



OYCR Ombudsperson Updates

Youth Justice Committee

December 6, 2023



Ombudsperson Division updates

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- What is the Ombudsperson?
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- Complaint and Casework Data
- Recent Site Visits and Presentations
- Youth Bill of Rights

Ombudsperson Division Structure

OYCR Ombudsperson

Alisa Hartz (1/16/24)

Chief of the Ombudsperson Division

Ahmed Nemr

Northern Region

Leslie Brown

Bay Area Region

Vacant

Central Region

Vacant

Southern Region

Vacant

Staffing

The OYCR Ombudsperson Division has four County Ombuds Liaison positions divided to cover the four OYCR statewide regions.

- **Northern Region** (Sacramento): Filled on 8/2/2023
 - **Bay Area Region** (Oakland): Accepting applications
 - **Central Region** (Fresno): The candidate accepted a tentative offer.
 - **Southern Region** (Los Angeles): The candidate accepted a tentative offer.
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Ombudsperson

What is the OYCR Ombudsperson?

An Ombudsperson is an impartial, independent person with the authority and responsibility to receive, investigate, and/or informally address and resolve complaints about government actions, when appropriate make findings and recommendations, and publish reports.

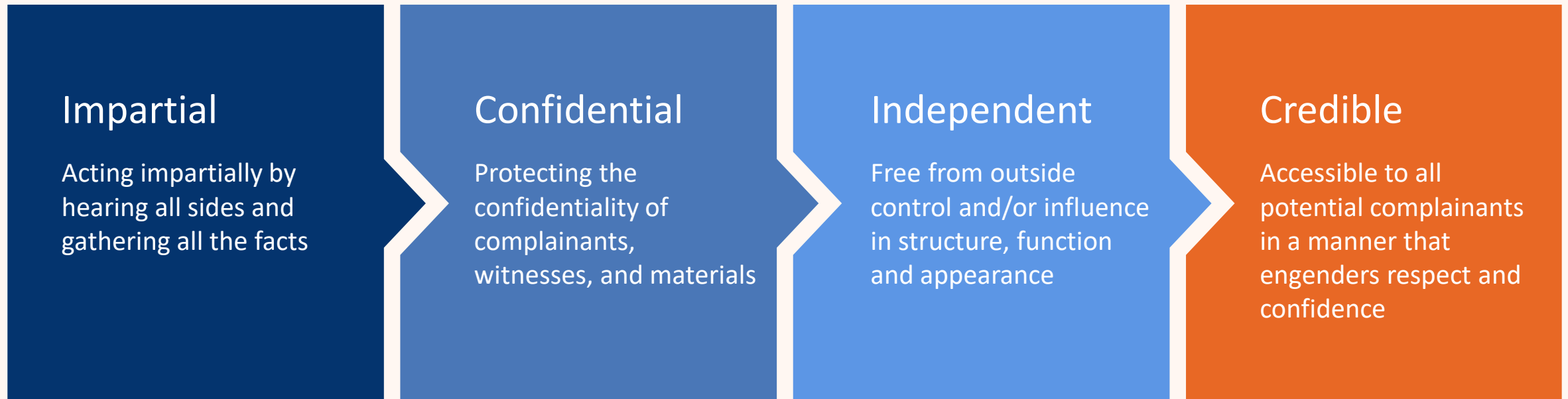
The Ombudsperson will:

- Keep the things you discuss confidential.
- Help try to solve the problem.
- Help you understand your rights.
- Answer your questions.

The Ombudsperson cannot:

- Give legal advice or change court orders.
 - Investigate complaints about attorneys or judges.
 - Participate in formal criminal investigations or in formal judicial proceedings.
 - Make binding decisions or mandate policies.
 - Intervene or investigate personnel matters.
-

Four key characteristics



Complaint Process Overview

1. Intake
2. Screening
3. Investigation
4. Resolution
5. Complaint Closure

Complaints and Casework Data

The total number of cases the Ombudsperson has opened from **September 2022** to **November 2023** is **222**. **177** cases have been closed. We currently have **45** open cases.

The most frequent complaint issues are:

- 1. Conditions of Confinement**
 - 2. Staffing**
 - 3. Programming**
-

Recent Site Visits and Presentations

- Pine Grove Youth Conservation Camp
 - California Association of Probation Institution Administrators (CAPIA) annual conference
 - Chief Probation Officers of California (CPOC) weekly meeting
 - Multiple juvenile facilities
 - Invitations to present are welcome!
-

The Youth Bill of Rights

Together with a diverse group of stakeholders, OYCR developed a Youth Bill of Rights publication to inform youth of their rights.

These **publications** are now **FREE** to counties and must be used to orient youth to the rights and to be posted in classrooms, living units, and visitation areas.



In California, we have rules to protect the rights of young people who are in a juvenile hall, camp or on the laws that exist. Below is a list of the rights:



Discipline

- **No one is allowed to take away any of the following things from you as a form of discipline or punishment: food; contact with your parents, family, or attorney; sleep; exercise; education; bedding; clean clothes; religious services; a daily shower; clean water; a toilet; grooming products; medical care; reading materials; and sending or getting mail.**
- You have the right to not be locked in a room as a punishment.
- You have the right to be given the rules on discipline. You must be given these rules in writing.
- If someone accuses you of something, you have the right to know what it is, to be heard, to defend yourself by sharing evidence or testimony, and to appeal the discipline decisions.
- You may want to contact your attorney to get their help to defend yourself and appeal discipline decisions.

Phone, Mail, & Visits

- You have the right to make at least two free phone calls within an hour of arrival at a juvenile facility after an arrest.
- You have the right to frequent and continuing contact with your parents, brothers and sisters, your children, and other relatives.
- You have the right to talk to them on the phone, have them visit you, or send them letters. You may be given access to a computer to connect with your family, but it shouldn't replace seeing them in person.
- You may be allowed to visit other family members and supportive adults with approval from the Facility Administrator.
- Mail that you send or get from family, friends, your children, and other supportive adults can be opened to search for contraband and can only be read by staff when they have a good reason to believe that the letter or mail could risk the safety and security of the facility, other youth, or the public.

Confidential Contacts

- You have the right to contact your attorney, the Office of Youth and Community Restoration Ombudsperson, advocates, and certain people who work for the government about your rights being violated and what is happening inside the facility. You cannot be punished for contacting them.
- You have the right to make private phone calls, send and receive private mail, and have private visits with your attorney, the Office of Youth and Community Restoration Ombudsperson, advocates, court personnel, people who give you legal services, and people who hold a public office.
- You have the right to have these visits and letters be confidential, which means that the Probation Department is not allowed to be listening or recording these visits or looking at or reading mail or letters from these people. The Probation Department can authorize certain staff to open mail from these people only to search for contraband and this must be done with you there.

Education

- You have the right to a quality education that follows the state law and standards, and prepares you for high school graduation, college, and a job.
- You have the right to attend the classes for your grade level and job training.
- You have the right to have access to college, career, and job training programs.
- You have the right to have access to a computer and the internet for your school, career, or job training program.
- You have the right to get educational services even if you are on disciplinary or medical status.
- You have the right to have access to information about the education options that are available to you.

Treated equally

- You have the right to be treated fairly and have equal access to all available services including housing, care, treatment, and benefits.
- You should not be treated unfairly or discriminated against because of your race, ethnicity, ancestry, national origin, language, color, religion, sex, sexual orientation, gender identity and expression, mental or physical disability, immigration, or HIV status.

Religion and Spiritual

- You have the right to practice your religion or spiritual beliefs including religious services and activities.
- You have the right to refuse to take part in religious services or activities.

No abuse

- **You should tell your attorney, a trusted adult, a staff person, or your probation officer if you are being abused.** You can also call the Office of Youth and Community Restoration Ombudsperson at 1-844-402-1880.
- **You have the right to not be abused in any way.** This includes physical, sexual, emotional, or any other abuse. No one is allowed to punish you by hitting you.

WHAT IS AN OMBUDSPERSON?

A person whose job it is to help you if you are in a juvenile justice facility in California and need help to solve problems about how you are being treated.

The Ombudsperson is an independent problem-solver responsible for investigating complaints and attempting to resolve them for the people involved. As a youth in a juvenile justice facility, you have the right to ask questions or file a complaint with the Office of Youth and Community Restoration (OYCR) Ombudsperson. You can file a complaint if your rights have been violated or ignored or you are concerned about the condition of the facility you are in. You cannot be punished or threatened for making a complaint. If you are not sure how we can help, please call, email, or write to us.

WHO TO CALL ABOUT MY RIGHTS:

If you think your rights are being violated or have concerns with the juvenile justice facility you are in, you have the right to privately contact the Office of Youth and Community Restoration Ombudsperson. You cannot be punished or retaliated against for making a complaint.

📞 **Helpline:** (844) 402-1880

✉️ **Email:** OYCRombuds@chhs.ca.gov

🌐 **Website:** www.chhs.ca.gov/oycr

📍 **Address:** OYCR Ombudsperson
1215 O Street, MS-08
Sacramento, CA 95814

KNOW YOUR RIGHTS!

In California, we have rules to protect the rights of young people who are in a juvenile hall, camp or other juvenile justice facility. These rights are laws. Here you can find a list of the rights.

A *You have the right to contact and speak to the Ombudsperson confidentially, and you cannot be threatened, punished, or retaliated against for making a complaint.

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YOUTH BILL OF RIGHTS



Personal

- You have the right to live in a safe, healthy, and clean place that helps you to get the skills and training you need to heal and return home.
- You have the right to be treated with dignity and respect.
- You have the right to eat healthy food and snacks.
- You have the right to have clean water to drink at any time.
- You have the right to use the bathroom when you need to.
- You have the right to take a shower every day.
- You have the right to have clean bedding.
- You have the right to have clothes that fit you, are in good condition, and respect your gender identity and expression.
- You have the right to have clean underwear every day that fits you properly and respects your gender identity and expression.
- You have the right to have the things you need for grooming (like soap, shampoo, deodorant, menstrual products, and lotion) that respect your culture, ethnicity, gender identity, and expression. This means that you can have hair and body products that are right for your type of hair and skin and gender.



Discipline

- No one is allowed to take away any of the following things from you as a form of discipline or punishment: food; contact with your parents, family, or attorney; sleep; exercise; education; bedding; clean clothes; religious services; a daily shower; clean water; a toilet; grooming products; medical care; reading materials; and sending or getting mail.
- You have the right to not be locked in a room as a punishment.
- You have the right to be given the rules on discipline. You must be given these rules in writing.
- If someone accuses you of something, you have the right to know what it is, to be heard, to defend yourself by sharing evidence or testimony, and to appeal the discipline decisions.
- You may want to contact your attorney to get their help to defend yourself and appeal discipline decisions.



Recreation

- You have the right to have time to do physical activities every day for at least one hour.
- You have the right to go outside for at least one hour per day unless there is bad weather.
- You have the right to at least one hour a day of daily recreation including having time to read, to write letters, and to entertainment that match your age and maturity.



Searches

- You have the right to not be searched just to make you feel bad or embarrassed, or to punish you. Searches must be done in a way that respects your privacy and dignity.
- You have the right to not be searched just to verify your gender.
- You have the right to get a written copy of the rules about searching at any time, and it must have the rules on who can do the searches.
- Searches should only be done to ensure the safety and security of the facility, youth, staff, and visitors.



No abuse

- You have the right to not be abused in any way. This includes physical, sexual, emotional, or any other abuse. No one is allowed to punish you by hitting you.
- You should tell your attorney, a trusted adult, a staff person, or your probation officer if you are being abused. You can also call the Office of Youth and Community Restoration Ombudsperson at 1-844-402-1880.



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- You may be allowed to visit other family members and supportive adults with approval from the Facility Administrator.
- Mail that you send or get from family, friends, your children, and other supportive adults can be opened to search for contraband and can only be read by staff when they have a good reason to believe that the letter or mail could risk the safety and security of the facility, other youth, or the public.



Who is this for?

These rights are for any youth in California that is placed in a juvenile hall, juvenile camp, or any other juvenile justice facility.

Who is responsible for talking to me about my rights?

When you are placed in a juvenile justice facility in California, probation staff must explain your rights to you in a way that you understand and allow you to ask questions and address your concerns.

The probation staff must give you a copy of your rights and it must be the Youth Bill of Rights document that was made by the Office of Youth and Community Restoration Ombudsperson.

Your rights must be posted in the juvenile justice facility including in the classrooms, living units, and visitation areas.

If you think your rights have been violated or you have concerns about harmful conditions or practices:

1

Try to Remember:

- What happened?
- Where did it happen?
- When did it happen?
- Who was involved?
- What rights, regulations or laws were violated?

*It can be helpful to write it down and include as many details as possible.

2

If you feel safe, try to resolve it with the people who were involved, or file a grievance in the juvenile justice facility.

3

Talk with your attorney or probation officer.

4

Call the Office of Youth and Community Restoration Ombudsperson at 1-844-402-1880 or email at OYCRombuds@chhs.ca.gov

Contact

- Helpline: 1 (844) 402-1880
- Email: OYCRombuds@chhs.ca.gov
- Website: www.chhs.ca.gov/oycr



Office of Youth and
Community Restoration

Contact OYCR

Ahmed Nemr
Chief, Division of the Ombudsperson
ahmed.nemr@chhs.ca.gov
(c) 916-531-9376

Ombudsperson Helpline
OYCRombuds@chhs.ca.gov
1-844-402-1880

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