

**MEETING DATE:** February 15, 2024

**AGENDA ITEM: F.1**

**TO:** BSCC Chair and Members

**FROM:** Allison Ganter, Deputy Director, [Allison.Ganter@bscc.ca.gov](mailto:Allison.Ganter@bscc.ca.gov)  
Lisa Southwell, Field Representative, [Lisa.Southwell@bscc.ca.gov](mailto:Lisa.Southwell@bscc.ca.gov)  
Aaron Maguire, General Counsel, [Aaron.Maguire@bscc.ca.gov](mailto:Aaron.Maguire@bscc.ca.gov)

**SUBJECT:** Determination of Suitability – (Welf. & Inst. Code, § 209(a)(4) & (d).)  
Barry J. Nidorf Secure Youth Treatment Facility, Los Angeles County  
**Requesting Approval**

### Summary

This agenda item requests that the Board make a determination of suitability within the meaning of Welfare and Institutions Code section 209, subdivisions (a)(4) and (d) for the Barry J. Nidorf Secure Youth Treatment Facility in the County of Los Angeles.

### Background

The Board of State and Community Corrections (BSCC) establishes the minimum standards for juvenile halls, camps, and secure youth treatment facilities (SYTF) and conducts biennial inspections of those facilities. (Welf. & Inst. Code, §§ 209, 210, 875, & 885.) Regulations setting forth these minimum standards can be found in Sections 1300-1511 of Title 15 of the California Code of Regulations.

Welfare and Institutions Code section 209, subdivision (d), provides:

Except as provided in subdivision (e), a juvenile hall, special purpose juvenile hall, camp, ranch, secure youth treatment facility,<sup>1</sup> law enforcement facility, or jail shall be unsuitable for the confinement of juveniles if it is not in compliance with one or more of the minimum standards for juvenile facilities adopted by the Board of State and Community Corrections under Section 210, 210.2, 875, 885, or subdivision (e) of Section 207.1, and if, within 60 days of having received notice of noncompliance from the board or the judge of the juvenile court, the juvenile hall, special purpose juvenile hall, camp, ranch, secure youth treatment facility, law enforcement facility, or jail has failed to file an approved corrective action plan with the Board of State and Community Corrections to correct the condition or conditions of noncompliance of which it has been notified. The corrective action plan shall outline how the juvenile hall, special purpose juvenile hall, camp, ranch, secure youth treatment facility, law enforcement facility, or jail plans to correct the issue of noncompliance and give a reasonable timeframe, not to exceed 90 days, for resolution, that the board

---

<sup>1</sup> The authority to make determinations of suitability for secure youth treatment facilities and juvenile ranches and camps was added to section 209 as part of the Budget Act of 2023. (Assembly Bill 134, Chapter 47, Statutes of 2023.)

shall either approve or deny. In the event the juvenile hall, special purpose juvenile hall, camp, ranch, secure youth treatment facility, law enforcement facility, or jail fails to meet its commitment to resolve noncompliance issues outlined in its corrective action plan, the board shall make a determination of suitability at its next scheduled meeting.

*Summary of 2023 Targeted Inspection (2023-2024 Biennial Inspection Cycle)*

On August 11, 2023, following the August 7 – August 11, 2023 Targeted Inspection of the Barry J Nidorf Secure Youth Treatment Facility (BJN SYTF), the BSCC notified the Los Angeles County Probation Department of the outstanding items of noncompliance at the facility (Attachment 1):

1. § 1321, Staffing
2. § 1322, Youth Supervision Staff Orientation and Training
3. § 1324, Policy and Procedures Manual
4. § 1328, Safety Checks
5. § 1353, Orientation
6. § 1357, Use of Force
7. § 1360, Searches
8. § 1370, Education Program
9. § 1371, Programs, Recreation, and Exercise
10. § 1390, Discipline

On October 9, 2023, the BSCC received an approved Corrective Action Plan (CAP) for all outstanding items of noncompliance at BJN SYTF (Attachment 2). The CAP indicated a completion date of January 5, 2024, for corrective action and compliance with all outstanding items of noncompliance.

On January 5, 2024, the Los Angeles County Probation Department provided written verification that the corrective action had been completed for all areas except section 1390, Discipline (Attachment 3).

During January 18 and 25, 2024, BSCC staff conducted a follow-up inspection at the BJN SYTF to verify completion of the CAP and compliance with the remaining above noted sections of Title 15.

Our review of policy, processes, and documentation indicate that the BSJ SYTF is **in compliance** with the following sections of Title 15:

1. § 1328, Safety Checks
2. § 1360, Searches
3. § 1370, Education Program

Our review of policy, processes, and documentation indicates that the BJN SYTF remains **out of compliance** with the following sections of Title 15:

1. § 1321, Staffing
2. § 1322, Youth Supervision Staff Orientation and Training

3. § 1324, Policy and Procedures Manual
4. § 1353, Orientation
5. § 1357, Use of Force
6. § 1371, Programs, Recreation, and Exercise
7. § 1390, Discipline

Detail related to the findings of compliance and noncompliance are in the February 2, 2024 Follow-Up Inspection Report (Attachment 4).

Because the BJN SYTF did not complete corrective action for the above noted items of noncompliance by the timeline set forth in section 209, subdivision (d), the Board is required to determine if the facility is a suitable place for the confinement of juveniles.

### **Recommendation/Action Needed**

---

Staff recommends that the Board:

1. Make a determination of suitability within the meaning of Welfare and Institutions Code section 209, subdivision (a)(4) for the Barry J Nidorf Secure Youth Treatment Facility.

### **Attachments**

---

Attachment 1: August 11, 2023 Initial Inspection Report – BJN SYTF

Attachment 2: October 9, 2023 Final Corrective Action Plan – BJN SYTF

Attachment 3: January 5, 2024 Response Letter for Final Corrective Action Plan – BJN SYTF

Attachment 4: February 2, 2024 Follow Up Inspection Report – BJN SYTF