

Memorandum

Date : March 16, 2016

To : Associate Directors, Division of Adult Institutions
Wardens
Classification Staff Representatives
Classification and Parole Representatives

Subject: **PROCESS FOR SCREENING FOR YOUTHFUL OFFENDER PROGRAM ELIGIBILITY AT AN ANNUAL REVIEW**

The purpose of this memorandum is to provide clarification of procedures originally outlined in the June 22, 2015 memorandum, titled, *Implementation of the Youthful Offender Program* (attached). Additionally, this memorandum will provide direction for screening an offender for placement in the Youthful Offender Program (YOP) during an annual review, as well as specific eligibility criteria. This memorandum shall be retained as a supplement to the above-referenced memorandum.

As described in the June 22, 2015 memorandum, all offenders received on or after July 1, 2015, under the age of 22, who did not meet YOP eligibility criteria, declined to participate in the YOP, or were denied placement at the Reception Center (RC), Youth Offender Institution Classification Committee (ICC) shall be evaluated for placement consideration at subsequent annual reviews occurring up until the age of 25. Offenders with a Level I or Level II placement score may be considered for in level placement at an institution with enhanced program opportunities, as appropriate.

Eligibility and Screening

Offenders not meeting YOP eligibility criteria upon reception, which declined to participate, or were denied YOP placement at the YOP ICC shall be evaluated for YOP eligibility during their annual review. The Classification Services Unit (CSU) will assist receiving institutions in identifying all offenders who were denied YOP placement prior to their annual review. A list of offenders who require screening for YOP eligibility will be provided to Classification and Parole Representatives (C&PR), or their designee, a minimum of 30 days prior to an offenders annual review date. All offenders shall be reviewed by a Unit Classification Committee (UCC) during their annual review to determine whether they meet YOP eligibility criteria. Offenders shall not be evaluated prior to their scheduled annual review in an attempt to allow for placement after initially refusing to participate or being denied at the RC ICC. The UCC shall make a recommendation based upon the totality of the offender's case factors to determine whether a recommendation for YOP placement is appropriate.

Ref to ICC
only if
denied YOP
at annual

A referral to ICC shall only be required when an offender is denied YOP placement at their annual review by UCC, when the offender otherwise meets the YOP eligibility criteria.

Eligibility Criteria

Offenders received into California Department of Corrections and Rehabilitation (CDCR), less than 22 years of age, on or after July 1, 2015, shall be considered for placement in the YOP based on the following eligibility criteria:

1. No in-custody misconduct (Division A-C offenses, or equivalent, including any which require a Security Housing Unit term) within the last 12 calendar months. Division D offenses shall be reviewed on a case-by-case basis to assess the totality of the circumstances and determine whether or not the offender's behavior should preclude program placement.
2. An offender shall, at minimum, indicate to staff his willingness or desire to participate in the YOP.
3. An offender shall not be excluded from consideration based solely on the absence of one or more of the following:
 - a) Demonstrated efforts of progress toward self-improvement in juvenile or adult facilities.
 - b) Family or community ties supportive of rehabilitation.
 - c) Evidence of commitment to working toward self-improvement with the goal of being a law-abiding member of society upon release.

Correctional Counselor (CC) I Responsibility

The following steps shall be completed to ensure offenders are screened at their annual review for placement consideration into the YOP:

1. The assigned CC I shall review the list provided by CSU of those offenders who were denied YOP placement during RC processing.
2. The CC I shall thoroughly review the offender's file and document the specific details which support program placement consideration. If the offender agrees to participate in the YOP, it should be recommended as a program option for placement consideration during the annual review. All cases shall be reviewed by the CC II prior to UCC to ensure the CC I's recommendation for placement in the YOP is appropriate.
 - a) Offenders with a placement score of 0-18 (Security Level I) or 19-35 (Security Level II) points who appear eligible and express interest in participating in the YOP shall be screened for retention at their present institution in consideration of available rehabilitative programming options. If appropriate, offenders may be recommended for transfer to an alternative CDCR YOP designated institution, Minimum Support Facilities, or Camps.

- b) Offenders with a placement Score of 36-59 (Security Level III) or 60+ (Security Level IV) points that appear eligible and express interest in participating in the YOP shall have their case factors assessed by UCC during the annual review to determine whether or not they warrant an irregular placement Behavioral (BEH) override. The CC I shall have the offender complete the pre-formatted CDCR Form 128-B, "Youthful Offender Program Eligibility Form" (see attached), indicating the offender's willingness to participate. Please note the original memorandum, dated June 22, 2015, required staff to complete the pre-formatted CDCR Form 128-B for **all** YOP eligible offenders. *Only those offenders who require a BEH override to facilitate irregular placement at a YOP identified institution shall be required to complete the form.*

The following are designated YOP institutions:

1. Valley State Prison, Level II, Sensitive Needs Yard (SNY)
2. San Quentin State Prison, Level II, General Population (GP)
3. California Rehabilitation Center, Level II, GP
4. California Rehabilitation Center, Level II, SNY
5. California State Prison, Los Angeles County, Level III, GP
6. Ironwood State Prison, Level III, SNY
7. Ironwood State Prison, Level III, GP
8. California Substance Abuse Treatment Facility, Level III, SNY
9. California State Prison, Solano, Level II, GP
10. California State Prison, Solano, Level III, GP

The CC I shall access the Strategic Offender Management System (SOMS) *Endorsements Made* report to ensure an offender is endorsed in a timely manner. Once a case is endorsed for YOP placement by the Classification Staff Representative (CSR), the CC I will make contact with the C&PR, or designee, to arrange for an expedited transfer.

If the offender is found appropriate and eligible for the YOP, but due to specific critical case factors not capable of being housed appropriately at an identified YOP institution, UCC may elect to provide the offender with an irregular placement (if appropriate) and recommend placement at an institution which meets the needs of the offender. Keeping with the intent of the YOP, offenders meeting eligibility criteria may be housed at a facility which allows them greater access to programs with the goal of increasing the likelihood of rehabilitation. These cases shall be entered into SOMS as noted above and processed accordingly. If necessary, at the conclusion of the UCC, the CC I may notify CSU YOP CC II via email to assist in expediting the endorsement process.

If the offender is not found appropriate for YOP placement, all YOP exclusionary factors shall be thoroughly documented on the CDCR Classification Committee Chrono. UCC shall make an appropriate recommendation consistent with the offender's case factors and refer the case to the CSR, if necessary.

Unit Classification Committee

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YOP at initial
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participation
CPP

An offender shall be reviewed annually after the initial consideration for YOP from the RC. All potentially eligible offenders will be evaluated by a UCC/ICC at their annual review to determine whether they are eligible and appropriate for YOP placement consideration.

If the offender was granted irregular placement and YOP participation at his initial review, no further action is warranted except to indicate the offender is already participating and continue present program.

If the offender was initially denied consideration and placement at a YOP institution for participation, he will be reviewed at UCC/ICC and a determination will be made as to whether the offender remains ineligible based on his disciplinary history or his refusal to participate and appropriately noted in the committee action. If the offender is approved by UCC/ICC for YOP placement and a request for irregular placement is made, this will be documented in the UCC/ICC committee action.

Committee
Directions.

The UCC shall make a recommendation based upon the totality of case factors and ensure the offender does not pose an increased safety risk if placed at a lower security level. If UCC concludes a youth offender demonstrates a safety risk to other inmates, staff, or the public, the offender shall be placed at a security level consistent with CDCR regulations and policies. If UCC concludes a youth offender is appropriate for placement at a lower security level, UCC may elect to request a BEH override to facilitate placement in a facility identified as a YOP institution. Offenders not requiring an irregular placement override may be recommended for an in level placement to a YOP identified institution.

Offenders are only eligible for one irregular placement below their actual placement score. For example, if an offender was initially assessed a Level IV (60+ points) placement score and was granted an irregular placement to a Level III YOP institution, the offender shall remain at Level III custody until his placement score decreases to an actual Level III (36-59 points) placement score. In this example, the offender would be assessed during his annual review to determine whether he may be eligible for an irregular placement to a Level II institution.

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When UCC determines the offender is eligible for placement, committee shall thoroughly document the action within the Committee Action Summary of the SOMS Classification Committee Chrono and the reasons for the action taken within the Committee Comments. When the offender is referred for YOP placement, staff shall include the recommendation for YOP within the Committee Action Summary.

Classification Staff Representatives

An offender determined eligible by UCC for consideration of placement in a lower level program shall be referred to the CSR in SOMS for endorsement to a YOP institution. The CSR shall review the case accordingly and confirm the offender's eligibility and, where appropriate, approve the recommendation. The CSR shall apply a 'YOC' Administrative Determinant indicating the inmate has received a Youthful Offender Committee. The CSR shall then enter the designated YOP institution in the Auditor Action section and include 'YOP' in the comment section of the Auditor Action. The CSR shall apply the 'BEH' administrative determinant in the override section as the reason for irregular placement to a lower level.

Removing Inmates from the Program

To ensure program fidelity and viability, offenders participating in the YOP shall adhere to all behavioral and program expectations. YOP participants must comply with all rules and regulations and participate in assigned work, education, training, and self-help programs as required by the receiving institution. Offenders who choose not to participate or who fail to meet the YOP criteria, shall be removed from the program and transferred using existing transfer protocols to a non YOP institution/facility.

Removing a YOP participant shall be the responsibility of the receiving facility's Captain. A classification committee shall evaluate the offenders programming needs and the offender shall be transferred to an alternate non YOP institution accordingly. The receiving institution may contact the headquarters YOP CC II to facilitate a CSR review to ensure an expedited transfer.

Additional Information

This memorandum will be available on the CSU web page, within the Mini Manual: <http://Intranet/net/ops/AO/ins/Pages/Minimanual.aspx>, under the topic, "Youthful Offender Program."

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If you have any questions or require additional information regarding the Classification processes, please contact David Henry, CC II, CSU, at (916) 324-0194 or David.Henry@cdcr.ca.gov.



KELLY HARRINGTON
Director
Division of Adult Institutions

Attachments

cc: Ralph M. Diaz
Kathleen Allison
Vincent S. Cullen
James Robertson
Cindy Burris
Mike Masters
Jonathan Stubbs
David Henry

Youthful Offender Program Eligibility Form

CDC 128-B (REV 2/95)

INMATE NAME:	CDCR NUMBER:	DATE:	HOUSING:
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The Youthful Offender Program (YOP) is a voluntary program which allows eligible offenders greater access to programs and living circumstances with the intent of increasing the likelihood of rehabilitation. The YOP may include eligible offenders to be housed at a lower custody level without mandating placement be based on placement score. The YOP allows the offender to be housed at identified facilities which provide programs meeting the specific rehabilitative needs of a youthful offender. I understand placement into the YOP is based upon meeting specific eligibility criteria and the California Department of Corrections and Rehabilitation has the authority for final placement approval based on bed availability and other factors. I understand I may be removed from the YOP.

No in-custody misconduct (Division A-C offenses, or equivalent) within the last 12 calendar months. Division D offenses shall be reviewed on a case-by-case basis to assess the totality of the circumstances to determine whether or not the offender's behavior should preclude program placement.

Inmate declined to participate

TO BE COMPLETED BY INMATE

I understand that my Signature on this document indicates my willingness to voluntarily participate in the YOP.

CDCR NUMBER _____ INMATE NAME (PRINTED) _____
 INMATE SIGNATURE _____ DATED SIGNED _____

Does the participant have a qualifying disability requiring effective communication? YES NO

If yes, cite the source document and/or observation(s): _____

What type of accommodation/assistance was provided to achieve effective communication to the best of the inmate's ability? (specify): _____

STAFF NAME (Print):	TITLE:	INSTITUTION:
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ROUTING INSTRUCTIONS:

ORIGINAL: OFFENDER FILE

COPY: INMATE