



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



[poc.lacounty.gov](http://poc.lacounty.gov)

**THURSDAY, JULY 8, 2021, 12:00 P.M.**

VIDEO FILE FOR THE ENTIRE MEETING BEGINNING AT 12:00 P.M.

Attachment:    [Video](#)

**I.     ADMINISTRATIVE MATTERS**

1. Call to Order and Roll Call.

**Chairman Franky Carrillo called the meeting to order at 12:00 p.m. Wendelyn Julien, Executive Director conducted the roll call:**

Present:        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

Absent:         Commissioner Danielle M. Dupuy

2. Approval of the June 10, 2021 meeting minutes.

**No members of the public commented on this item.**

**On motion of Vice Chair Jackson, seconded by Commissioner Yamashiro, and unanimously carried (Commissioner Dupuy being absent), the Los Angeles Probation Oversight Commission approved the June 10, 2021 minutes:**

**Ayes:        8 –**            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

**Absent:     1 –**            Commissioner Danielle M. Dupuy

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

**II.     DISCUSSIONS**

3. Discuss and take appropriate action on the Probation Department and Department of Mental Health's plan to phase out the use of OC Spray at Los Angeles County Juvenile Halls
  - Brandon Nichols, Deputy Chief, Probation Department
  - Adam Bettino, Bureau Chief, Probation Department

- Karen Streich, Ph.D, District Chief, Department of Mental Health
- Hanu Damerla, M.D., Supervising Psychiatrist, Department of Mental Health
- Dr. Diana Velasquez, Los Angeles County Office of Education
- Ronaldo Villeda, Anti-Recidivism Coalition
- Edin Madrid, Anti-Recidivism Coalition

**Mr. Nichols explained that two years ago a plan to phase out the use of OC spray in the two juvenile halls was presented to the Board of Supervisors (BOS) featuring three components:**

- 1. Increase the ratio of Probation Officers to youth in the facilities by increasing staffing**
- 2. Train Probation Officers to equip them with alternative de-escalation skills**
- 3. Increase the presence of trained mental health and medical staff**

**Mr. Nichols explained that increased staffing was requested in order to lower the Probation Department staff to youth ratios to 1:5, but due to the low population, current ratios are close to 1:5 already without an increase in staff. The Department of Mental Health (DMH) also requested increased staffing of mental health professionals to staff the two juvenile hall facilities. He explained that the currently proposed training program does not require additional resources and is ready to be implemented. As a safety precaution during the pandemic, the implementation of the Probation Department's training program was paused. The only remaining obstacle to implementation is approval by the monitor from the California State Department of Justice (DOJ). Mr. Nichols also stressed that the Probation Department does not encourage the use of OC spray, and reported that there has been a great reduction in the use of OC spray, especially during the pandemic.**

**Mr. Bettino highlighted that the rationale for combining the OC phase out training with the training required by the DOJ stipulated judgement is for efficiency and due to their similar components. The two-week training time frame was problematic because it interfered with the daily operations in terms of staffing and shift coverage, timing, and scheduling. The training has been reduced to one week, with a focus on de-escalation, trauma informed responses, adolescent development, first aid, CPR, and suicide prevention. He added that the use-of-force training curriculum and policy, as outlined in the DOJ settlement, was also an area that required more development. He mentioned that the section regarding the use of OC spray has not been removed because it has not been phased out yet, but the Probation Department is in the process of revamping its policies to reflect this change.**

**Mr. Mark Garcia, Bureau Chief in the Probation Department, shared his insights from an operational point of view. He reiterated how co-training with community-based organizations (CBOs) and partner agencies encourages staff to work together and offers a unified training foundation. Probation Officers have remained physically at work through the pandemic, which allowed them to build deeper relationships with the youth, while exposing the youth to additional programs and services available to them onsite. He concluded with explaining how external partners can help create a more robust training program for the Probation Department.**

**Dr. Streich from the Department of Mental Health (DMH) confirmed that the training components in the Probation Department's draft proposal are substantially similar to those outlined in the DOJ settlement. She emphasized that learning the same things at the same time makes all stakeholders better. She added that DMH did request additional resources, but minimal resources were granted. As a result of the pandemic, overall**

population rates in Probation have declined, resulting in youth and staff being given more space to work together. She stated that the DMH has submitted their policies and procedures to the DOJ monitor for review and approval.

Dr. Damerla shared that there were multiple factors causing delays such as unprecedented events and significant overlaps, but there are new resources that are being put in place. He added that decreased populations should enable DMH to better support reductions in the use of OC spray.

Chair Carrillo read quotes from the attached PowerPoint Presentation from youth who have experienced being sprayed with OC spray.

Mr. Madrid shared his personal experiences with OC spray and emphasized that eliminating the use of OC spray in juvenile facilities must be a priority due to the traumatizing effects physically and mentally. He shared that many youth are running away from trauma and violence in their personal lives, and they look to the juvenile system to help them propel in life. He emphasized how good communication is what diffuses fights, not the trigger of being sprayed by OC spray.

Mr. Villeda shared his personal experiences with OC spray, emphasizing the negative effects of it. He mentioned how the staff culture was the rhetoric for how new Probation Officers engage with and treat the youth. When youth are humanized and treated as such, it can deter violence and promote safety in institutions that do not require the use of OC spray. He stressed that building a good rapport and relationships with youth allows the youth to feel safe and respected. Overall, there should be a focus on a culture and environment that promotes positive and healthy relationships between the youth and the staff. If staff cannot communicate with words to get youth to do what is needed at the time, there needs to be more staff training.

In preparation of the phase out of OC spray, Dr. Velasquez shared that there have been efforts in facilitating joint training, specifically with Dialectical Behavior Therapy (DBT). Furthermore, LACOE has employed Positive Behavior Intervention Supports (PBIS) which is a full system of addressing behaviors and adults' reaction to those behaviors. Although there have been many changes with teachers and administrators, she conveyed that the focus has been on supporting students through the challenges that may alter their behavior in the classroom. The implementation of PBIS has been slow and steady, requiring an interagency and interdisciplinary collaboration to distinguish the minor and major infractions, and other means of correction. Dr. Velasquez mentioned that LACOE is adding a tier of support called BASE Education (Base Ed) this year within the PBIS framework, which is a social emotional learning curriculum that teachers are being trained on now by Behavior Managers and Behavior Counselors. She emphasized that the PBIS language centers around restorative practices, redirecting behaviors, and clearly defined expectations. Dr. Velasquez explained how the incentive reward system operated, despite the different methods each school incorporates them. She added that there are discussions on how to connect the PBIS's behavioral and incentive programs so students are hearing common language for the same concepts to make both programs powerful. Lastly, Dr. Velasquez introduced LACOE's collaboration with the Center for Culturally Responsive Teaching and Learning (CCRTL), and stated that their goal is to create professional development that addresses implicit bias, and looks at social emotional learning through a lens of cultural responsiveness and restorative practices. The CCRTL will be generating data to track projective outcomes in terms of de-escalation, restructuring discipline policies and protocols, as well as reducing suspension rates to

improve the culture and climate of the classrooms.

Oscar Canales, Edith Macias, Olivia Shields, Gloria Gonzalez, Lea Gasser-Ordaz, Megan Castillo, Eric Walton, Thomas Bell, Mel Bailey, Milinda Kakani, Roxana Aguilar, Doreen Govari, Betty Fang, Varden Phan, and Nicole Brown addressed the Probation Oversight Commission (POC).

Commissioner Yamashiro asked the Probation Department about the regulation of personal spray cannisters being brought into Probation Department facilities by staff to avoid oversight over the use of OC spray. Mr. Garcia responded by stating that the approved cannisters are screened by the supervisors within the Probation Department for weight and there are corrective actions in place if someone uses their own pepper spray because this is against the Probation Department's policy. In response to Commissioner Yamashiro's inquiry of differentiating between personal pepper spray and department-issued pepper spray, Mr. Garcia further added that employees are screened prior to entering the facilities. Mr. Nichols added that since the PRIT process, the Probation Department has been updating their security surveillance cameras where the Probation Department and its independent team can perform video reviews of use of force incidents.

Vice Chair Jackson asked how the training will address the line staff's concerns around the elimination of OC spray. Mr. Nichols responded by emphasizing that supporting the Probation Department's staff is a critical element of the training curriculum. The DOJ monitor advised that if staff feel safe and are properly trained, they will be more accepting of the culture change and implement the training techniques on how to better engage with the youth without reliance on OC spray. Ultimately, the goal is to create long-lasting changes. Mr. Bettino added that incorporating the training curriculum has been challenging because the Probation Department wants it to become part of the ongoing coaching throughout the entire Probation Department. He stressed that it takes time to develop a comprehensive training curriculum that is applicable to all the Probation Department staff. Mr. Bettino also shared that a training curriculum has been developed for Senior Detention Services Officers so that they can understand how to coach and mentor their employees. In conclusion, he stressed that consistency with training within the Probation Department is a challenge the Probation Department is addressing.

Vice Chair Jackson further inquired about how the implementation of those changes are going to be communicated to the detained youth and their families. Mr. Nichols responded by stating that the incoming youth are being informed about the Know Your Rights Education Program, but the elimination of pepper spray is not currently included in that curriculum but will be incorporated once it is phased out. Mr. Nichols added that there are staff who work with the youth and their families to produce a transition plan. Essentially, he advised that attorneys meet with their clients to ensure that the clients know their legal rights while in custody.

Commissioner Nong shared the Probation Department's responses to a series of questions. She strongly encouraged that youth councils be incorporated in the revision of Probation Department policies. Commissioner Nong inquired about where the monies are being spent and why they are not being spent on programming because the Probation Department has mentioned that one of its obstacles in implementing the training curriculum has to do with insufficient lack of funding for programming. Mr. Nichols confirmed that there is a need to increase programming in both the camps and halls to make a positive impact. He added that about \$8 million the first year and up to \$10 million dollars the second year was proposed to the BOS to purchase community-based

programming and services paid directly to the CBOs. He also mentioned the County-wide request for curtailment and budget cuts for non-essential expenditures.

Commissioner Nong asked DMH about obstacles to increasing mental health staffing. Dr. Streich responded that the funding that was made available to the DMH specifically in the DOJ settlement was for enhanced staffing for specified pilot units. Furthermore, the purpose was to embed the mental health staff for extended hours in specialized units to see the impacts and results to determine effectiveness. Commissioner Nong raised another question about crisis stabilization units and damage response teams being part of the implementation plan prior to the DOJ settlement and Dr. Streich stated that no additional funds were provided to implement those programs.

Commissioner Saltzman asked the Probation Department about the training curriculum being finalized and commencing after final approval from the DOJ. He solicited clarification about delays in the training approval process. Mr. Nichols stated that the DOJ monitor must sign off on training and policy revisions because the Probation Department needs to know that the training curriculum is acceptable and consistent with the court's expectations. Mr. Nichols elaborated on OC spray training being paused to avoid implementing the phase out incorrectly and the court finding the Probation Department in violation of the DOJ settlement.

Commissioner Meredith emphasized how there are effective de-escalation techniques that do not involve OC spray. He asked about what the alternatives were in cases where de-escalation is not effective. In conclusion, he provided examples of law enforcement personnel effectively managing conflict within various environments.

Commissioner Garcia-Leys shared his personal experiences in the Probation camps and halls speaking with line staff, Probation Officers, and Detention Officers who range from being confident to those who are genuinely scared and have to be prepared for the moment violence or a fight occurs. He further added that the staff have misconceptions of who the youth are, their relationships to violence, and when youth resort to violence. Training is an iterative process that is never done, but it is frustrating to hear the Probation Department's lack of urgency in implementing the training. Commissioner Garcia-Leys shared that many Probation Officers have misconceptions about gangs and the youth involved in gangs. Essentially, he advised that there must be credible messengers to teach line staff about the community and gangs and how gangs operate. Additionally, Commissioner Garcia-Leys asked the Probation Department for a specific date when the POC can expect the training to be complete. Mr. Nichols responded that he personally decided not to pursue the training without DOJ approval in order to run it by an expert. He was expecting to have feedback by June 2021, but no feedback has been given. Of particular concern are the components of the training curriculum that address areas of concern identified by the DOJ monitor. Mr. Bettino added that the training is ready to be deployed upon approval.

The Probation Department was unable to provide a definitive date for when the training would be deployed and when OC spray will be fully phased out.

Commissioner Nong inquired about the changes between June 2019 to now, highlighting the absence of a clear and definite timeline when there was one before. Mr. Nichols stated that originally the staffing request was a barrier to implementation. However, the Probation Department does not need increased staffing at this point.

Chair Carrillo asked who is also responsible for making decisions regarding the training implementation. Mr. Nichols confirmed that the POC can continue conversations with Probation Department Chief Gonzales and Deputy Director Luis Dominguez. Chair Carrillo further inquired about the use of OC spray between employees as well as on youth. Mr. Garcia responded that no staff has been sprayed to his knowledge, but hypothetically, an internal investigation would occur. Mr. Nichols added physical altercations among staff violate policy and subject staff to discipline. The existing policy exclusively guides how staff use levels of force with youth and dictates when the appropriate de-escalation options should be used.

On motion of Commissioner Saltzman, seconded by Commissioner Yamashiro, and unanimously carried (Commissioner Dupuy being absent), the Los Angeles Probation Oversight Commission approved the POC to instruct the Probation Department to provide written reports to the POC every 30 days regarding the progress on implementation of the elimination of the use of OC Spray, including a timeline with dates for key interim benchmarks and steps toward elimination, including the specific target date when the use of OC spray will be eliminated:

**Ayes:** 8 – 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

**Absent:** 1 – Commissioner Danielle M. Dupuy

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

4. Report from and take appropriate action on updates from the ad hoc strategic planning subcommittees regarding the Probation Oversight Commission's progression towards goal accomplishments.

Commissioner Yamashiro provided updates on behalf of the Data and Research ad hoc committee. The first goal of this subcommittee is to establish an outward-facing, user-friendly dashboard where community members can obtain real-time statistical data about the Probation Department. The subcommittee members presented at a town hall comparable examples of dashboards in other jurisdictions. He explained that the frequency of data updates, ease of use and interface, and the breadth of information were considered in determining the most effective outward facing dashboard. He concluded with stating that the town hall was the first step in getting feedback from the public about the dashboard and about other data and research needs. The next step is hosting a town hall with technical experts to solicit their input on the feasibility, affiliated costs, and addressing the public's needs as it relates to capturing the data on the dashboard. There was a consensus that the POC, as an independent body, should have a role in presenting data and research to the community.

Commissioner Sean Garcia-Leys provided updates on behalf of the Programs and Services ad hoc committee. The subcommittee's goal is to prioritize the reform goals based on community input. The subcommittee focus will include three priorities: the grievance process which is a priority that was set by the BOS, education which is a priority set by the POC, and the community advised that the subcommittee focus on the rapport and relationship between CBOs and the Probation Department. He also highlighted

that there is significant overlap and intersections between the ad hoc committees such as metrics being used to measure success, building bridges and trust between staff of the Probation Department and CBOs on what programs and services that are available, and upholding accountability.

Vice Chair Jackson and Commissioner Meredith provided updates on behalf of the Training, Personnel, and Management ad hoc committee. Vice Chair Jackson proposed that the subcommittee be referred to as the Training, Personnel, Management, and Development ad hoc committee. She further shared that the subcommittee has its first town hall on July 15, 2021 to establish priorities that are in alignment with the PRIT recommendations and BOS mandates. Specifically, the subcommittee would like to know which outcomes, metrics, and performance indicators the subcommittee should focus on. Additional town hall topics include recruitment, training, promotions, staffing structure, juvenile outcomes, personnel, support, development, and grievance procedures. Commissioner Meredith further added that staff within the Probation Department must adhere to mandates set forth by the California Commission on Peace Officer Standards and Training (CA POST) as well as the California Board of State and Community Corrections (BSCC). By hearing from the Probation Department staff directly and the community, the subcommittee can establish guidelines and equip employees on how to adhere to those mandates and training standards.

Commissioner Saltzman provided updates on behalf of the Facilities: Conditions and Closure ad hoc committee. He shared that the subcommittee has two town halls coming up: one on July 13, 2021 and the next one on July 29, 2021. He further shared the tentative priorities which include the inspection of facilities required by state law, elimination of OC spray, California Division of Juvenile Justice (DJJ) closure implementation, and the implementation of the DOJ lawsuit, and lastly, the inclusion of Youth Justice Reimagined (YJR) elements.

Ms. Julien added that a list of the PRIT recommendations that overlap with goals of the POC, YJR, and the DOJ Settlement for each of the ad hoc committees will be shared with the town hall attendees and those who request it via [info@poc.lacounty.gov](mailto:info@poc.lacounty.gov).

No members of the public addressed the POC.

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

### **III. MISCELLANEOUS**

#### **MATTERS NOT POSTED**

5. 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.

These were no new items proposed for a future agenda.

#### **PUBLIC COMMENT**

6. 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](mailto: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.

**Kruti Parekh, Mel Bailey, Thomas Bell, Roxana Aguilar, Cookie Lommel, and Oscar Canales addressed the POC.**

**Attachments:** [Public Comment/Correspondence](#)

**IV. ADJOURNMENT**

7. Adjournment for the regular meeting of July 8, 2021.

**Chairman Carrillo adjourned the meeting at 2:43 p.m.**