



COUNTY OF LOS ANGELES
PROBATION OVERSIGHT COMMISSION
STATEMENT OF PROCEEDINGS FOR THE VIRTUAL
REGULAR MEETING



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THURSDAY, MAY 13, 2021, 12:00 P.M.

VIDEO FILE FOR THE ENTIRE MEETING

Attachments: [Video](#)

I. ADMINISTRATIVE MATTERS

1. Call to Order and Roll Call.

Chairman Franky Carrillo called the meeting to order at 12:00 p.m. Condolences were extended to Detention Services Officer Michael Wall's colleagues, family, and friends. Wendelyn Julien, Executive Director conducted the roll call:

Present: Commissioner Danielle M. Dupuy, Commissioner Sean Garcia-Leys, Commissioner Donald D. Meredith, Commissioner Dominique D. Nong, Commissioner Robert M. Saltzman, Commissioner Cyn Yamashiro, Secretary Dolores Canales, Vice Chair Esché L. Jackson, Chairman Franky Carrillo

2. Approval of the April 22, 2021 meeting minutes.

No members of the public commented on this item.

On motion of Commissioner Saltzman, seconded by Commissioner Meredith, and duly carried by the following vote, the Los Angeles Probation Oversight Commission approved the April 22, 2021 minutes:

Ayes: 9 – Commissioner Danielle M. Dupuy, Commissioner Sean Garcia-Leys, Commissioner Donald D. Meredith, Commissioner Dominique D. Nong, Commissioner Robert M. Saltzman, Commissioner Cyn Yamashiro, Secretary Dolores Canales, Vice Chair Esché L. Jackson, Chairman Franky Carrillo

Attachments: [Supporting Document](#)
[Public Comment/Correspondence](#)

II. REPORT

3. Executive Office Report on Staffing of the Probation Oversight Commission.

Ms. Celia Zavala, Executive Officer, Board of Supervisors presented the report on the staffing of the Probation Oversight Commission. She explained that the Executive Office is working diligently with the Chief Executive Office (CEO) and Ms. Julien to ensure that the Los Angeles Probation Oversight Commission (POC) is fully staffed as recommended by the Probation Reform and Implementation Team (PRIT). Ms. Zavala stated that the positions may be approved, or partially approved, during the final budget changes in June

or the approval may be deferred to the supplemental budget level, which would be up for approval in October. In the meantime, she assured the POC that the exams and bulletins can be drafted now for the high priority positions in preparation for the final Board of Supervisors (Board) approval and to get a head start on the hiring process.

Oscar Canales, Orlanda Nava, and Ellen Giesy addressed the POC.

Ms. Zavala responded to Chairman Carrillo's inquiry by confirming that the hiring bulletins for future staffing positions can be drafted prior to the positions being approved to ensure that the POC's hiring process can begin without delays. She further explained that the positions may be approved in stages by Human Resources due to the recruitment process.

Ms. Julien answered Commissioner Dupuy's question regarding the two Project Director positions that are slated for immediate hire. Ms. Julien stated that the first Project Director position approved for hire during this current fiscal year will be over Programs and Rehabilitation, and include oversight of staff including a Clinical Social Worker, who will review the Department's progress toward culture change and recommended core program services and trauma informed programming. The second approved Program Director will be over Research and Data Analytics.

Commissioner Saltzman shared comments surrounding the staffing of the POC. He is concerned that only 5 of the 19 positions included in the Fiscal Year 20-21 budget have been approved thus far by the CEO, thus limiting the ability of the Commission to even begin to take on the work assigned to the POC by the Board months ago.

Commissioner Saltzman recommended a motion that the POC instruct the Chair of the Commission to communicate to the CEO and each of the five Supervisorial Offices to strongly encourage approval of the remaining 14 positions in the Fiscal Year 2021-2022 Budget Deliberations meeting when the CEO and the Board consider the final budget changes later this month and, further, that the Chair communicate to the CEO and the Supervisorial Offices that deferring the consideration of approving the 14 positions until the supplemental budget in October would be very detrimental to the ability of the POC to accomplish the important tasks the Supervisors have assigned to us.

Mr. Max Huntsman, Inspector General, Office of the Inspector General, reiterated that hiring processes can take time, and that the Office of the Inspector General (OIG) is also in the process of hiring staff to perform the investigative work to support the POC. He advised the POC to stress the importance of having appropriate staff for the Commission.

Commissioner Yamashiro communicated that the POC does not have the internal expertise to address other facets of the POC's structure designed by the PRIT. He emphasized that the POC should articulate its need for support in funding and staffing based on the original PRIT recommended framework.

Commissioner Meredith agreed that the POC should send a letter to the CEO and the Board justifying the need for complete staffing of the POC and OIG.

Commissioner Garcia-Leys acknowledged that there are concerns about the Probation Department's budget and how those funds are being allocated. He stated that those dollars should be reinvested into the community. However, this oversight requires additional staff to conduct research to help the POC achieve the goals that the community

has shared, specifically of determining more effective ways of investing money.

On motion of Commissioner Saltzman, seconded by Commissioner Meredith, and duly carried by the following vote, the POC instructed the Chair of the Commission to communicate to the CEO and each of the five Supervisorial Offices to strongly encourage approval of the remaining 14 positions in the Fiscal Year 2021-2022 Budget Deliberations meeting in June:

Ayes: 9 – Commissioner Danielle M. Dupuy, Commissioner Sean Garcia-Leys, Commissioner Donald D. Meredith, Commissioner Dominique D. Nong, Commissioner Robert M. Saltzman, Commissioner Cyn Yamashiro, Secretary Dolores Canales, Vice Chair Esché L. Jackson, Chairman Franky Carrillo

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[Public Comment/Correspondence](#)

III. DISCUSSIONS

4. Discuss and take appropriate action on the impact of the recent California Supreme Court decision *In re Kenneth Humphrey* declaring that California's practice of requiring money bail is in most cases unconstitutional and that courts must consider all non-monetary alternatives to detention.

- David Grkinich, Bureau Chief, Pretrial Services Bureau, Probation Department
- Ramon Quintana, Office of the Public Defender
- Kelly Buck, Office of the Alternate Public Defender
- Peter Espinoza, Retired Judge of the Superior Court
- Rohini Khanna, Office of Diversion and Reentry

Mr. Quintana provided an overview of the Humphrey Decision. He explained that a committee has been formed, led by the Office of the District Attorney, Public Defender, and Alternate Public Defender. The committee will report back to the Board of Supervisors and the Superior Court with recommendations around issues including non-financial conditions of release, public safety, and flight risk. Furthermore, he stated that the committee will explore ways that the court can access community resources such as housing and other non-financial conditions of release, telephonic check-ins, transportation, and case management. These suggestions are part of the long-term implementation goals.

Mr. Grkinich added that unlike SB10 which was planned extensively for but did not become law, the Humphrey Decision is being used as a blueprint for alternatives to monetary bail. He also mentioned that SB 262, which is currently going through the California Legislation process, would set bail amounts at zero dollars for certain offenses. Both through statute and the Humphrey Decision, Mr. Grkinich reiterated that courts will have to consider numerous things such as public safety and past criminal history under the *In re Humphrey Decision*, which will

raise concerns about the use of risk assessments when considering bail.

Ms. Buck continued by explaining the short- and long-term approaches to the implementation of the Humphrey Decision. She mentioned that one of the immediate actions that can be taken is having a menu of options at the court's fingertips that allow the courts to safely release more clients into the community. In the long-term, best practice approaches are being created for pre-trial consideration.

Mr. Quintana further mentioned that since 2016, bail reform has evolved. Although he has learned a lot from that process, he stated that now time is of the essence because various models and ideas must be studied.

Ms. Buck shared that the Probation Department is currently operating a pilot program called the Pretrial Pilot Program (PREP) that includes electronic monitoring after pre-trial release at no cost to the client at Central, Lancaster, and Pomona courts.

Judge Peter Espinoza expressed that the reentry services such as intensive case management are relevant to the types of services that will be needed pre-trial.

Ms. Rohini Khanna added that a group in the Alternatives to Incarceration group is building a community-based model for pre-trial that preserves people's innocence until proven guilty.

Seventy public written comments were received. Kruti Parekh, Geneviève Clavreul, Sheila Pink, Ellen Giesy, Caitlin Krenz, Gabriela Vazquez, Jessica McNeil, Ivette Ale, Zoe Rawson, Kent Mendoza, Gloria Gonzalez, Laura Coholan, and Ezekiel Nishiyama addressed the POC.

Tiffany Blacknell, Community and Government Liaison for the Los Angeles County District Attorney's Office, stated that George Gascón, District Attorney, issued a special directive which aligned with the Humphrey Decision, confirming that District Attorney Gascón's policies are firmly rooted in data.

Secretary Canales recommended a motion that the POC request information from the Probation Department regarding the effectiveness of electronic monitoring and the judicial council PREP pilot program application and any outcome-related reports submitted for the PREP program. Specifically, she requested data outcomes on race, gender and the number of participants in the electronic monitoring program broken down by date pre-pandemic, post implementation of the PREP Program, and post Humphrey Decision, grounds warranting a person be returned to jail, and a line item budget breakdown of the costs of electronic monitoring. Secretary Canales clarified that her request is for pre-trial information and adult services.

Commissioner Yamashiro wanted to gain clarity about the Probation Department and the POC's role in conducting and oversight of pre-trial services. He asked that the Probation Department share the structure of the PREP Program and their pre-trial services programs within the department.

Commissioner Garcia-Leys inquired about the logistics surrounding the electronic monitoring system.

Mr. Grkinich explained that the Probation Department has several pretrial programs. The electronic monitoring system is used pre-trial and post-conviction, but the program names are different. He mentioned that there are pre-arraignment programs, supervised release programs, and a range of other programs; and, data is available upon request and pre-trial data is currently being reviewed by the CEO's office.

In response to Commissioner Dupuy's inquiry on the availability of data, Mr. Grkinich informed that data should be examined state-wide because the various pilot programs are using different methods and tools. Commissioner Dupuy stressed that several POC requests include structure and the Probation Department's role when it participates in the various pilot programs. Commissioner Yamashiro inquired about who ultimately decides what the pre-trial program will look like.

Chairman Carrillo addressed a concern on the pre-trial assessment process and Probation assessments in general. He explained that from his experience, social or mitigating factors affecting a person's life should be considered when analyzing all the reports.

On motion of Secretary Canales, seconded by Commissioner Dupuy, and duly carried by the following vote, the POC requested a report back from the Probation Department on the effectiveness of electronic monitoring and the judicial council PREP pilot program with data outcomes on race, gender, and number of participants in the electronic monitoring program broken down by date pre-pandemic, post implementation of the PREP Program, and post Humphrey Decision, grounds warranting a person be returned to jail, and a line item budget breakdown of the costs of electronic monitoring pertaining to pre-trial information and adult services:

Ayes: 9 – Commissioner Danielle M. Dupuy, Commissioner Sean Garcia-Leys, Commissioner Donald D. Meredith, Commissioner Dominique D. Nong, Commissioner Robert M. Saltzman, Commissioner Cyn Yamashiro, Secretary Dolores Canales, Vice Chair Esché L. Jackson, Chairman Franky Carrillo

Attachments: [Public Comment/Correspondence](#)

5. Receive report from and take appropriate action on recommendations from the ad hoc subcommittee on strategic planning regarding establishing Probation Oversight Commission goals and ad hoc committees to work on the accomplishment of those goals.

Vice Chair Jackson explained that the goal of the Strategic Planning Ad Hoc Committee was to outline a plan and to create categories that would serve as ad hoc subcommittees. She stated that the categories the committee created are in alignment with PRIT recommendations, the findings from Los Angeles Probation Oversight Commission (POC) site visits, concerns raised in public comments, and the Supervisors' priorities. Additionally, she stated that the categories create a solid foundation for achieving the big picture goals for the POC. She also mentioned that the leaders of each subcommittee would be tasked with engaging community through public forums to solicit input from the public to aid the development of a 12-month strategic plan including deliverables, timelines for completion, and a report back to the POC.

The overarching goal areas proposed by the Strategic Planning Ad Hoc Committee include:

- Facility Conditions and Closure
- Training, Personnel, and Management
- Programs and Services
- Research, Data, and Reporting

Discussion ensued about the overlapping categories. Ms. Julien stated that grievances, budget, use of force, to name a few are areas that should be incorporated across all categories, but isolated for further review.

Zoe Rawson and Mel Bailey addressed the POC.

Commissioner Garcia-Leys specified that some issues can be handled by the POC, but each subcommittee can help identify the different parts of the POC's goals. He further concurred with Commissioner Dupuy that data should be thought about in a broader realm to collect specific information practices about the Probation Department. An emphasis was placed on each subcommittee holding public forum meetings where all Commissioners can attend.

Commissioner Yamashiro suggested that each Commissioner specify the strategic goal areas that they are interested in, with team leadership being established later. He emphasized that the intent is to have equal representation across all goal areas.

Commissioner Nong added that to be an ad hoc committee, there can be no more than four Commissioners meeting at one time. She wanted clarification as to who the actual ad hoc subcommittee members would be.

Ms. Julien clarified that ad hoc committees focus on short-term projects on an as necessary basis. She further added that no more than four Commissioners can be on an ad hoc committee because that would be a quorum of the Commission. Alex Zuiderweg added that an ad hoc committee technically becomes a standing committee if members are having regularly scheduled meetings.

On motion of Commissioner Yamashiro, seconded by Vice Chair Jackson, and duly carried by the following vote, the POC approved the four categories: Facility Conditions and Closure; Training, Personnel, and Management; Programs and Services; and Research, Data, and Reporting as the focus areas for the POC strategic plan:

Ayes: **9 –** Commissioner Danielle M. Dupuy, Commissioner Sean Garcia-Leys, Commissioner Donald D. Meredith, Commissioner Dominique D. Nong, Commissioner Robert M. Saltzman, Commissioner Cyn Yamashiro, Secretary Dolores Canales, Vice Chair Esché L. Jackson, Chairman Franky Carrillo

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IV. MISCELLANEOUS

MATTERS NOT POSTED

6. Matters not posted on the agenda, to be discussed and (if requested), placed on the agenda for action at a future meeting of the authority, of matters requiring immediate action because of an emergency situation or where the need to take action arose subsequent to the posting of the agenda.

Vice Chair Jackson requested a report back from the Education Standing Committee. Ms. Julien responded by confirming that the Education Standing Committee will meet June 3, 2021 and then report back and at the May 27th Probation Oversight Commission meeting. The Reinvestment Block Grant (RBG) Subcommittee of the Juvenile Justice Coordinating Committee (JJCC) would report back on the status of the Department of Juvenile Justice (DJJ) closure.

Later in the meeting Commissioner Dupuy asked that a presentation on pre-trial services and electronic monitoring by outside experts be delivered to the POC.

PUBLIC COMMENT

7. Opportunity for members of the public to address the Los Angeles Probation Oversight Commission (POC) on items of interest that are within the subject matter jurisdiction of the POC.

You may submit public comment by e-mail to info@poc.lacounty.gov.

Written public comment or documentation must be submitted no later than 5:00 p.m. the day before the scheduled meeting. Please include the Agenda Item and meeting date in your correspondence. Correspondence received shall become part of the official record.

Florence Avognon provided written public comment. Atasi Uppal, Thomas Bell, Kruti Parekh, Betty Fang, Caitlin Krenz, Mel Bailey, and Vivian Wong addressed the Los Angeles Probation Oversight Commission (POC).

Attachments: [Public Comment/Correspondence](#)

V. ADJOURNMENT

8. Adjournment for the regular meeting of May 13, 2021.

Commissioner Meredith asked that the meeting be adjourned in honor of Detention Services Officer Michael Wall.

Chairman Carrillo adjourned the meeting at 2:26 p.m.