Treatment/Training and Program Credits for
First Admissions and Recommitments to
Division of Adult Institutions (DAI)

Year/ Month	ADP ²	Program ¹							
		PBD Extensions				Credits			
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# of PBD Extension Months Added	Average Number of PBD Extension Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Months Program Months Credited	Average Number of Program Months Cut per Youth
2008									
July	113	9	9	50	5.56	1	1	1	1.00
August	109	2	2	18	9.00	0	0	0	0.00
September	111	5	5	40	8.00	1	1	3	3.00
October	108	9	9	55	6.11	0	0	0	0.00
November	101	4	4	17	4.25	2	2	5	2.50
December	101	5	5	27	5.40	0	0	0	0.00
2009									
January	96	1	1	5	5.00	1	1	2	2.00
February	93	3	3	16	5.33	0	0	0	0.00
March	91	11	11	53	4.82	2	2	3	1.50
April	92	9	9	47	5.22	0	0	0	0.00
May	86	5	5	23	4.60	2	2	5	2.50
June	80	5	5	31	6.20	0	0	0	0.00
July	78	4	4	11	2.75	4	4	10	2.50

1 WIC-1800 time adds included; Additional Commitment time adds not included.

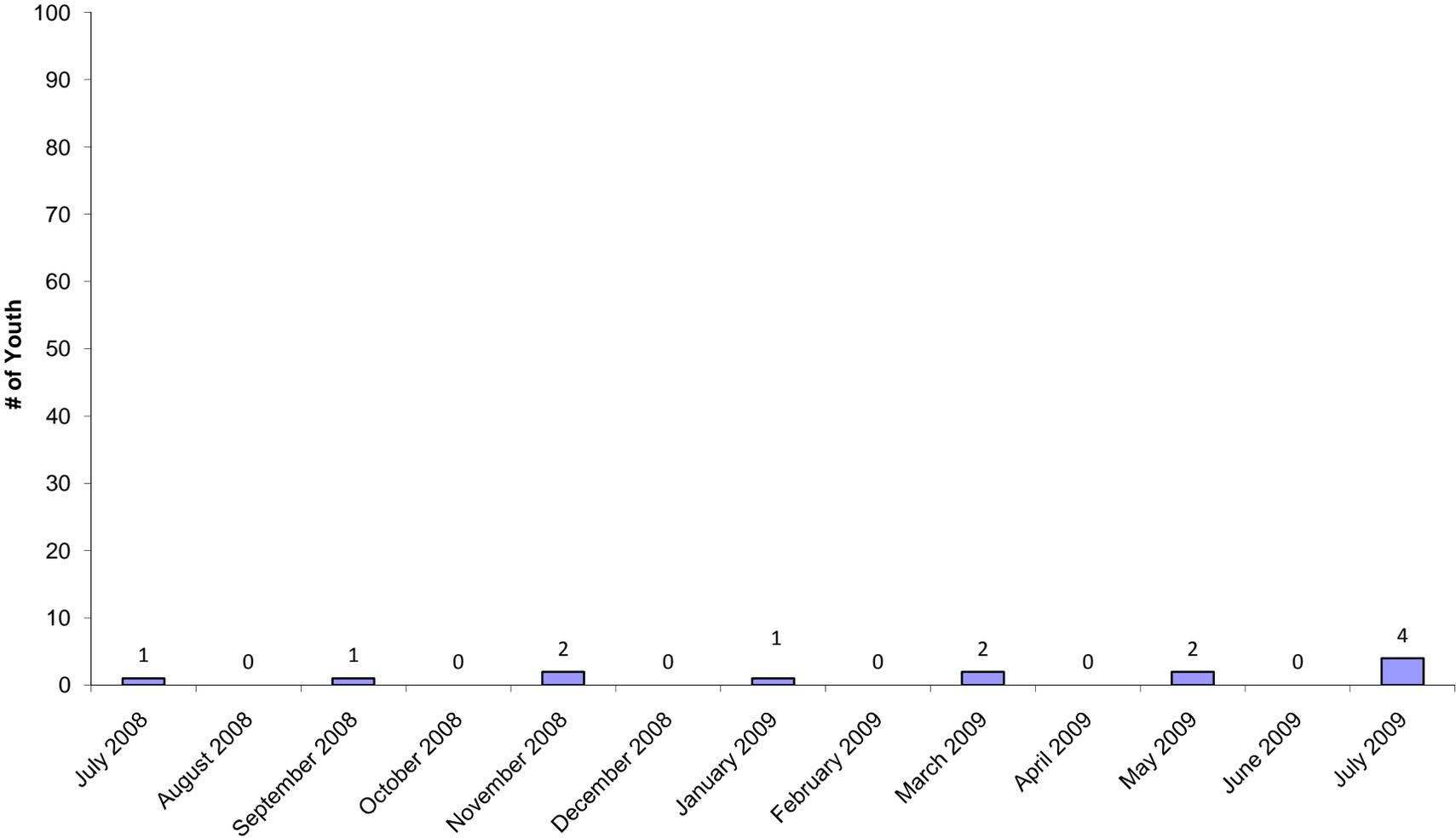
2 Average Daily Population (ADP) for YA cases only.

**CDCR DJJ
 Monthly Tracking of Treatment/Training
 Percentage of Youth Who Received a PBD Extension for
 First Admissions and Recommitments to
 Division of Adult Institutions (DAI)**

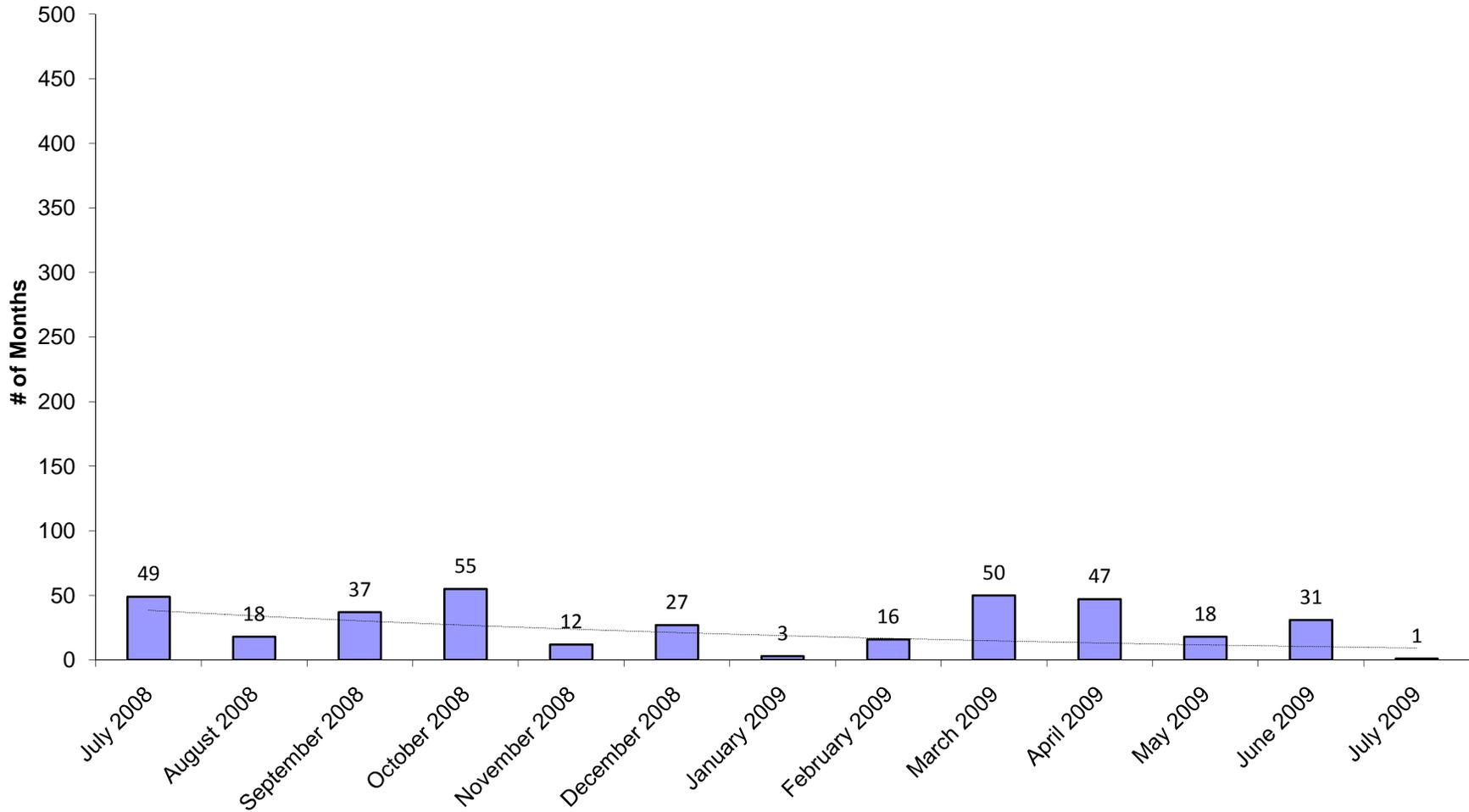


Note: This chart depicts an "exponential" trend line.

**CDCR DJJ
Monthly Tracking of Treatment/Training
Number of Youth Who Received Program Credits for
First Admissions and Recommitments to
Division of Adult Institutions (DAI)**

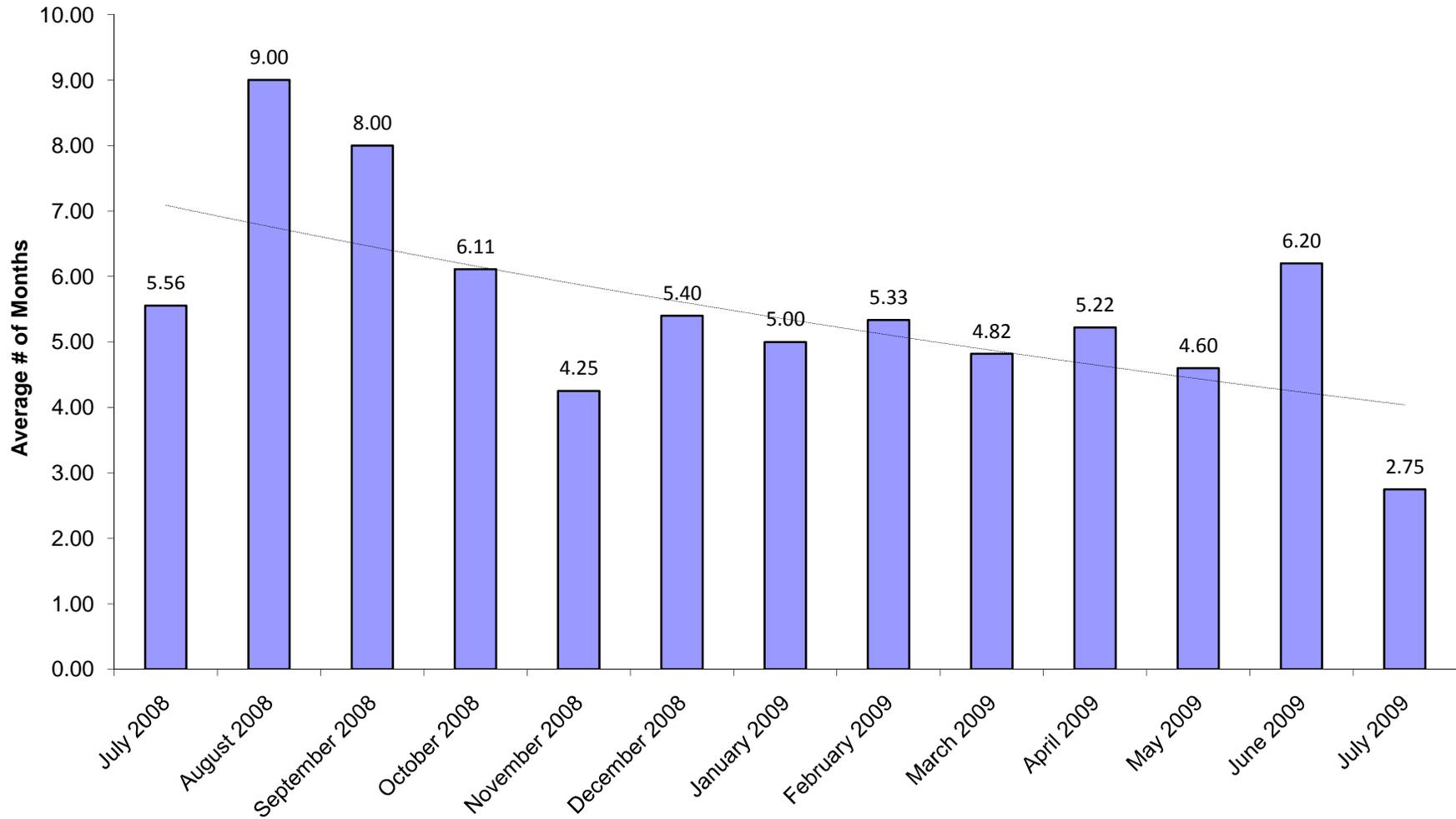


CDCR DJJ
Monthly Tracking of Treatment/Training
Net Number of Months for Program PBD Extensions / Credits for
First Admissions and Recommitments to
Division of Adult Institutions (DAI)



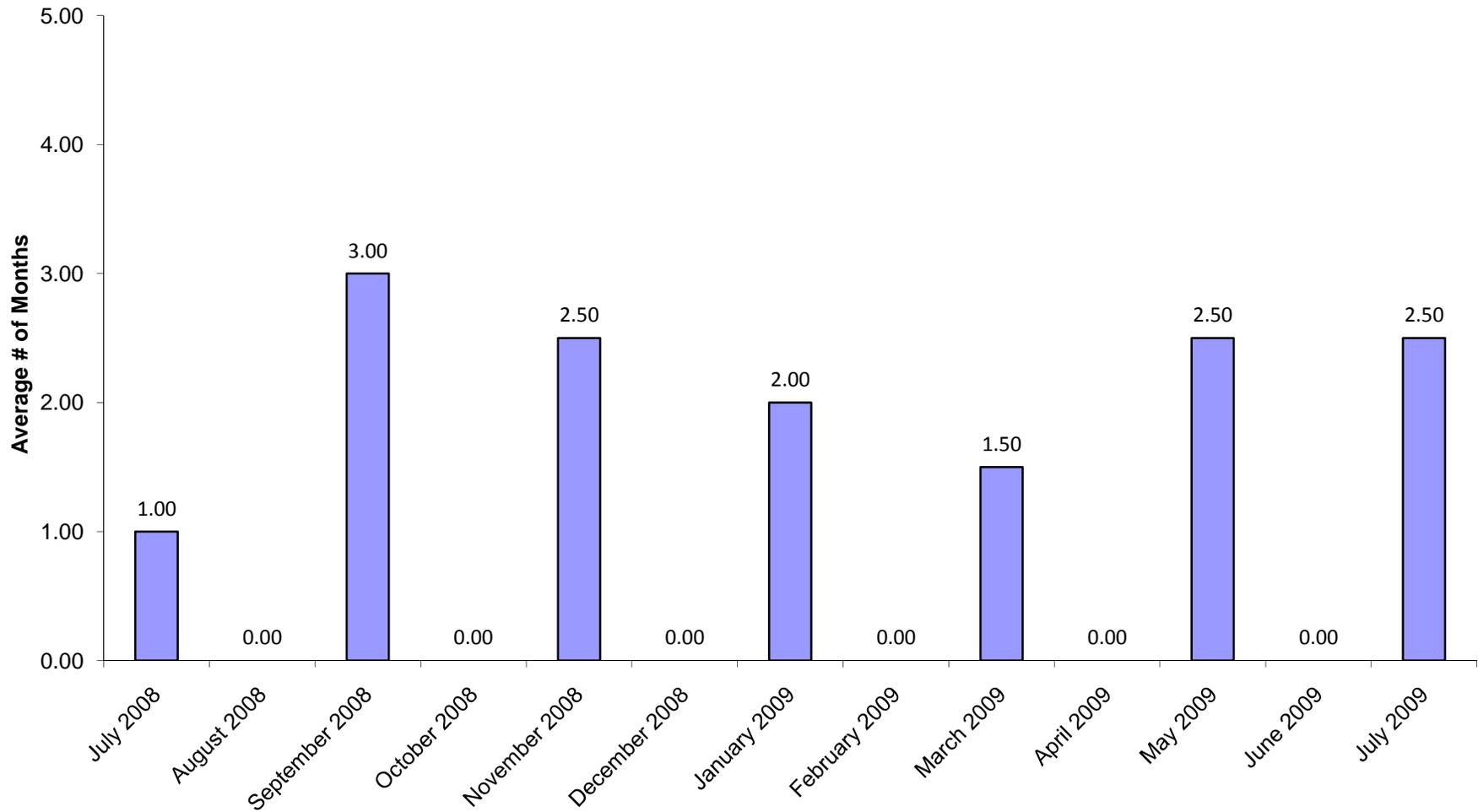
Note: This chart depicts an "exponential" trend line.

**CDCR DJJ
 Monthly Tracking of Treatment/Training
 Average Number of PBD Extension Months Added per Youth for
 First Admissions and Recommitments to
 Division of Adult Institutions (DAI)**



Note: This chart depicts an "exponential" trend line.

CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of Program Credits per Youth for
First Admissions and Recommitments to
Division of Adult Institutions (DAI)



**California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
 Division of Adult Institutions (DAI)**

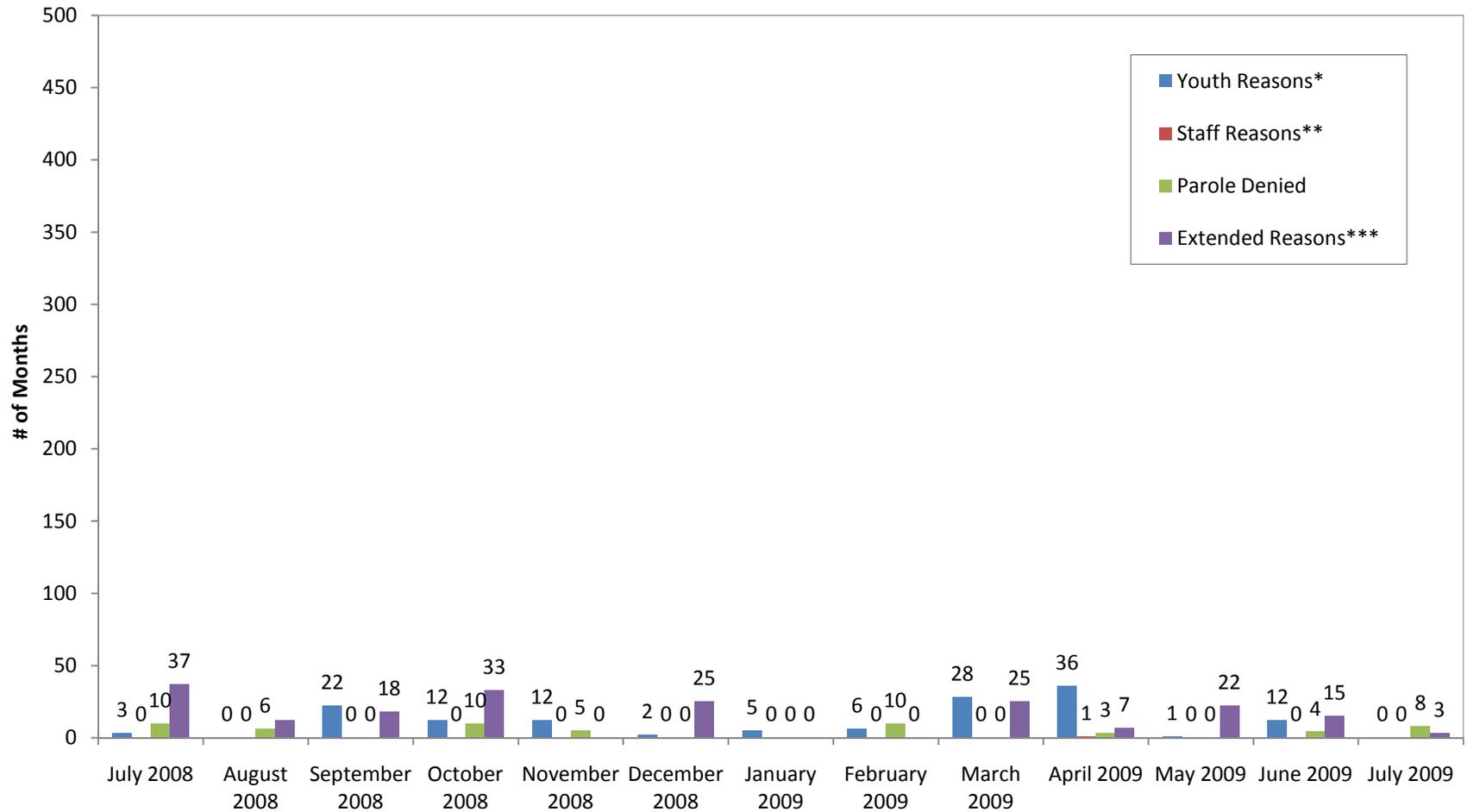
	Youth Reasons*	Staff Reasons**	Parole Denied	Extended Reasons***	Total
July 2008	3	0	10	37	50
August 2008	0	0	6	12	18
September 2008	22	0	0	18	40
October 2008	12	0	10	33	55
November 2008	12	0	5	0	17
December 2008	2	0	0	25	27
January 2009	5	0	0	0	5
February 2009	6	0	10	0	16
March 2009	28	0	0	25	53
April 2009	36	1	3	7	47
May 2009	1	0	0	22	23
June 2009	12	0	4	15	31
July 2009	0	0	8	3	11

* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.

** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.

***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

CDCR DJJ
Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
Division of Adult Institutions (DAI)



* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.

** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.

***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Revocation Extensions (Rev-Ext)* and Program Credits for
Parole Violators in
Division of Adult Institutions (DAI)**

Year/ Month	ADP ¹	Revocation Extensions					Program Credits				
		# of Rev-Ext Hearings	# of Youth Who Had a Rev-Ext	# Rev-Ext Months Added	Average Number of Rev-Ext Months Added per Hearing	Average Number of Rev-Ext Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Program Months Credited	Average Number of Program Months Credited per Hearing	Average Number of Program Months Credited per Youth
2008											
July	43	1	1	1	1.00	1.00	0	0	0	0.00	0.00
August	39	2	2	6	3.00	3.00	0	0	0	0.00	0.00
September	40	0	0	0	0.00	0.00	1	1	1	1.00	1.00
October	33	0	0	0	0.00	0.00	0	0	0	0.00	0.00
November	36	0	0	0	0.00	0.00	0	0	0	0.00	0.00
December	38	0	0	0	0.00	0.00	0	0	0	0.00	0.00
2009											
January	33	0	0	0	0.00	0.00	0	0	0	0.00	0.00
February	28	0	0	0	0.00	0.00	1	1	1	1.00	1.00
March	25	0	0	0	0.00	0.00	0	0	0	0.00	0.00
April	21	0	0	0	0.00	0.00	1	1	2	2.00	2.00
May	21	0	0	0	0.00	0.00	0	0	0	0.00	0.00
June	26	0	0	0	0.00	0.00	2	2	4	2.00	2.00
July	30	0	0	0	0.00	0.00	0	0	0	0.00	0.00

* Prior to implementation of the LH lawsuit on December 15, 2008, Revocation Extensions were referred to as "DDMS extensions".

**California Department of Corrections and Rehabilitation
 Division of Juvenile Justice (DJJ)
 Monthly Tracking of Program* Projected Board Date (PBD)
 Extensions for Treatment/Training (Pre L.H. Lawsuit) for
 Parole Violators in
 Division of Adult Institutions (DAI)**

Year/ Month	ADP ²	Program				
		Time Adds ¹				
		# of Program Time Add Hearings	# of Youth Who Had Program Time Added	# of Program Months Added	Average Number of Program Months Added per Hearing	Average Number of Program Months Added per Youth
2008						
July	43	6	6	19	3.17	3.17
August	39	3	3	21	7.00	7.00
September	40	1	1	6	6.00	6.00
October	33	2	2	14	7.00	7.00
November	36	3	3	11	3.67	3.67
December	38	0	0	0	0.00	0.00
2009						
January	33	0	0	0	0.00	0.00

* As of December 15, 2008, parole violators no longer receive PBD Extensions for DDMS or treatment/training.
 Due to processing time frames, the youth reported in December 2008 reflect orders/hearings that originated prior to December 15, 2008.

1 WIC-1800 time adds included; Additional Commitment time adds not included.

2 Average Daily Population (ADP) for YA cases only.

Section XI:

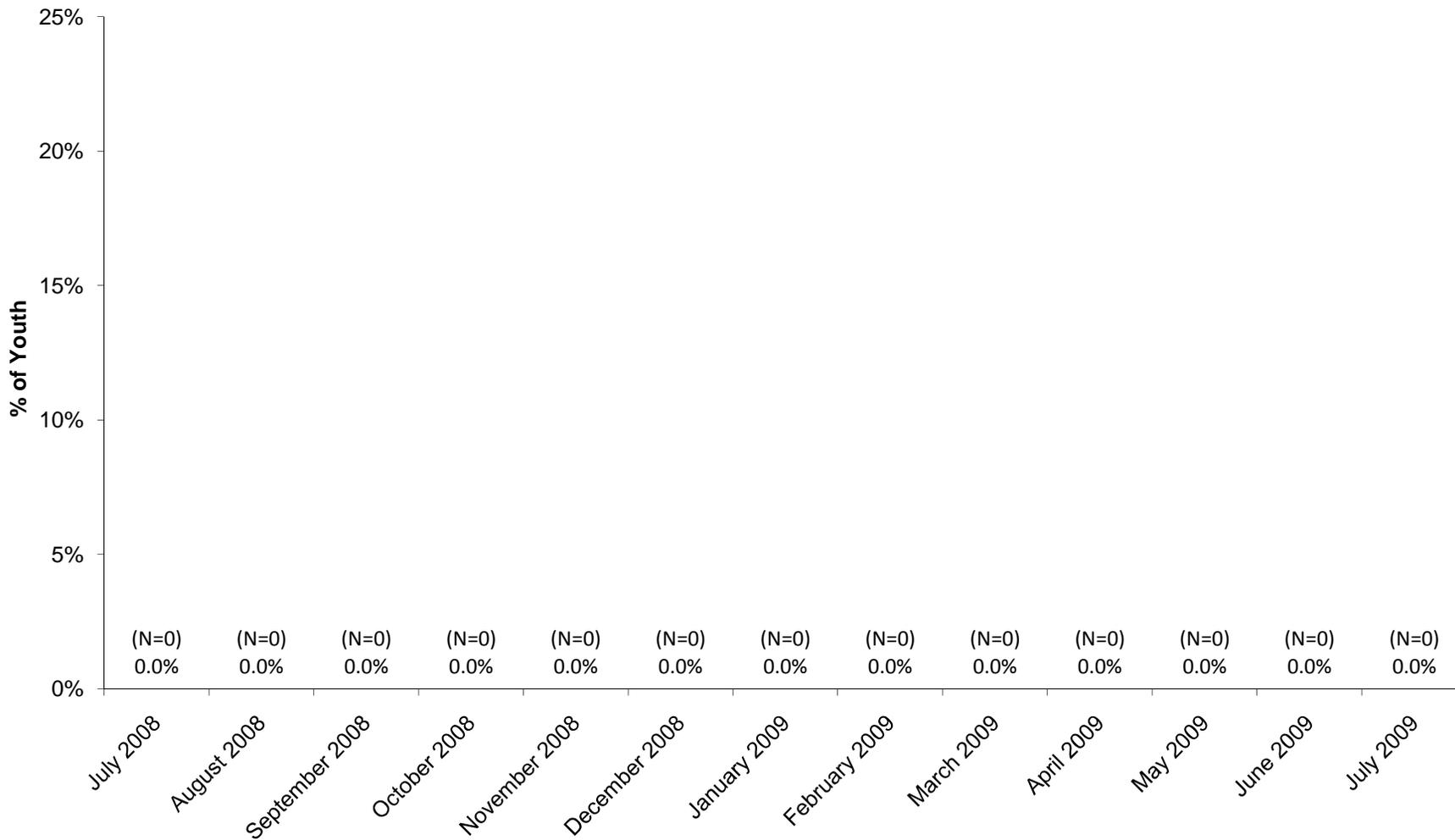
**The Department of Mental Health
(DMH)**

**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
Department of Mental Health (DMH)**

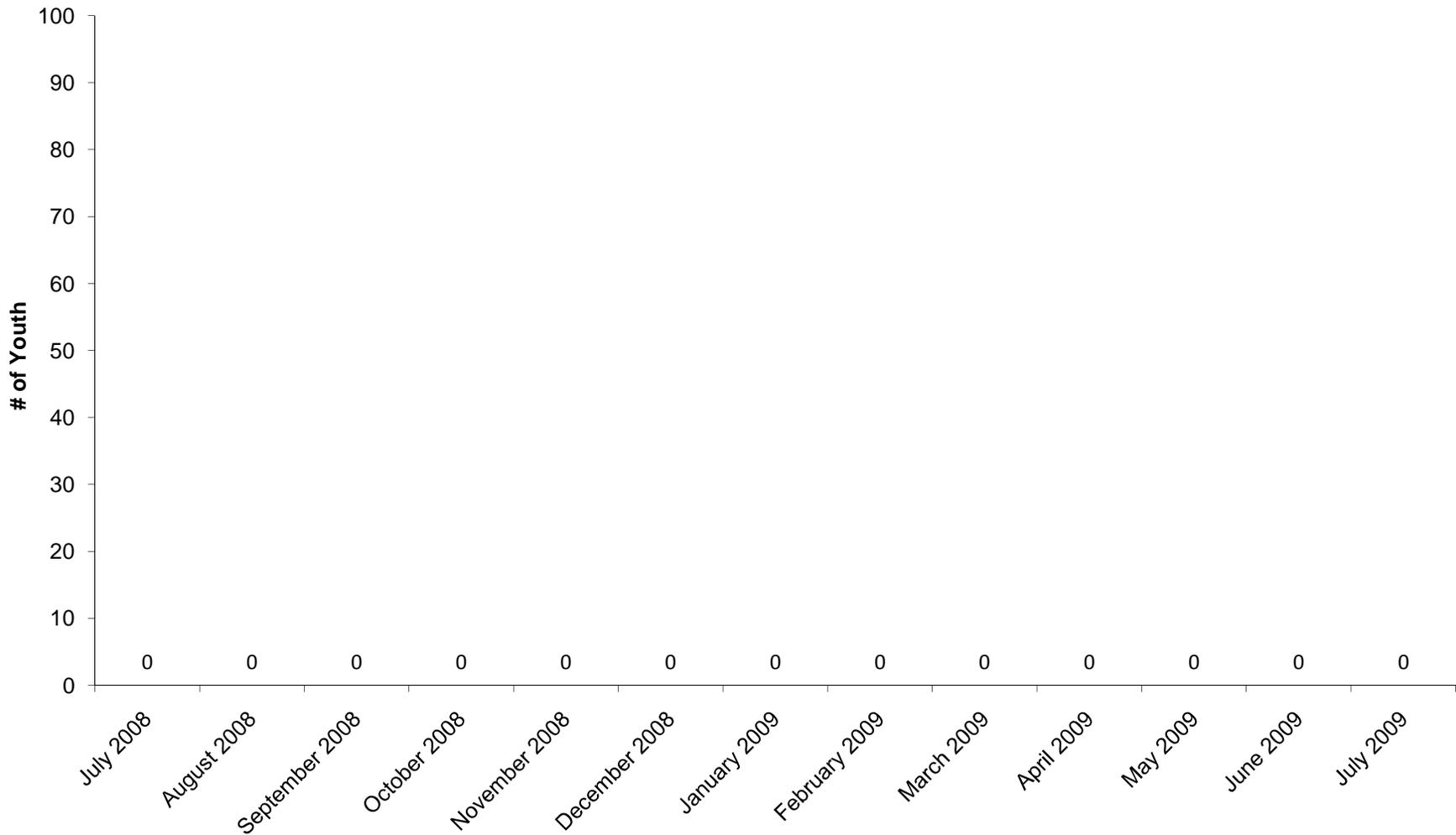
Year/ Month	ADP ¹	DDMS									
		PBD Extensions					Restorations				
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# PBD Extension Months Added	Average Number of PBD Extension Months Added per Hearing	Average Number of PBD Extension Months Added per Youth	# of PBD Extension Time Restore Hearings	# Youth Who Had PBD Extension Time Restored	# PBD Extension Months Restored	Average Number of PBD Extension Months Restored per Hearing	Average Number of PBD Extension Months Restored per Youth
2008											
July	10	0	0	0	0.00	0.00	0	0	0	0.00	0.00
August	12	0	0	0	0.00	0.00	0	0	0	0.00	0.00
September	9	0	0	0	0.00	0.00	0	0	0	0.00	0.00
October	10	0	0	0	0.00	0.00	0	0	0	0.00	0.00
November	10	0	0	0	0.00	0.00	0	0	0	0.00	0.00
December	9	0	0	0	0.00	0.00	0	0	0	0.00	0.00
2009											
January	8	0	0	0	0.00	0.00	0	0	0	0.00	0.00
February	6	0	0	0	0.00	0.00	0	0	0	0.00	0.00
March	4	0	0	0	0.00	0.00	0	0	0	0.00	0.00
April	4	0	0	0	0.00	0.00	0	0	0	0.00	0.00
May	5	0	0	0	0.00	0.00	0	0	0	0.00	0.00
June	5	0	0	0	0.00	0.00	0	0	0	0.00	0.00
July	5	0	0	0	0.00	0.00	0	0	0	0.00	0.00

1 Average Daily Population (ADP) for YA cases only.

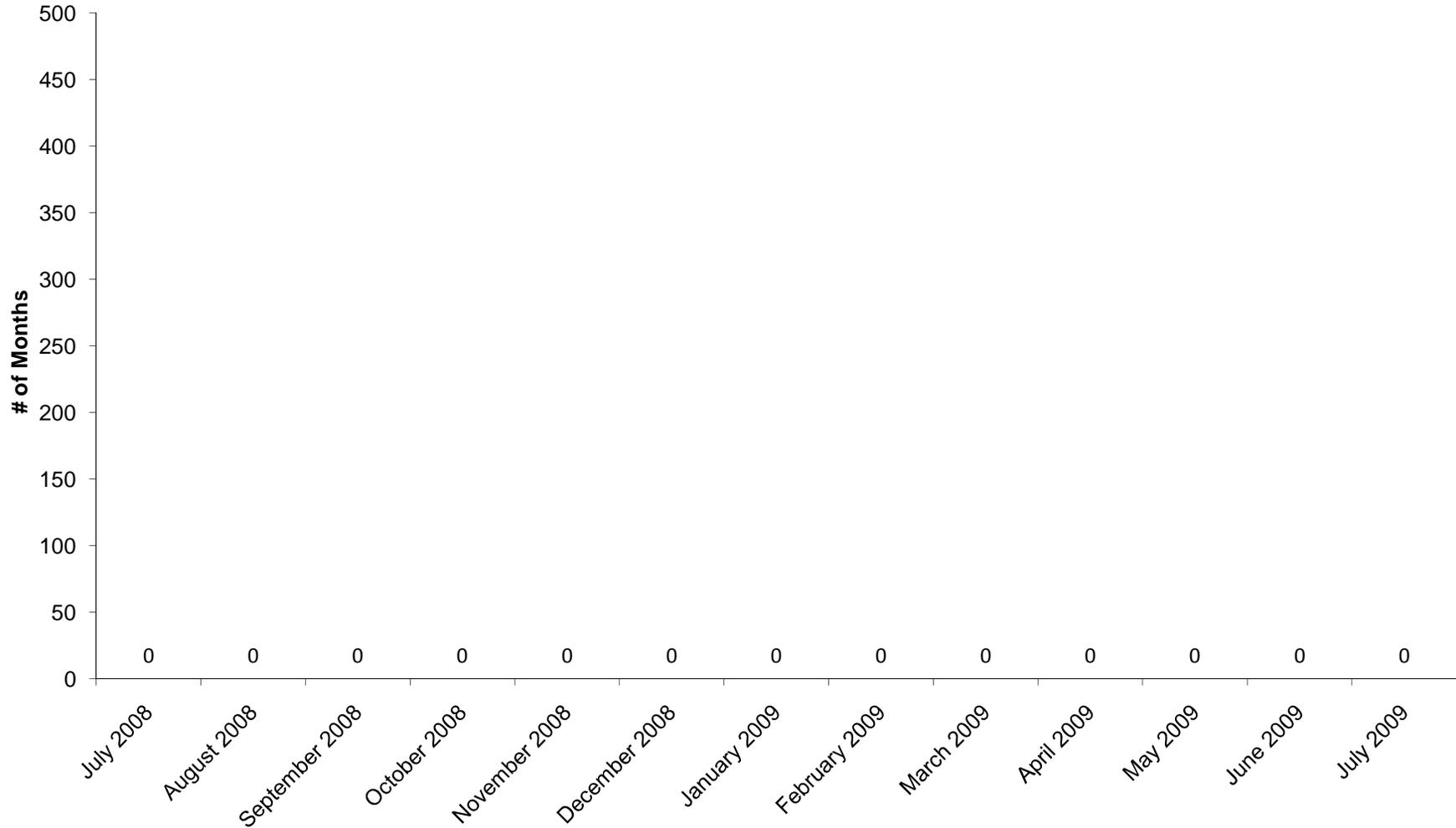
CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Percentage of Youth Who Received a Projected Board Date (PBD) Extension for
First Admissions and Recommitments to
Department of Mental Health (DMH)



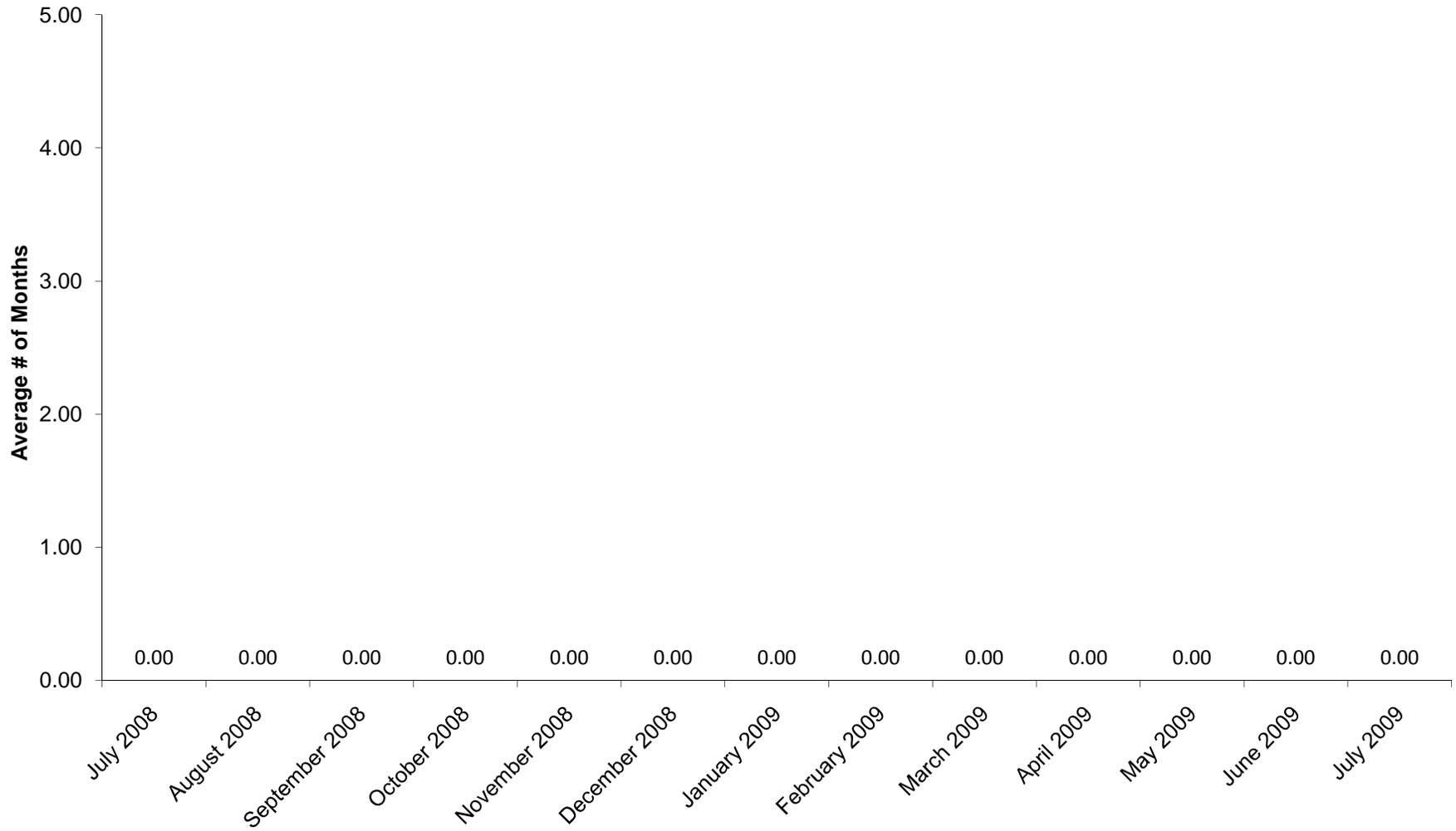
CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Number of Youth Who Received Projected Board Date (PBD) Time Restorations for
First Admissions and Recommitments to
Department of Mental Health (DMH)



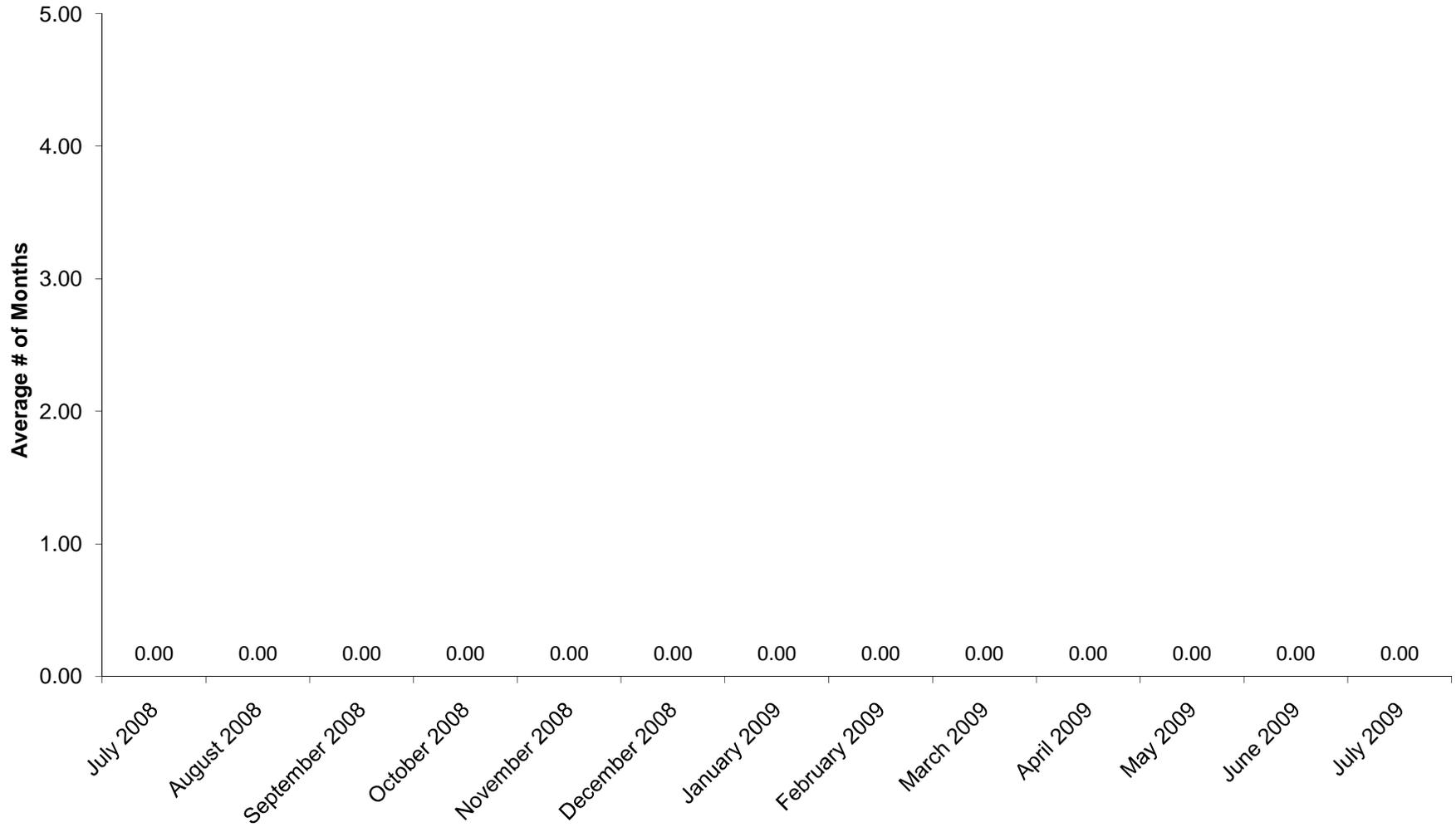
CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Net Number of Months of Projected Board Date (PBD) Extensions and Restorations for
First Admissions and Recommitments to
Department of Mental Health (DMH)



CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Extension Months Added per Youth for
First Admissions and Recommitments to
Department of Mental Health (DMH)



CDCR DJJ
Monthly Tracking of Disciplinary Decision-Making System (DDMS)
Average Number of Projected Board Date (PBD) Months Restored per Youth for
First Admissions and Recommitments to
Department of Mental Health (DMH)



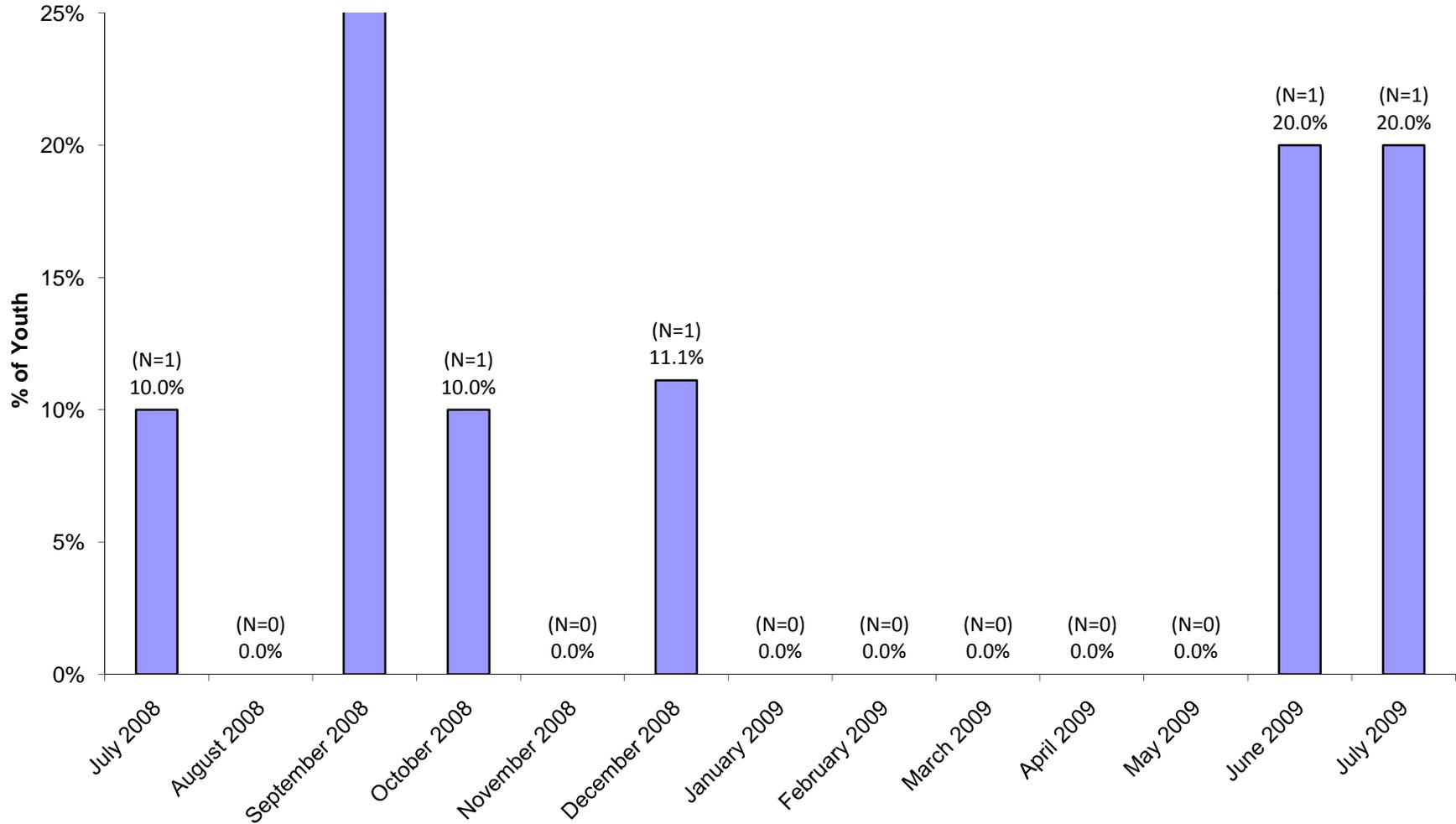
California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of
Projected Board Date (PBD) Extensions for Treatment/Training and Program Credits for
First Admissions and Recommitments to
Department of Mental Health (DMH)

Year/ Month	ADP ²	Program ¹							
		PBD Extensions				Credits			
		# of PBD Extension Hearings	# of Youth Who Had a PBD Extension	# of PBD Extension Months Added	Average Number of PBD Extension Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Months Program Months Credited	Average Number of Program Months Cut per Youth
2008									
July	10	1	1	6	6.00	1	1	3	3.00
August	12	0	0	0	0.00	0	0	0	0.00
September	9	3	3	16	5.33	1	1	4	4.00
October	10	1	1	4	0.00	0	0	0	0.00
November	10	0	0	0	0.00	0	0	0	0.00
December	9	1	1	6	6.00	0	0	0	0.00
2009									
January	8	0	0	0	0.00	0	0	0	0.00
February	6	0	0	0	0.00	0	0	0	0.00
March	4	0	0	0	0.00	0	0	0	0.00
April	4	0	0	0	0.00	0	0	0	0.00
May	5	0	0	0	0.00	0	0	0	0.00
June	5	1	1	6	6.00	0	0	0	0.00
July	5	1	1	6	6.00	1	1	1	1.00

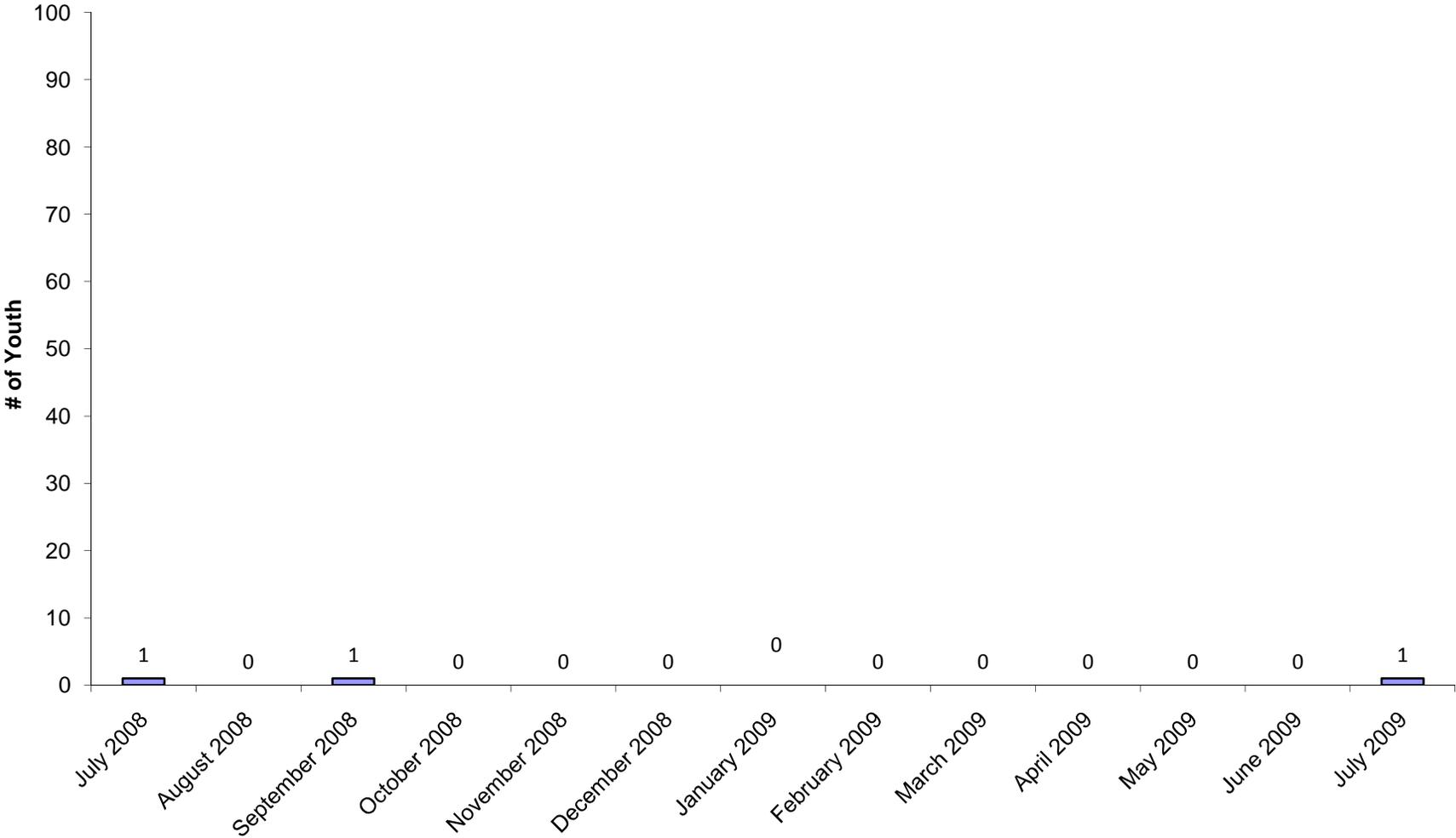
1 WIC-1800 time adds included; Additional Commitment time adds not included.

2 Average Daily Population (ADP) for YA cases only.

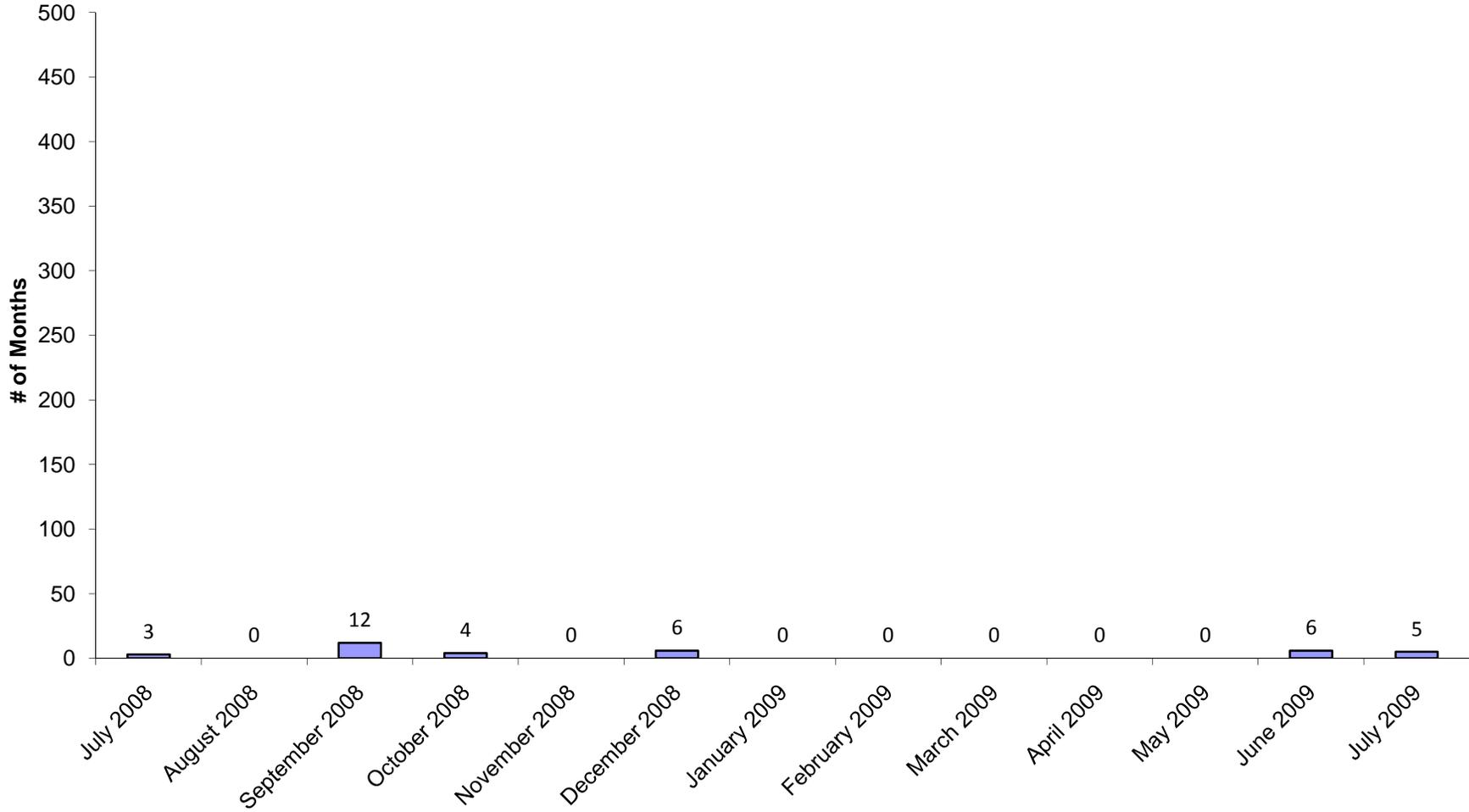
**CDCR DJJ
 Monthly Tracking of Treatment/Training
 Percentage of Youth Who Received a PBD Extension for
 First Admissions and Recommitments to
 Department of Mental Health (DMH)**



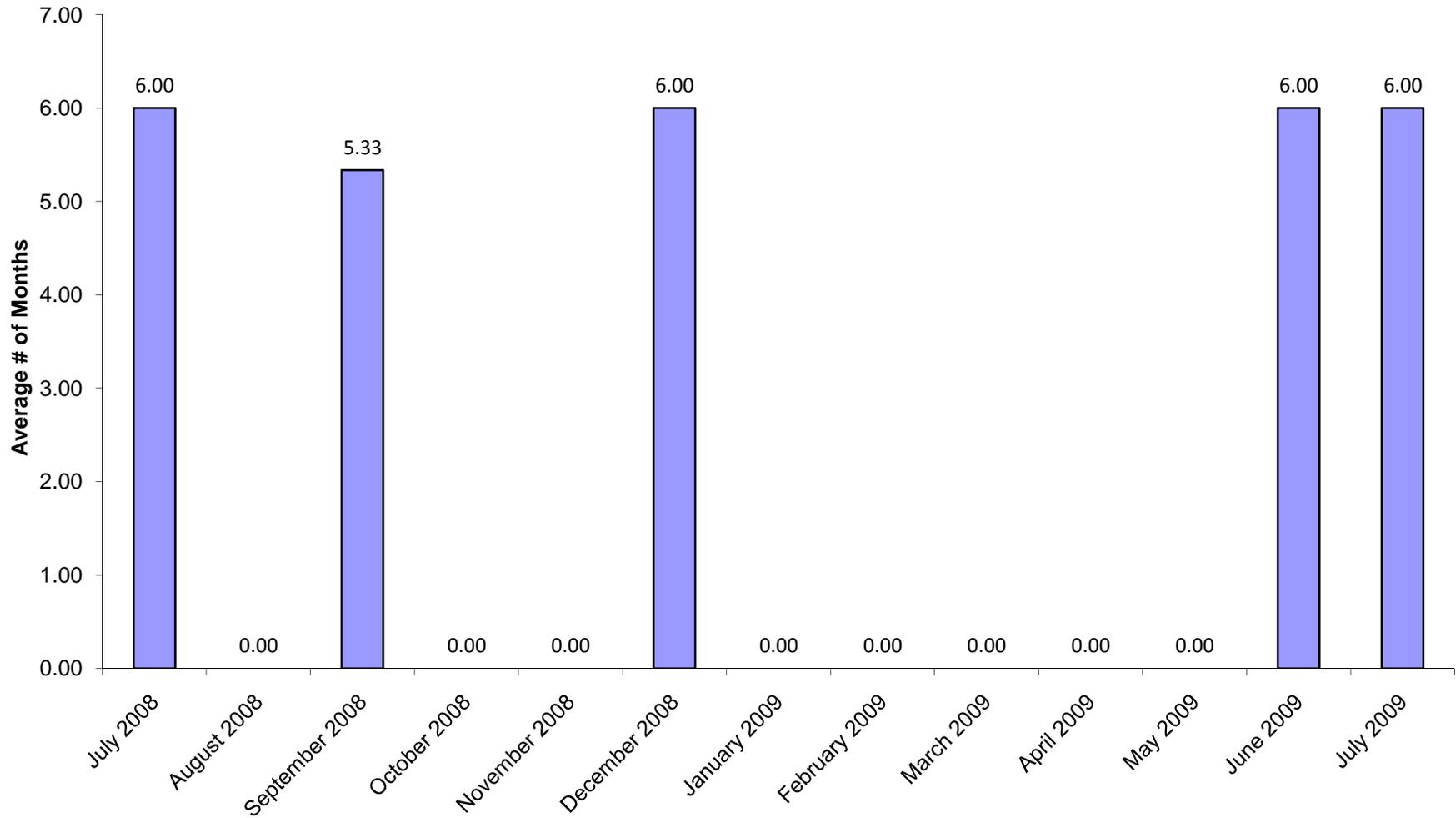
**CDCR DJJ
Monthly Tracking of Treatment/Training
Number of Youth Who Received Program Credits for
First Admissions and Recommitments to
Department of Mental Health (DMH)**



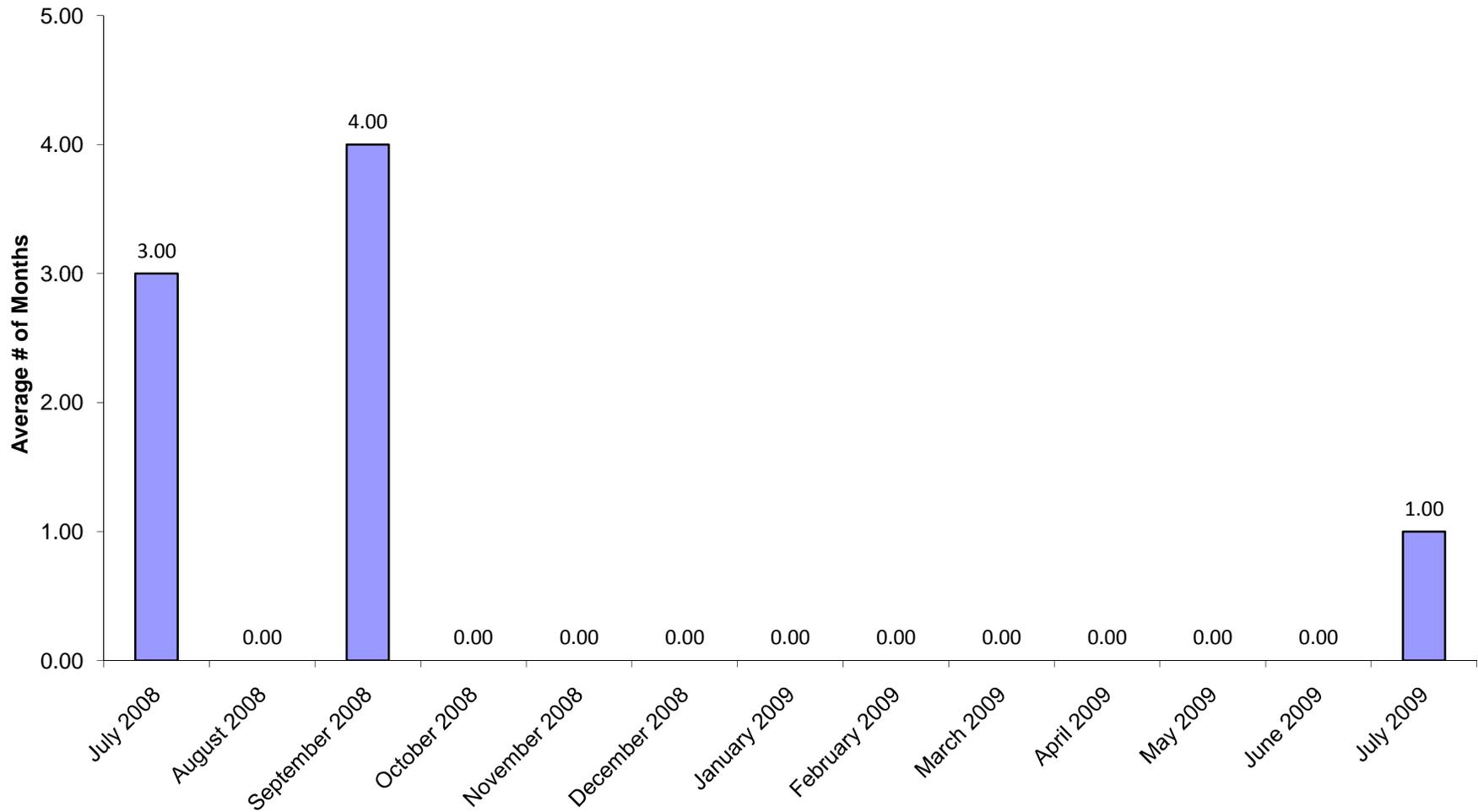
CDCR DJJ
Monthly Tracking of Treatment/Training
Net Number of Months for Program PBD Extensions / Credits for
First Admissions and Recommitments to
Department of Mental Health (DMH)



CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of PBD Extension Months Added per Youth for
First Admissions and Recommitments to
Department of Mental Health (DMH)



CDCR DJJ
Monthly Tracking of Treatment/Training
Average Number of Program Credits per Youth for
First Admissions and Recommitments to
Department of Mental Health (DMH)



**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
Department of Mental Health (DMH)**

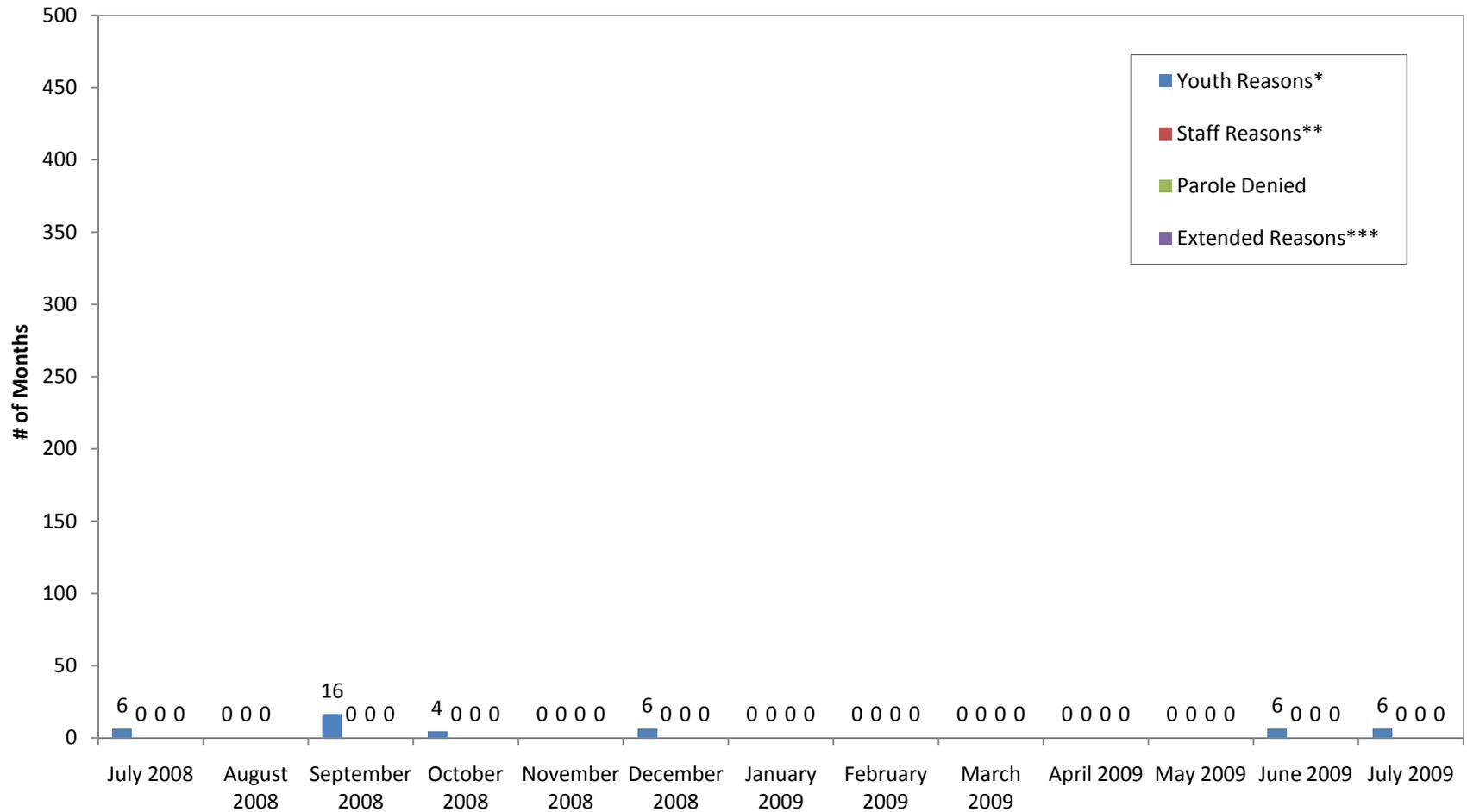
	Youth Reasons*	Staff Reasons**	Parole Denied	Extended Reasons***	Total
July 2008	6	0	0	0	6
August 2008	0	0	0	0	0
September 2008	16	0	0	0	16
October 2008	4	0	0	0	4
November 2008	0	0	0	0	0
December 2008	6	0	0	0	6
January 2009	0	0	0	0	0
February 2009	0	0	0	0	0
March 2009	0	0	0	0	0
April 2009	0	0	0	0	0
May 2009	0	0	0	0	0
June 2009	6	0	0	0	6
July 2009	6	0	0	0	6

* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.

** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.

***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

CDCR DJJ
Program Treatment/Training Projected Board Date (PBD) Extensions (Ext.) By Reason for
Department of Mental Health (DMH)



* Youth reasons include risk to re-offend or danger to public; needs additional time to accomplish/gain/demonstrate progress; needs additional education and /or employability skills; and current needs cannot be met on parole.
 ** Staff reasons include board reports not completed in timely manner; parole placement plans not received; registrations/notifications not completed in timely manner; and correction pending.
 ***Extended reasons include dual commitment with EPRD past PBD and WIC 1800.

**California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Revocation Extensions (Rev-Ext)* and Program Credits for
Parole Violators in
Department of Mental Health (DMH)**

Year/ Month	ADP ¹	Revocation Extensions					Program Credits				
		# of Rev-Ext Hearings	# of Youth Who Had a Rev-Ext	# Rev-Ext Months Added	Average Number of Rev-Ext Months Added per Hearing	Average Number of Rev-Ext Months Added per Youth	# of Program Credit Hearings	# of Youth Who Had Program Credits	# Program Months Credited	Average Number of Program Months Credited per Hearing	Average Number of Program Months Credited per Youth
2008											
July	-	0	0	0	0.00	0.00	0	0	0	0.00	0.00
August	-	0	0	0	0.00	0.00	0	0	0	0.00	0.00
September	-	0	0	0	0.00	0.00	0	0	0	0.00	0.00
October	-	0	0	0	0.00	0.00	0	0	0	0.00	0.00
November	-	0	0	0	0.00	0.00	0	0	0	0.00	0.00
December	-	0	0	0	0.00	0.00	0	0	0	0.00	0.00
2009											
January	-	0	0	0	0.00	0.00	0	0	0	0.00	0.00
February	-	0	0	0	0.00	0.00	0	0	0	0.00	0.00
March	-	0	0	0	0.00	0.00	0	0	0	0.00	0.00
April	-	0	0	0	0.00	0.00	0	0	0	0.00	0.00
May	-	0	0	0	0.00	0.00	0	0	0	0.00	0.00
June	-	0	0	0	0.00	0.00	0	0	0	0.00	0.00
July	-	0	0	0	0.00	0.00	0	0	0	0.00	0.00

* Prior to implementation of the LH lawsuit on December 15, 2008, Revocation Extensions were referred to as "DDMS extensions".

California Department of Corrections and Rehabilitation
Division of Juvenile Justice (DJJ)
Monthly Tracking of Program* Projected Board Date (PBD)
Extensions for Treatment/Training (Pre L.H. Lawsuit) for
Parole Violators in
Department of Mental Health (DMH)

Year/ Month	ADP ²	Program				
		Time Adds ¹				
		# of Program Time Add Hearings	# of Youth Who Had Program Time Added	# of Program Months Added	Average Number of Program Months Added per Hearing	Average Number of Program Months Added per Youth
2008						
July	-	2	2	11	5.50	5.50
August	-	0	0	0	0.00	0.00
September	-	0	0	0	0.00	0.00
October	-	0	0	0	0.00	0.00
November	-	0	0	0	0.00	0.00
December	-	0	0	0	0.00	0.00
2009						
January	-	0	0	0	0.00	0.00

* As of December 15, 2008, parole violators no longer receive PBD Extensions for DDMS or treatment/training.
Due to processing time frames, the youth reported in December 2008 reflect orders/hearings that originated prior to December 15, 2008.

1 WIC-1800 time adds included; Additional Commitment time adds not included.

2 Average Daily Population (ADP) for YA cases only.



California Department of Corrections & Rehabilitation
 Division of Juvenile Justice

Proof of Practice

Document Submission

Date: 11/17/2009

The following information is being provided to the Expert(s), the Special Master, and/or other Stakeholders for the following reason(s):

- INFORMATIONAL PURPOSES ONLY
- INFORMATIONAL PURPOSES AND **FEEDBACK REQUESTED**. DUE DATE FOR REQUESTED FEEDBACK: _____
- APPROVAL FROM EXPERT(S) REQUIRED**. DUE DATE FOR REQUESTED FEEDBACK: _____
 SEE THE _____ REMEDIAL PLAN, PAGE NUMBER _____.
- SPECIAL REQUEST FROM **THE SAFETY & WELFARE EXPERT**

Name	Section #	Item #	Due Date	Description
Remedial Plan	--	--	--	--

Name and Description of Submitted Document(s)	1 – Document entitled, “1-, 2-, and 3-Year Rates of Recidivism: Youth Released FY 20004-2005” (1 page); and 2 – Definition Section for above document, containing a discussion of DJJ’s definition of the term “recidivism” (1 page). <p style="text-align: right;">TOTAL NUMBER OF PAGES: 2</p>
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Justification for Providing Document(s)	These documents are being submitted to the Safety & Welfare Expert pursuant to his specific request. There is no specific audit item from the Safety & Welfare Standards and Criteria applicable to these documents.
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Document(s) Submitted to:	Barry Krisberg	Title	Safety & Welfare Expert
	Donna Brorby	Title	Special Master

Area Manager	Tammy McGuire	Title	Safety & Welfare Team Supervisor
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Signature: Tammy McGuire Date: 11/17/09

DJJ Litigation Rep.	Doug Ugarkovich	Title	Farrell Litigation Coordinator
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Signature: Doug Ugarkovich Date: 11/18/09

CDCR Division of Juvenile Justice
1-, 2-, and 3- Year Rates of Recidivism
Youth Released FY 2004-2005

Rates at Year One

Rates at One Year	Total Released	Arrest		DJJ Commitments Law Violations		DJJ Commitments Tech Violations		Adult Commitment		Any Commitment		Arrest or Any Commitment	
		N	%	N	%	N	%	N	%	N	%	N	%
707b/290 Offenders	789	399	50.6	78	9.9	70	8.9	51	6.5	185	23.4	420	53.2
Other Offenders	707	477	67.5	98	13.9	84	11.9	72	10.2	248	35.1	507	71.7
TOTAL	1496	876	58.6	176	11.8	154	10.3	123	8.2	433	28.9	927	62.0

Rates at Year Two

Rates at Two Years	Total Released	Arrest		DJJ Commitments Law Violations		DJJ Commitments Tech Violations		Adult Commitment		Any Commitment		Arrest or Any Commitment	
		N	%	N	%	N	%	N	%	N	%	N	%
707b/290 Offenders	789	512	64.9	55	7.0	55	7.0	123	15.6	342	43.3	535	67.8
Other Offenders	707	575	81.3	33	4.7	21	3.0	185	26.2	377	53.3	597	84.4
TOTAL	1496	1087	72.7	88	5.9	76	5.1	308	20.6	719	48.1	1132	75.7

Rates at Year Three

Rates at Three Years	Total Released	Arrest		DJJ Commitments Law Violations		DJJ Commitments Tech Violations		Adult Commitment		Any Commitment		Arrest or Any Commitment	
		N	%	N	%	N	%	N	%	N	%	N	%
707b/290 Offenders	789	568	72.0	24	3.0	13	1.6	182	23.1	405	51.3	590	74.8
Other Offenders	707	607	85.9	6	0.8	5	0.7	256	36.2	430	60.8	622	88.0
TOTAL	1496	1175	78.5	30	2.0	18	1.2	438	29.3	835	55.8	1212	81.0

Recidivism

In response to the Legislature's current request for information on how DJJ will define recidivism and how the Division of Juvenile Parole (DJPO) will measure success, DJJ has worked with the CDCR Office of Research to provide a definition of recidivism, which is listed below.

RECIDIVISM: JUVENILE JUSTICE DEFINITION AND FORMULA

Recidivist: An individual previously adjudicated of a serious or violent crime [CA Welfare and Institutions Code (WIC) 707b] or sex crime [CA Penal Code (PC) 290], committed to California Department of Corrections and Rehabilitation (CDCR) Division of Juvenile Justice (DJJ) and released/discharged from CDCR who was subsequently arrested in California or returned/recommitted to DJJ or returned/committed to a CDCR adult institution (prison) during a specified follow-up period of time (recidivism period) independent of his/her discharge status on the initial committing offense(s).*

Release/Discharge Period: A defined California State Fiscal Year (FY). The release/discharge period defines the study cohort period.

Recidivism Period: A specified one-year, two-year, or three-year period immediately following the Release/Discharge Period.

Recidivism Rate: The ratio of the number of recidivists to the number of offenders who were paroled or discharged during a specified period of time (Release/Discharge Period). This office has specified one, two, and three-year follow-up periods and calculates one-year, two-year, and three-year recidivism rates.

Calculation: # of individuals arrested or recommitted to DJJ or committed to CDCR adult prison during the recidivism period that were paroled or discharged from DJJ during the release/discharge period / # of individual paroled or discharged from DJJ during the release/discharge period.

* A comparison recidivist group will be constructed that consists of the entire DJJ population.

The CDCR Office of Research will begin tracking cases to report on recidivism as soon as it is able to develop a baseline to identify DJJ's current rate of recidivism as per the definition. Upon obtaining DJJ's current rate of recidivism DJJ will be able to establish a goal to improve our performance in this area.

The need to establish a baseline is critical in that over the last two years the population of commitments to DJJ have been significantly altered. The implementation of Senate Bill 81 and Assembly Bill 191 severely changed the characteristics of the DJJ population. All previous data being collected included non WIC 707b (less serious) and WIC 707b (more serious) offenders. In order for the DJJ to make realistic projections and set attainable goals a baseline of only relevant commitments needs to be established. Once that baseline is established, DJJ will be able to submit an annual rate and will be able to identify an annual goal of reduction. The timetable and bench marks for achieving this task are listed on the last page.