Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

### A. GENERAL INFORMATION

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### 3. Organizational Placement (Division/Branch/Office Name)

Office of Youth and Community Restoration

### 4. CEA Position Title

Ombudsperson

### 5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

The Ombudsperson of the Office of Youth and Community Restoration (OYCR) independently identify, investigate and informally resolve complaints and provides children, youth, and interested adults with a forum for voicing concerns regarding the care, services, and conditions of confinement of juvenile justice system involved youth. The OYCR Ombudsperson is a highly sensitive position with policy interpretation and development authority of significant consequence. The Ombudsperson is responsible for the development, implementation, and evaluation of county and statewide policy and procedures related to OYCR. The Ombudsperson is also responsible for engaging internal and external stakeholders on juvenile justice issues and generating data-driven policy recommendations to further the implementation and efficacy of OYCR to the Secretary, Governor and legislature.

### 6. Reports to: (Class Title/Level)

Deputy Director, CEA B

### 7. Relationship with Department Director (Select one)

☐ Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.

☑ Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain): The Ombudsperson interacts frequently with the Executive Director of OYCR, the Undersecretary and Secretary on policy issues relative to the implementation of OYCR and operation of the statewide juvenile justice system.

### 8. Organizational Level (Select one)

☐ 1st ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th (mega departments only - 17,001+ allocated positions)
B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

The OYCRO Ombudsperson (OYCRO) is the highest level independent advocate for the youth in the juvenile justice system in the State of California, who initiates and conducts high level policy negotiations with federal, state, and county representatives. The OYCRO is required to work closely with leaders of county juvenile justice officials, provider organizations, advocacy groups, to gain access to confidential county and state records, in order to conduct sensitive investigations and negotiations in politically charged environments.

Of equal importance, the OYCRO operates a statewide hotline to receive complaints and disseminates information on the rights of children and youth within locked/secure facilities across the state. By the nature of the position, the OYCRO is a high administrative and policy influencing position with continuous and direct contact with the OYCRO Director, members of the executive management team, the Agency Secretary and the Governor. The OYCRO is a highly sensitive and controversial position with policy interpretation and development authority of significant consequence. In accordance with SB 823, Chapter 337, Statutes of 2020, and Sections 224.70, 224.71, 224.72, 224.73, and 224.74 of the Welfare and Institutions Code, the OYCRO is responsible for ensuring appropriate care, treatment, and the best possible outcomes for children and youth in the juvenile justice system, particularly those that are confined to secure facilities. Responsibilities include:

1. Serves as the highest level independent and objective intermediary in the OYCR for the safety of children and youth in secure/locked juvenile justice facilities.

2. Develops OYCRO program strategic goals.

3. Directs and evaluates the statewide, multi-department, inter-governmental and public interface activities of the OYCRO office.

4. Independently negotiates with high level program and policy managers in the OYCR and other state, county, and private agencies to resolve system and case-specific issues related to the safety and personal rights of children and youth within secure/locked facilities within the juvenile justice system.

5. Oversees the continued development and implementation of a uniform statewide complaint and issue response process on behalf of juvenile justice involved children and youth through issuance of an Ombudsperson reports, issue memorandums, and other sensitive documents.

6. Oversees outreach efforts, including training for county probation offices, juvenile facility administrators, juvenile correctional officers, and other relevant parties. Ensures that information developed relative to the rights of children and youth within secured/locked facilities, and the services provided by the office, is disseminated.

7. Develops evolving complaint resolution protocols, forms and tracking systems to identify trends and patterns to illuminate opportunities for system changes and improvements. Plans and provides informational seminars and organizes work groups for training purposes. Ensures that all complaints, calls and contacts are responded to timely, and that complainants are informed of the status of their complaints.

8. Develops and maintains effective working relationships with the county juvenile justice chiefs and facility administrators, other state departments, community organizations and child advocacy groups including youth groups, local law enforcement and other departmental staff.

9. Ensures the completion of all legislative activities including bill analysis, development of legislative reports, and testifying at various proceedings as related to the functions and policy recommendations of the Ombudsperson.

10. Establishes procedures for disclosure of information from the Ombudsman's files while ensuring the protection of confidential information.

11. Ensures the voice of children and youth in secure facilities is heard and acts on their behalf.

12. Creates an avenue for children and youth in secure facilities to file complaints regarding their care and services without fear of retribution.

13. Acts as an independent forum for the investigation and resolution of complaints made by or on behalf of children confined to secure facilities and makes appropriate referrals.

14. Provides children and youth with information on their rights when confined to secure facilities.

15. Provides annual reports to the Legislature to present data on the calls received by the OYCRO office and reflects the trends and areas of major concern for children and youth in California’s juvenile justice system.

16. Maintains a toll-free telephone number which children and youth confined to secure facilities may call from anywhere in California to express their concerns and complaints.
10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

✔ Program is directly related to department's primary mission and is critical to achieving the department's goals.

☐ Program is indirectly related to department's primary mission.

☐ Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: The Office of Youth and Community Restoration operates within the California Health & Human Services (CalHHS) Agency. Supporting the transition of justice involved youth being served in local communities, the OYCR promotes a youth continuum of services that are trauma responsive and culturally informed, using public health approaches that support positive youth development, build the capacity of community-based approaches, and reduce the justice involvement of youth.

The Office of Youth and Community Restoration Ombudsperson provides children and youth, and interested adults, with a forum for voicing concerns regarding the juvenile justice system's services, treatment, and policies, particular to youth confined to secure facilities. The OYCRO provides a central statewide clearinghouse and technical assistance for county juvenile justice Ombudsperson offices, coordinates with them to address concerns related to children and youth in their county and provides direct outreach to children and youth who may be experiencing problems with their care in secure facilities, county probation and correctional workers and/or preparation for reentry to their communities.
B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

SB 823, Chapter 337, Statutes of 2020 repealed previous provisions that would have created the Department of Youth and Community Restoration and the provisions that would have transferred the responsibilities of the Division of Juvenile Justice (DJJ) to CHHS. This statute established the OYCR within CHHS, effective July 1, 2021 and mandates that the OYCR create a Division of Ombudsperson to be established. To further support the transition, SB 823 directed the juvenile justice subcommittee of the Children Welfare Council to advise and provide recommendations to the OYCR related to the policies, programs and approaches that improve youth outcomes, reduce youth detention, and reduce recidivism. The OYCR will be providing staffing support to elicit, examine and operationalize the expertise of subcommittee members. Moving forward with the transition of justice involved youth being served in local communities, the OYCR will promote trauma responsive, culturally informed services for youth involved in the juvenile justice system that support the youths’ successful transition into adulthood and help them become responsible, thriving, and engaged members of their communities. Responsibilities of the OYCR include identifying and disseminating best practices and assessing the efficacy of local programs.

At the time the legislation was passed it was not known and difficult to predict the appropriate classification for this position. The OYCR has an urgent need to ensure the successful implementation and operation of the Division of Ombudsperson. In order to support an office of critical importance and status, the Division of the Ombudsperson needs needs a dedicated CEA position to lead the office, supervise staff, and engage in receiving and investigating complaints made by or on behalf of youth confined to juvenile justice facilities, implementation or policies and processes, interacting with stakeholders and the public, providing sensitive policy recommendations to the Executive Director of OYCR, Secretary of Health and Human Services Agency, Governor, and the legislature. The Ombudsperson will be required to effectively engage in inter-departmental and external partnerships, provide technical assistance, and capacity build with county and tribal partners, intervene in highly sensitive cases, and maintain the trust of the public. Given the breadth and depth of the policy development and oversight of the implementation of the OYCR, the highly sensitive and complex work performed in OYCR, and the nature of the programmatic and operational oversight of the Ombudsperson, a classification of CEA is necessary. The implementation of the Division of the Ombudsperson of the OYCR is extremely high profile, with the attention of the Legislature and Governor’s Office, as it is a significant budget investment, and there is substantial public attention on transition of confined youth from state facilities to county facilities across California.
C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

The Ombudsperson is an independent position responsible to recommend statewide changes to the juvenile justice system. These policies safeguard rights, enhance positive youth development approaches, and identify trauma responsive and community-based interventions. The Ombudsperson is responsible for providing an independent perspective that is required to be considered when ongoing system changes are contemplated by the Legislature and/or by the OYCR. These policies are developed in response to legislation, citizen complaints and concerning trends discovered by the Ombudsperson. The Ombudsperson's statewide policy development process for implementation for the division include:

1. Setting policy regarding division structure and design: This will impact how confined youth become aware of their rights, the manner in which complaints are received, investigated, and resolved, and providing programmatic policy recommendations to county and local juvenile justice facilities.

2. Setting policy regarding data collection and analysis for Office of Youth and Community Restoration Division of Ombudsperson complaints and trends at the state and local level and allow for OYCR to do ongoing program monitoring and continuous quality improvement.

3. Compile Data on youth complaints as part of the Oversight Process. The Ombudsperson provides oversight and policy recommendations that improve youths' experiences while in the juvenile justice system and better prepare them for returning to their community. By collecting qualitative and quantitative information, the Ombudsperson ensures accountability of juvenile justice facilities and programs. The statewide impact is the early identification of juvenile justice issues, and the provision of corrective actions, thereby supporting youth in attaining an environment that facilitates the learning and development necessary for rehabilitation and community success. Better outcomes for these youth result in the reduction of costly lifelong institutional behaviors.

4. The Office will set policy regarding the Ombudsperson functions established in WIC 2200 (d)(1)(4). These responsibilities include receiving and assessing complaints, resolving complaints when possible, collaborating with facility administrators and staff to develop resolutions including training, and providing reports to the legislature that comply with all confidentiality laws.

5. Setting policies around staff and leadership development within the Division; these policies will help Division employees gain skills and capacities, boost productivity and performance, create positive morale and invest in future leadership.

The California Legislature continues to make considerable investments to address child well being and the state’s juvenile justice system, with the investments overseen by the Office of Youth and Community Restoration. For these investments to provide maximum impact, OYCR resources and leadership are needed to ensure the implementation of SB 23 and the juvenile justice reform is integrated and utilized in a positive youth development-centered manner. OYCR needs a CEA role in place as soon as possible to ensure this critical and high profile initiative is successful.
C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position’s scope and nature of decision-making authority?

Same gravitas as other chief policy positions.

The OYCR Ombudsperson advocates and negotiates with statewide County Probation Departments, provider agencies, law enforcement agencies, school systems, community organizations, as well as the OYCR’s management to ensure the safety of California’s youth in the juvenile justice system. The Ombudsperson is responsible to determine yearly priorities for the program after conferring with juvenile justice advocate organizations and juvenile justice system stakeholders. The Ombudsperson must regularly review complaints submitted by, or on behalf of, youth and decide the necessary course of action, and recommended policy changes, to be taken by the county program. The Ombudsperson must also decide under what circumstances referrals will be made to other organizations for follow-up and the sufficiency of such follow-up. The Ombudsperson regularly advises the OYCR Director relative to regulations, county policies and legislation impacting juvenile justice system involved youth in California and provides testimony before the Legislature.

To ensure policies are appropriate, the Ombudsperson must consider the new and/or revised state and federal legislation as well as incorporate timely feedback from stakeholder groups, youth, providers, local, state, and federal governmental entities and must effectively communicate these policies to the local County Probation Departments, tribal governments, and other local agencies. The Ombudsperson will provide critical briefings to the Directorate on highly critical and sensitive issues related to juvenile justice and youth confined to county facilities and camps. Additionally, the Ombudsperson may have regular communication with members of the Legislature and/or their staff, the Health and Human Services Agency, the Chief Probation Officers of California (CPOC), California State Association of Counties (CSAC), County Welfare Directors Association (CWDA), the media, and juvenile justice advocates.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

The CEA will both develop and implement new policy and interpret and implement existing policy. The Ombudsperson is responsible to assess, develop and implement policies that impact the juvenile justice system. A current example is AB 2417, the Juvenile Justice System Bill of Rights for confined youth. The Ombudsperson will be instrumental in the development and implementation of new policies and procedures designed to implement this legislation and further modify its requirements via subsequent legislation. The policy development planning and implementation workload with advocacy groups, counties, Legislative staff and youth advocacy stakeholders is unprecedented. The Ombudsperson is actively involved in high level policy discussions with Legislative staff and advocacy groups in the implementation of this legislation. The Ombudsperson is engaged in the development of policies designed to improve the juvenile justice system and the care of youth and the facilitation of successful healing and integration back into the community. The CEA will also help oversee program performance including evaluations that will help inform program design and future strategies.