



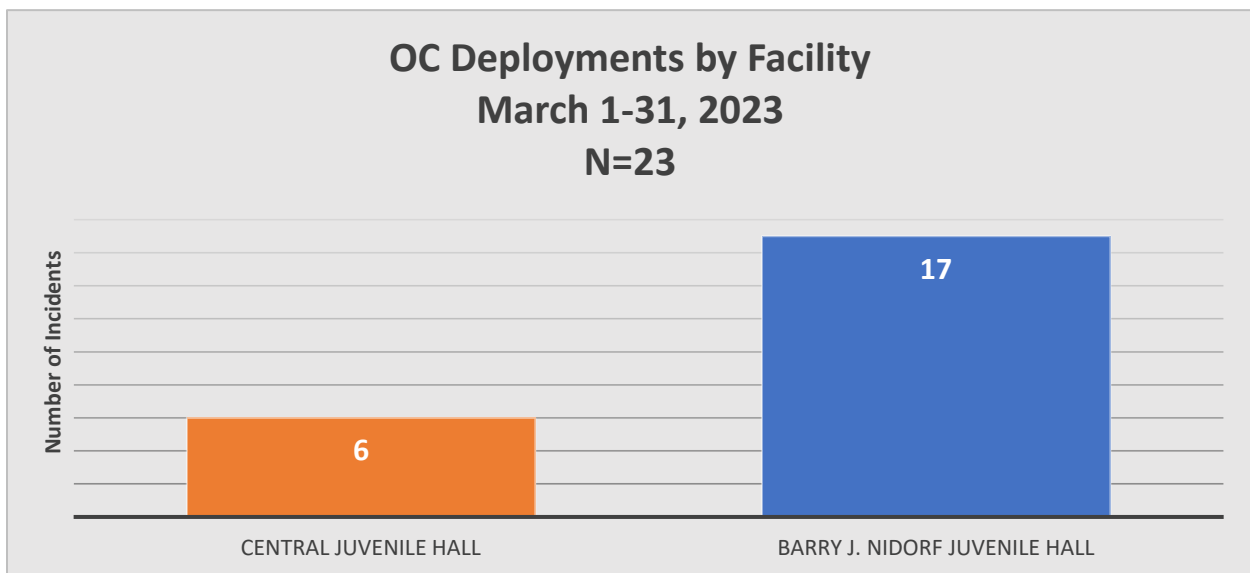
Probation Oversight Commission
 Oleoresin Capsicum (OC) Deployment Summary: Update IV
 March 31, 2023

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). As called for in the Board of Supervisors’ December 20, 2022 motion, **Phase Out of Oleoresin Capsicum (OC) Spray at Central Juvenile Hall¹**, the POC continues to analyze Probation’s Weekly OC Deployment Reports and Quarterly OC Phase Out Reports.

Reporting on the utilization of OC has taken place in the following schedule:

Report:	Contains Data Through:
OC Deployment Summary ²	September 30, 2022
Update I ³	December 31, 2022
Update II ⁴	January 31, 2023
Update III ⁵	February 28, 2023

During the month of March, there were a reported total of 23 of OC use across both juvenile hall facilities.



¹ [Phase Out of Oleoresin Capsicum \(OC\) Spray at Central Juvenile Hall](#)

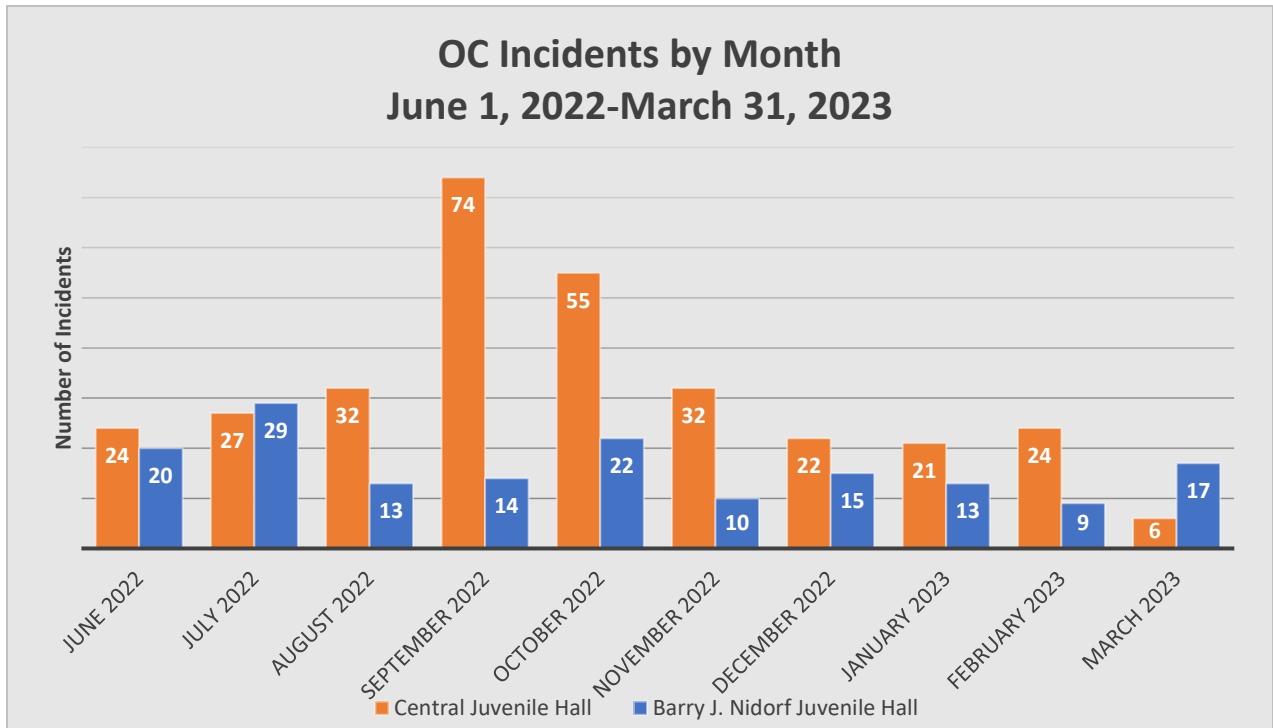
² [OC Deployment Summary](#)

³ [OC Deployment Summary Update, January 5, 2023](#)

⁴ [OC Deployment Summary Update, January 31, 2023](#)

⁵ [OC Deployments Summary Update, February 28, 2023](#)

This marks the first month since July 2022 that Central has had fewer reported OC incidents than BJNJH.



The decrease in OC use at Central appears to be a direct result of the February 27, 2023, elimination of OC spray on units housing youth with developmental disabilities, girls, and gender expansive youth. POC staff verified that in addition to the units Probation identified to the Board in their phase out plan, OC was also proactively eliminated OC on Unit W, which housed youth for intake and medical isolation.

During March facility visits, POC staff visited both juvenile halls to verify the elimination of OC on identified units, review housing classifications, and to gauge staff perceptions of readiness and support received through the process of OC phase out. At both facilities, housing protocols were accurate. There were repeated concerns about a lack of staffing in both facilities. There was also a repeated concern from previous months of a lack of information sharing and planning that included meaningful input from staff. At Central, some Probation staff on non-phased out units made a personal choice to no longer carry their issued OC due to fear that they would receive negative consequences for using OC. Multiple staff reported lack of clarity around the current policy and expected practice from leadership and supervisors and stated that questions from staff had largely gone unanswered. At BJNJH, OC phase out was a concern for staff, but administrative planning seemed to be in a contemplation stage as few staff reported refresher block week training or any other action-oriented preparation for phase out in the previous three months.

According to Probation’s phase out plan, the next units slated to eliminate OC include the MOU units, with BJNJH MOU phase out planned on March 31, 2023, and Central’s MOU phase out on April 30, 2023⁶.

⁶ [FINAL REPORT BACK ON THE PHASE OUT OF OLEORESIN CAPSICUM SPRAY AT CENTRAL JUVENILE HALL](#)

<u>Central</u>	<u>Elimination Date</u>
MOU	April 30, 2023
P/Q	June 30, 2023
R/S	August 31, 2023
KL Security/MC	October 31, 2023
<u>Barry J. Nidorf</u>	<u>Elimination Date</u>
MOU	March 31, 2023
L/M	April 30, 2023
Q	May 31, 2023
G/H	June 30, 2023
J/K	July 31, 2023
N/O	August 31, 2023
A/B	September 30, 2023
T/V (SYTF)	October 31, 2023
Y (will be X) W (SYTF)	November 30, 2023
P/X (will be Z) (SYTF)	December 31, 2023
Security/Movement Control	January 31, 2024

POC staff made visits to Central and BJNJH on April 17 and 18, 2023, respectively. The visit to Central confirmed that the reassignment of field staff to the facility was viewed as a helpful support that most line staff hoped to receive from the department, and that all units that eliminated OC use on February 27, 2023, continued to function free of the intervention. Line staff at both facilities continued to report relevant and critical support that they need from the department to increase safety and morale in the workplace, including on the job coaching and mentorship, communication from leadership regarding best practices and policy, leadership incorporation of staff supported solutions, and making it easier for CBOs to come in to provide more relevant programs and services for youth. It was also shared that the removal of compressed work schedules encouraged call outs and increased safety issues that lead to uses of force, including OC use.

During the visit to BJNJH, it was reported that the elimination of OC spray on the MOU that was planned for March 31, 2023, did not take place and that there were no immediate plans to collect OC from staff on that unit. Staff on the unit were not clearly informed of a pending future phase out date. Discussions during the visit illuminated a lack of momentum to follow through with previously submitted plans to phase out OC on any units at the facility.

During the April visits, POC staff found that the most recent housing protocols provided for OC reporting were outdated and inaccurate for both facilities. At Central, discrepancies were found regarding the location of the isolation and intake unit (listed Unit W, found in Unit PQ), and Unit GH housed youth while identified as "Vacant for repair". At BJNJH, Unit EF was identified as closed, and youth were housed there. Unit GH was closed, despite reported housing of youth in the documentation. In more than one case, POC

staff was informed that housing changes occurred weeks ago. The POC will continue to make site visits to both juvenile halls to verify housing classifications of youth to ensure accurate reporting.

Information gathered during visits raise serious concerns about Probation's management and reporting of accurate data, effective communication with staff, and failure to follow through on their own plan to phase out of OC spray at BJNH. This remains critical as reports continue to show that while OC has been eliminated at Central on units housing developmentally disabled youth, girls, and gender expansive youth, this has not caused the full elimination of OC use on these and other vulnerable youth.

Beginning in February, the POC received weekly OC Deployment reports with significant additions that indicated when youth identified as developmentally disabled, having history of commercial sexual exploitation (CSEC), and Department of Children and Family Services (DCFS) involvement were involved in an OC incident. Analysis of Weekly OC reports indicate that of the 23 OC spray incidents that took place in March:

- One incident involved youth with developmental disabilities;
- Fourteen (14) incidents involved youth with DCFS involvement.

There were no reported incidents of OC spray involving girls, gender expansive youth, or youth with CSEC history. Currently, housing classifications for BJNH indicate that youth with developmental disabilities are housed on Unit Q, and is identified for elimination on May 31, 2023, leaving these youth in a continued state of possible OC exposure.

March data indicates the department's ability to supervise youth without OC while continuing to indicate that when OC is an option, youth with complex trauma histories will be sprayed. Probation, along with county and community partners, should assess what support is needed to meet the supervision needs of youth with complex trauma histories, including those with documented histories of child abuse, and work closely to align the current practice with a trauma-informed approach that considers the underlying needs of each youth. As previously recommended: if the current training and services available are not sufficient to manage the behaviors and mental health symptoms of youth with complex trauma histories, the county has a responsibility to immediately move these youth to settings where interventions will not add to their trauma.

As the OC phase out is expected to continue roll out across units and facilities, the POC will maintain the expectation of regular and accurate tracking of quality data from Probation. The POC will continue to analyze and report OC utilization and phase-out in public meetings and reports with a continued goal of increasing transparency around use of force interventions used in Probation's detention facilities with emphasis on how these issues affect the well-being of the human beings inside of them.

Appendix

1) Barry J. Nidorf Juvenile Hall Unit Classification received on 2/2/23

Barry J. Nidorf Juvenile Hall HOUSING PROTOCOLS

Division	Unit	Gender	Age Range	Capacity	Description of Unit Housing Criteria
II	A	MALE	15-16+	20	Level 3 male youth, NODSP, camp ordered overflow, and court ordered drug program. No SYTF, DJJ, or UNFIT youth.
II	B	MALE	15-16+	20	Level 3 male youth, NODSP, camp ordered overflow, and court ordered drug program. No SYTF, DJJ, or UNFIT youth.
II	C	MALE	14-18	20	Closed
II	D	MALE	14-18	20	Closed
II	E	MALE	17-18	19	Closed
II	F	MALE	17-18	18	Closed
II	G	N/A	17-18	15	Level 3 male youth, NODSP, camp ordered overflow, county jail deferred, and court ordered drug program. No SYTF, DJJ, or UNFIT youth.
II	H	N/A	17-18	17	Level 3 male youth, NODSP, camp ordered overflow, county jail deferred, and court ordered drug program. No Proposition 57, DJJ, or UNFIT youth.
II	J	MALE	14 to 16	20	Level 3 male youth, NODSP, camp ordered overflow, and court ordered drug program. No SYTF, DJJ, or UNFIT youth.
II	K	MALE	12 to 14	18	Level 3 male youth, NODSP, camp ordered overflow, and court ordered drug program. No SYTF, DJJ, or UNFIT youth.
I	L	MALE	16 to 18+	17	Level 3 male youth, NODSP, camp ordered overflow, county jail deferred, and court ordered drug program. No Proposition 57, DJJ, or UNFIT youth.
I	M	MALE	12 to 18+	16	Post COVID Protocols/Unit Transfer Pending
III	N	MALE	HOPE CENTER 14-20	18	Healing, Opportunities and Positive Engagement (HOPE) Center: Temporary housing and De-escalation area for youth who are assigned to the Compound unit. SSP's
III	O	MALE	HOPE CENTER 14-20	19	Healing, Opportunities and Positive Engagement (HOPE) Center: Temporary housing and De-escalation area for youth who are assigned to the Compound unit.
III	R	MALE	14-18	20	Closed
III	S	MALE	14-18	20	Closed
III	T	MALE	16 - 20	18	High Risk Offender (HRO): Male youth sentenced to SYTF
III	V	MALE	18 - 24	19	High Risk Offender (HRO): Male youth sentenced to SYTF
IV	W1	MALE	14-17	20	High Risk Offender (HRO): Male youth actively going through Fitness/Transfer setting proceedings in juvenile court, MH Level 3, SYTF Exposure; and 707(B)
IV	W2	MALE	18 +	20	High Risk Offender (HRO): Male youth actively going through Fitness/Transfer setting proceedings in juvenile court, MH Level 3, SYTF Exposure; and 707(B)
IV	W3	MALE	HOPE CENTER ANY	4	Healing, Opportunities and Positive Engagement (HOPE) Center: College Prep/AA Degree Program and De-escalation area for youth who are assigned to the Compound unit. SSP Adm. Assigned
IV	X1	MALE	18-25	20	High Risk Offender (HRO): Male youth ordered SYTF, SYTF order
IV	X2	MALE	14-18+	20	High Risk Offender (HRO): Male youth ordered SYTF, SYTF order
IV	Y1	MALE	15-18+	20	DJJ returnees; High-Risk Offender (HRO): Male youth sentenced to SYTF
IV	Y2	MALE	14-18	20	High Risk Offender (HRO): Male youth actively going through Fitness/Transfer setting proceedings in juvenile court, MH Level 3, (17+Overflow).
IV	Y3	MALE	15-18+	4	Healing, Opportunities, and Positive Engagement (HOPE) Center: College Prep/AA Degree Program and De-escalation area for youth who are assigned to the Compound unit. SSP Adm. Assigned - Overflow
IV	Z1	MALE	18 +	20	Closed
IV	Z2	MALE	18 +	20	Closed
III	P	MALE	17-18	26	MEDICAL OVERFLOW
III	Q	MALE	DD 15-18 +	10	Compound DD Youth- Regional Center Clients (HRO): Male youth who are currently listed as Developmentally Disabled (DEV/DIS), Level 3, youth who are actively going through Fitness/Transfer Setting in juvenile court, 707(B),
I	MOU	UNISEX	ALL	13	All youth with medical needs or special orders

2) Central Juvenile Hall Unit Classification received on March 28, 2023

The Central Juvenile Hall
HOUSING PROTOCOLS

Revised 3/24/2023

Division	Unit	Gender		Age Range	Capacity	Description of Unit Housing Criteria
1	Receiving	UNISEX				Transportation Pit Stop
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		14-18+	14	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+	14	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			20	Vacant for repair
	F	MALE			20	Vacant for repair
	G	MALE			20	Vacant for repair
	H	MALE			20	Vacant for repair
4	J	UNISEX	Boys ESU	14-18	16	Enhanced Supervision Unit: Level 3 male youth, NODSP, and DKC Placements. No SYTF, DJJ, or UNFIT youth.
3	O	FEMALE	GESU/ GCARE	12-18+	16	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.
	K	MALE		15-17	20	Vacant for repair
	L	MALE		17-18+	20	Vacant for repair
6	M	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 PQ)
6	N	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)
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	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	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	19	ISOLATION Unit - for youth positive with Covid 19 who must be isolated in the facility.
1	W2	UNISEX		15-18	19	Receiving - Intake - All youth Pending medical clearance
3	X/Y	FEMALE	GESU/ GCARE	12-18+	16	Vacant for repair
5	MOU	UNISEX		ALL	11	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