



Probation Oversight Commission
 Oleoresin Capsicum (OC) Deployment Summary: Update II
 January 31, 2023

The Probation Oversight Commission (POC) continues to track the deployment of OC spray within Probation’s two juvenile hall facilities, Barry J. Nidorf Juvenile Hall (BJNJH) and Central Juvenile Hall (Central). An initial OC Deployment Summary¹ was presented at the POC meeting on November 16, 2022, and a subsequent OC Deployment Summary: Update² was published on January 5, 2023 which covered OC deployment data through December 31, 2022.

As called for in the Board of Supervisors’ December 20, 2022 motion, Phase Out of Oleoresin Capsicum (OC) Spray at Central Juvenile Hall³, the POC continues to analyze Probation’s Weekly OC Deployment Reports and Quarterly OC Phase Out Reports. During the analysis of the most recent quarterly report⁴, a data discrepancy was noted affecting Probation’s reports spanning the last several months. Specifically, weekly OC Deployment Reports under-reported a total of six deployments within the months of June, October, November, and December 2022.

OC Deployments Documented in Probation’s 12th Quarterly Report

MONTH	BJNJH	CJH	DSB TOTAL
June '22	20	24	44
October '22	22	55	77
November '22	10	32	42
December '22	15	22	37

¹ [OC Deployment Summary](#)

² [OC Deployment Summary Update, January 5, 2023](#)

³ [Phase Out of Oleoresin Capsicum \(OC\) Spray at Central Juvenile Hall](#)

⁴ [Progress on Implementation of the Elimination of the use of Oleoresin Capsicum \(OC\) Spray \(Twelfth Monthly Report\)](#)

OC Deployments Documented in Weekly Reports

MONTH	BJNJH	CJH	DSB TOTAL
June '22	19	24	43
October '22	22	54	76
November '22	9	30	39
December '22	36	22	36



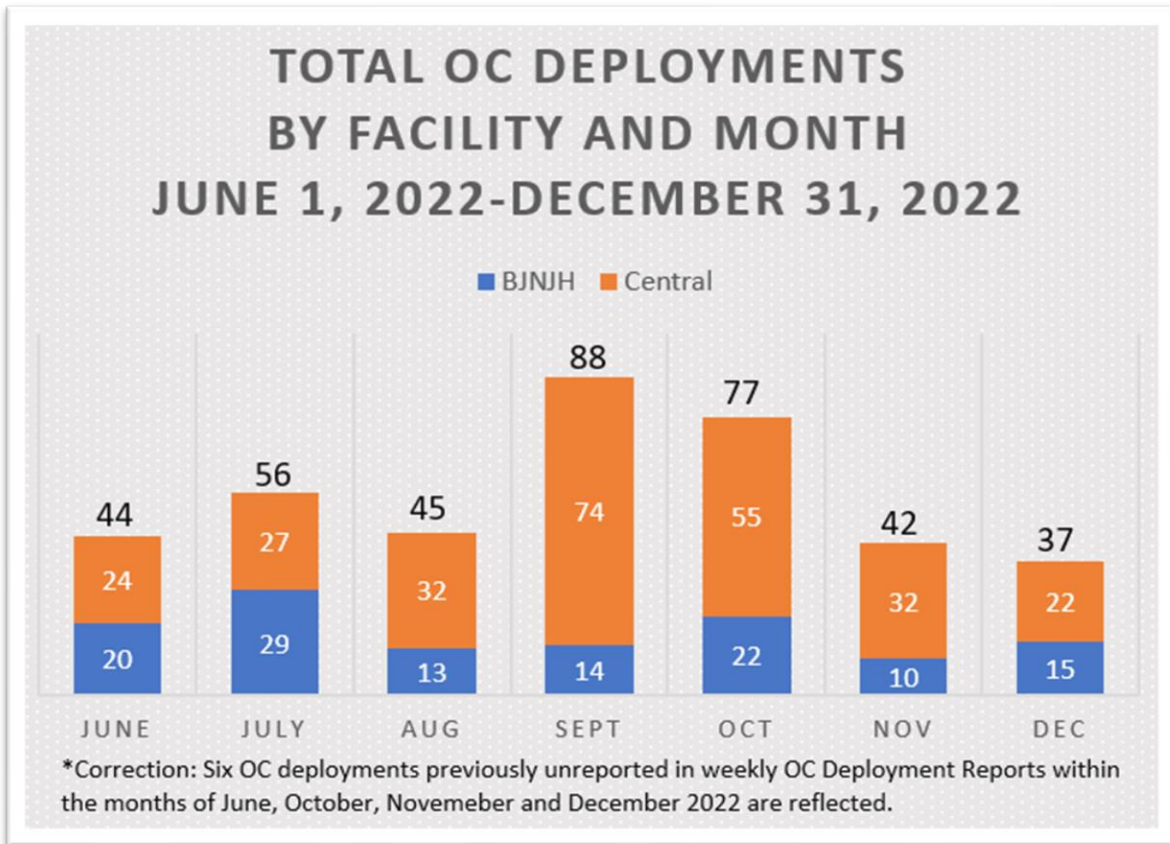
According to review of the weekly data against the quarterly report, there were discrepancies from both juvenile hall facilities.

OC Deployment Totals and Discrepancies

MONTH	WEEKLY OC DEPLOYMENTS	QUARTERLY OC PHASE OUT REPORT	DISCREPANCY
June '22	43	44	1 (BJNJH)
October '22	76	77	1 (CJH)
November '22	39	42	3 (1 BJNJH/ 2 CJH)
December '22	36	37	1 (BJNJH)



Since the POC has based all summaries on weekly OC Deployment Reports, this issue affected the data contained in this and previous reports, in that there actually were more OC deployments in the identified months than previously believed.

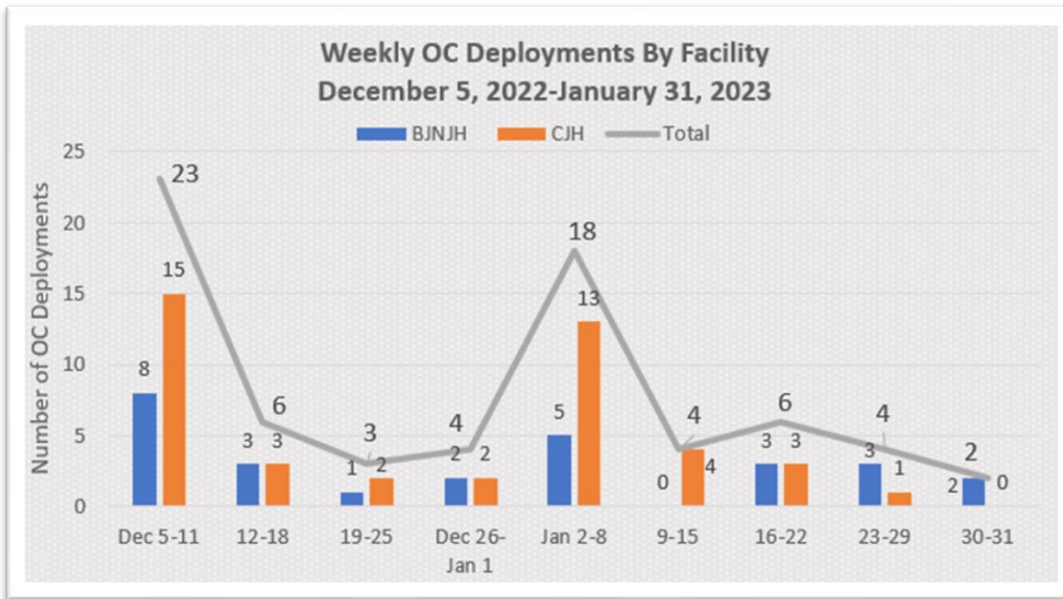


The POC requested a response from Probation on January 30, 2023, to clarify which of the reports has the correct data and to provide an explanation of what may have caused the reporting of two different data sets. In an email, Deputy Chief Fletcher confirmed that the weekly OC Deployment reports did not count four of the deployments because “they were not identified as a direct contact with youth.” The other two unreported OC deployments were not explained, and it was reported that Probation “cannot specifically state why the other two were not included on the report.” The solution proposed by Probation to prevent such discrepancies in the future is to have a single person do both reports.

The POC remains committed to working closely with Probation to address and reconcile data discrepancies in OC reporting now and in the future. The POC has serious concern about Probation’s inconsistent definition of what constitutes and is counted as a “deployment” of OC, and the apparent lack of a quality assurance process in Probation’s data gathering and reporting. The POC remains committed to working closely with Probation to address and reconcile data discrepancies in OC reporting now and in the future.

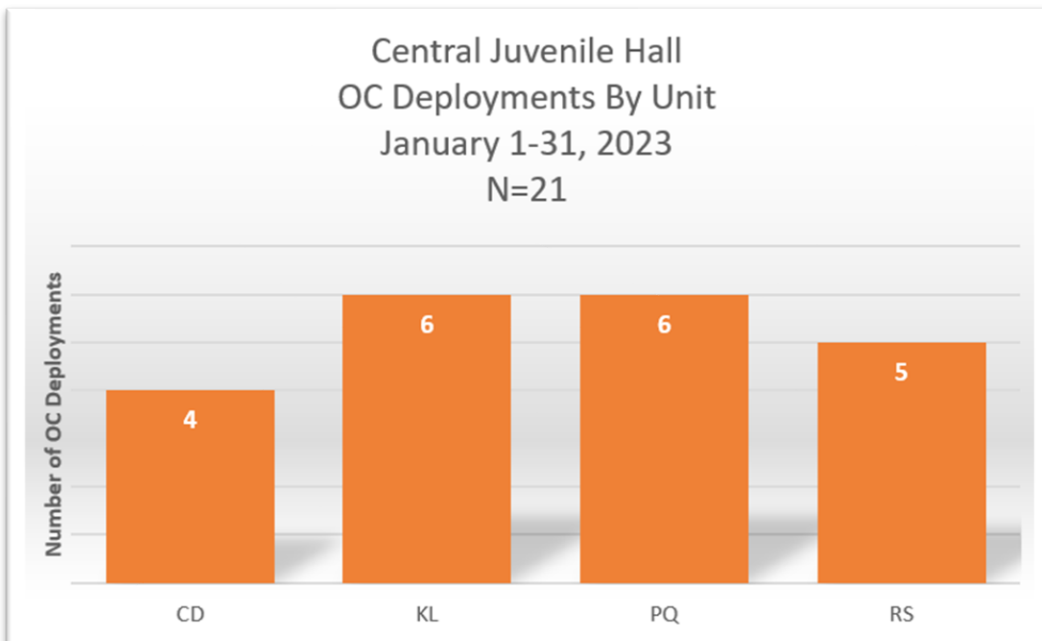
Despite concerns regarding data accuracy, deployment patterns still emerge with some level of validity. Currently, wide variations in weekly OC use pose a barrier to proclaiming a decreasing trend, especially

at Central Juvenile Hall, which had some weeks of low OC deployment were punctuated by weeks of high deployment.



A notable event took place at BJNH during the week of January 9-15, 2023, in that there were zero deployments of OC reported. This accomplishment should be explored to understand staff interventions and behaviors, as well as any other factors, that may have contributed to this result.

From January 1-31, 2023, four units at Central had OC deployments, while several others had none.



These units house youth according to the following criteria:

- Unit CD- Girls ages 14-16+ on Unit C and ages 17-18+ on Unit D
- Unit KL- Boys ages 15-17 on Unit K and ages 17-18+ on Unit L
- Unit PQ-Boys ages 15-17
- Unit RS- Boys ages 16-18+

Zero incidents of OC deployments were reported for Units AB or XY, which according to unit classifications and staff report, are the units at Central that most reliably house youth diagnosed with developmental disabilities.

During POC visits to Central, it was reported that youth with developmental disabilities may also be housed on units other than AB and XY for varying reasons including increased supervision and mental health needs, availability of space on the designated units, and the safety need to separate certain youth. It was reported that, typically, youth with developmental disabilities are moved to designated units as they are identified, even if they have only been referred for testing, as soon as it is safe to do so. Probation has added a column to its most recently released weekly OC Deployment Report for January 30-February 5, 2023⁵ to denote the involvement of any youth with developmental disabilities, regardless of unit assignment, in OC deployment incidents.

The POC will continue to analyze and report on OC use and phase-out, emphasizing the importance of Probation tracking and sharing data with oversight bodies and the public.

⁵ [OC Deployment Report January 30-February 5, 2023](#)

Appendix

1) Central Juvenile Hall Unit Classification received on 1/10/23

The Central Juvenile Hall HOUSING PROTOCOLS

Revised 1/10/2023

Division	Unit	Gender		Age Range	Capacity	Description of Unit Housing Criteria
1	Receiving	UNISEX				Vacant for repair
4	A	MALE	DD	14-18	14	Regional Center Clients (High Needs): Male youth who are currently listed as Developmentally Disabled (DEV/DIS), Level 3, youth
4	B	MALE	DD	14-18+	14	Regional Center Clients (High Needs): Male youth who are currently listed as Developmentally Disabled (DEV/DIS), Level 3, youth
4	BOYS CARE	MALE	CARE	14-18	12	C.A.R.E. Unit: Short-term stabilization unit for emotionally challenged youth. No Level 3, SYTF, DJJ, or UNFIT youth. NOTE - Population shall not exceed 12 youth.
3	Girls Care	FEMALE	CARE	12-18+	12	Vacant for repair
3	C	FEMALE		14-16+	12	High Risk Offender (HRO): Female youth actively going through Fitness/Transfer setting proceedings in juvenile court, MH Level 3, DJJ, SYTF, and UNFIT. Level 3 female youth (specialized supervision plan), NODSP, CAMPN, CAMPM, fitness/trail setting, or regional center clients awaiting transfer, SYTF, and UNFIT housing.
3	D	FEMALE		17-18+	15	High Risk Offender (HRO): Female youth actively going through Fitness/Transfer setting proceedings in juvenile court, MH Level 3, DJJ, SYTF, and UNFIT. Level 3 female youth (specialized supervision plan), NODSP, CAMPN, CAMPM, fitness/trail setting, or regional center clients awaiting transfer, SYTF, and UNFIT housing.
	E	MALE				Vacant for repair
	F	MALE				Vacant for repair
	G	MALE				Vacant for repair
	H	MALE				Vacant for repair
	J	UNISEX		14-18	12	Transportation Pit Stop
4	O	MALE	BESU	14-18	12	Enhanced Supervision Unit: Level 3 male youth, NODSP, and DKC Placements. No SYTF, DJJ, or UNFIT youth.
6	K	MALE		15-17	20	Level 3 male youth, NODSP, camp ordered overflow, county jail deferred, and court ordered drug program. No Proposition 57, DJJ, or UNFIT youth. (overflow for PG)
6	L	MALE		17-18+	20	Level 3 male youth, NODSP, camp ordered overflow, county jail deferred, and court ordered drug program. No Proposition 57, DJJ, or UNFIT youth. (overflow for R/S)
	M	MALE			20	Vacant for repair
	N	MALE			20	Vacant for repair
5	P	MALE		15-17	14	Level 3 male youth, NODSP, camp ordered overflow, county jail deferred, and court ordered drug program. No Proposition 57, DJJ, or UNFIT youth.
5	Q	MALE		15-17	13	Level 3 male youth, NODSP, camp ordered overflow, county jail deferred, and court ordered drug program. No Proposition 57, DJJ, or UNFIT youth.
6	R	MALE		16-18+	14	Level 3 male youth, NODSP, camp ordered overflow, county jail deferred, and court ordered drug program. No Proposition 57, DJJ, or UNFIT youth.
6	S	MALE		16-18+	14	Level 3 male youth, NODSP, camp ordered overflow, county jail deferred, and court ordered drug program. No Proposition 57, DJJ, or UNFIT youth.
	T	NA				Permanently Closed
	V	NA				Permanently Closed
1	W1	UNISEX		15-18	20	ISOLATION Unit - for youth positive with Covid 19 who must be isolated in the facility.
1	W2	UNISEX		15-18	20	Receiving - Intake - All youth Pending medical clearance
3	XIV	FEMALE	GESU/GCARE	12-18+	14	ESU-Enhanced Supervision Unit: Level 3 female youth, NODSP, Regional Center Clients, and DKC Placements. No SYTF, DJJ, or UNFIT youth. C.A.R.E. Unit: Short-term stabilization unit for emotionally challenged youth. No Level 3, SYTF, DJJ, or UNFIT youth. NOTE - Population shall not exceed 12 youth.
6	MOU	UNISEX		ALL	8	All youth with medical needs or special orders and youth who are administratively assigned. NOTE: Youth found positive for COVID 19 will be housed here until cleared by JCJS