

COUNTY OF LOS ANGELES PROBATION OVERSIGHT COMMISSION



STATEMENT OF PROCEEDINGS FOR THE REGULAR MEETING

ST. ANNE'S CONFERENCE AND EVENT CENTER

155 NORTH OCCIDENTAL BOULEVARD LOS ANGELES, CALIFORNIA 90026

poc.lacounty.gov

THURSDAY, APRIL 27, 2023, 12:00 P.M.

AUDIO/VIDEO FILE FOR THE ENTIRE MEETING

Attachment: Video

I. ADMINISTRATIVE MATTERS

1. Call to Order and Roll Call.

Chair Jackson called the meeting to order at 12:10 p.m. Ms. Wendelyn Julien, Executive Director, conducted the roll call:

Present: Commissioner Dolores Canales, Commissioner Franky Carrillo,

Commissioner Samuel Lewis, Commissioner Donald D. Meredith, Commissioner Eduardo Mundo, Commissioner Diane Terry, Secretary Sean Garcia-Leys, Vice-Chair Milinda Kakani, and Chair Esché L.

Jackson

2. Approval of the March 23, 2023, regular meeting minutes.

No members of the public commented on this item.

On motion of Commissioner Kakani, seconded by Commissioner Mundo, unanimously carried (Commissioner Lewis being absent), the Los Angeles Probation Oversight Commission (POC) approved the March 23, 2023, regular meeting minutes:

Ayes: 8 – Commissioner Dolores Canales, Commissioner

Franky Carrillo, Commissioner Donald D. Meredith, Commissioner Eduardo Mundo, Commissioner Diane Terry, Secretary Sean Garcia-Leys, Vice-Chair Milinda Kakani, and Chair Esché L. Jackson

Absent: 1 – Commissioner Samuel Lewis

Attachments: Approved March 23, 2023, Minutes

Public Comment/Correspondence

II. DISCUSSIONS

3. Discuss and take appropriate action on updates from the Los Angeles County Department

of Youth Development (DYD) on Youth Justice Re-imagined (YJR) including legislative priorities, diversion, step-downs, and re-entry.

David Carroll, Executive Director, Los Angeles County Department of Youth Development

Mr. Carroll shared updates on the DYD including priorities, youth diversion, youth development, youth re-entry, and the Credible Messenger Program since its inception in July 2022.

Stacy Ford, Crystal Jones, Terry Prentice, Sultan Khan, and Vivian Wong addressed the POC.

Ms. Julien clarified that the POC does not have oversight over the DYD, and Mr. Carroll explained that the DYD is accountable to the county, the young people it serves, and the community in general.

Mr. Carroll gave an overview of the Credible Messenger Program, which began on March 13, 2023, has received positive feedback, and has 16 Credible Messengers going into the second month. Although there are concerns about youth being under the influence and how that affects the programming, Mr. Carroll reported that DYD has been working with other county entities to promote substance use disorder treatment.

Chair Jackson inquired about how the DYD evaluates the effectiveness of its services. Mr. Carroll shared that an external data and evaluation team was hired to measure the overall impact of DYD's programs to ensure that the intervention aligns with the expected outcomes.

Commissioner Meredith inquired about a list of the ten law enforcement agencies that Mr. Carroll referenced. Mr. Carroll stated that he can send the list of law enforcement agencies and the partnering expansion list to the POC, but they are also named on the DYD dashboard.

Commissioner Kakani asked for clarification on the statistics regarding divertible cases and the percentage that DYD handles. Mr. Carroll explained that 80% of youth arrests are divertible, and DYD is receiving referrals for about 15-20% of those divertible cases. He added that DYD has a communication network to engage parents, law enforcement, and all those who are interested in diversion.

In response to Commissioner Kakani's inquiry about Probation's previous agreement with the Youth Development Department to offer trainings on diversion to law enforcement, Ms. Cotton reported that those trainings were offered three to four times. She added that the training was shared with most law enforcement agencies, with a focus on agencies with high citation referral numbers, and the invitation remains open.

Commissioner Kakani requested clarification on the legislative options that DYD is exploring. Mr. Carrol clarified that DYD is exploring legislative options to make diversion mandatory in certain cases.

In response to Commissioner Kakani's inquiry about challenges with the Credible

Messenger Program, Mr. Carroll shared that there was a lack of communication campaign in the beginning, but now the partnership with the Probation Department is supportive and collaborative.

Commissioner Kakani inquired about re-entry work for youth, with the intention of connecting youth with support immediately following release. Mr. Carrol stated that this effort is currently being handled by Credible Messengers.

Commissioner Carrillo inquired about SYTF programming at Campus Kilpatrick. Mr. Carroll clarified that Credible Messengers are at Central Juvenile Hall (CJH), Barry J. Nidorf Juvenile Hall (BJNJH), and Campus Kilpatrick. He shared that with the gradual increase of SYTF populations in the facilities, there will be a need to increase the number of Credible Messengers and programming.

Commissioner Mundo inquired about the biggest challenges that DYD has faced with referrals. Mr. Carroll mentioned that the goal is to have as many formal referrals as possible and divert as many as possible pre-booking.

In response to Commissioner Mundo's statement on DYD's data dashboard being aggregated, Mr. Carroll mentioned that the data dashboard will be expanding to include additional law enforcement agencies and community-based organizations. He highlighted that he would ensure that the collected data is filtered to be shared publicly.

Commissioner Garcia-Leys inquired about the overlap between the DYD and the Probation Department. Mr. Carroll stated that YJR is the doctrine that serves as the foundation for DYD. He clarified that DYD is about offering developmental programming for youth in addition to diversion, but the court-ordered programming is handled by the Probation Department.

In response to Commissioner Garcia-Leys' inquiry about advocates' desires to reduce population in juvenile halls and camps, Mr. Carroll emphasized that DYD offers alternative opportunities for young people as an intervention.

Commissioner Garcia-Leys asked for clarification on the legislation slide. Mr. Carroll stated that DYD is focused on legislation that would enhance developmental programming for youth such as the multi-disciplinary teams (MDTs).

Commissioner Kakani proposed a motion, seconded by Commissioner Garcia-Leys, to create an ad hoc subcommittee of no more than four POC members to support the goals Youth Justice Reimagined and the growth and development of the DYD and report back with recommendations to the full POC.

On motion of Commissioner Kakani, seconded by Commissioner Carrillo, unanimously carried (Commissioner Lewis being absent), the POC agreed to accept the motion as presented.

Ayes:

8 - Commissioner Dolores Canales, Commissioner
Franky Carrillo, Commissioner Donald D. Meredith,
Commissioner Eduardo Mundo, Commissioner
Diane Terry, Secretary Sean Garcia-Leys, Vice-

Chair Milinda Kakani, and Chair Esché L. Jackson

Absent: 1 – Commissioner Samuel Lewis

<u>Attachments:</u> <u>Supporting Documents</u>

POC Motion

Public Comment/Correspondence

4. Discuss and take appropriate action from California's Office of Youth and Community Restoration (OYCR) on its purpose, ability to conduct inspections and receive complaints, and how OYCR connects with local complaint and grievances processes.

- Wendelyn Julien, Executive Director, Los Angeles County Probation Oversight Commission
- Efrat Sharony, Ombudsperson, Office of Youth and Community Restoration
- Honorable Katherine Lucero, Director, Office of Youth and Community Restoration

Ms. Lucero gave a presentation about the new OYCR office, its role, and goals. Ms. Sharony gave a presentation on the Division of the Ombudsman.

Ms. Julien highlighted how the work of the POC and OYCR coincides regarding surveying youth about their understanding of the Youth Bill of Rights and establishing an external grievance procedure.

Thomas Bell, Vivian Wong, Crystal Jones, and one live public commenter addressed the POC.

Commissioner Terry inquired about how OYCR measures its outcomes such as hope and trust (specifically measuring the effectiveness of youth trusting that the systems they are a part of are supportive to them). Ms. Lucero mentioned that OYCR has a Research and Development Division that is growing but is currently staffed by a former research and data individual from the Santa Clara County Probation Department who is familiar with what should be measured. She shared that OYCR is looking to launch a data infrastructure for counties to capture data with an annual report due this year, and another report due to the Governor in 2025 on its progress.

In response to Commissioner Terry's inquiry about a compilation complaint report that includes the type, who is making the complaint, demographic information, among other categories, Ms. Sharony explained that the OYCR's Ombudsperson Office is also staffing up and will be providing an annual report to the Governor this year. She added that the Ombudsperson Office can make special reports on an array of topics to the Governor, and she is open to ideas for these reports. Ms. Sharony addressed some of the concerns brought up in public comment. She mentioned that the hotline is available to everyone, but OYCR's Ombudsperson Office does not have access to or jurisdiction around personnel files or issues.

Commissioner Kakani inquired about OYCR flyers being distributed to the Los Angeles County Probation Department. Ms. Sharony confirmed that a stack of flyers was left when she visited in February 2023. Mr. Luis Dominguez, Deputy Director for the Los Angeles County Probation Department, confirmed that a sample of flyers were received, but he will obtain confirmation if they are accessible and visible to the youth. Ms. Lucero clarified that the Youth Bill of Rights posters will be disseminated later, but the OYCR flyers have been mailed out to the Chiefs and Deputy Chiefs of

the Probation Departments in California.

In response to Commissioner Kakani's inquiry about OYCR receiving phone calls and emails from youth in Los Angeles County, Ms. Sharony confirmed that she has only received phone calls from non-Los Angeles County youth.

Ms. Sharony reported that 3,500 flyers and 37 posters were distributed state-wide in early April 2023.

Commissioner Kakani asked for a proposed timeline for OYCR processing grievances and complaints. Ms. Sharony gave an overview of how she envisions the process to be because the timeline is dependent on other factors such as making records requests. She added that the policies and procedures for handling grievances and complaints are in production and is pending agency level approval. Ms. Lucero mentioned that there is a pause in field visits to finalize the protocols and policies guiding OYCR but she expects these visits to resume quickly.

In response to Commissioner Kakani's inquiry about youth feeling safe to file grievances and complaints, Ms. Sharony stressed that it is against policy for youth to face retaliation because of filing a grievance. Ms. Lucero stated that the Youth Bill of Rights has anti-relation previsions regarding complaints to the Ombudsperson. OYCR is also in the process of writing provisions to the Title 15 regulations specific to SYTF. She clarified that there are 24 youth at the Department of Juvenile Justice returning to Los Angeles County by the end of June 2023.

Commissioner Mundo inquired about OYCR visiting Los Angeles County facilities unplanned, and what the response has been. Ms. Sharony clarified that the OYCR Ombudsperson cannot make unannounced visits and must give 48 hours' advanced notice to the Chiefs.

Commissioner Garcia-Leys inquired about OYCR's role in ensuring BSCC compliance with Title 15 for SYTF youth. Ms. Lucero clarified that OYCR is not a compliance agency, so BSCC per statute is the compliance monitor of juvenile halls, camps, and SYTF. She added that the BSCC does not currently have statutory power to close down SYTF facilities that are out of compliance.

Commissioner Garcia-Leys asked for clarification on how the work on grievances and complaints can be collaborative between the POC, Probation's Ombudsperson, and OYCR to streamline. Ms. Julien highlighted that the OYCR is developing a robust grievance procedure, which may make an external grievance process unnecessary for the POC.

Commissioner Carrillo asked about what is happening in other counties regarding implementation of grievances, successful Title 15 compliances, and successful programming overall. Ms. Lucero shared that this has been an iterative process, where 26 out of the 58 counties are currently in compliance. She added that she is hoping that Los Angeles County is moving forward, and not digressing.

Commissioner Carrillo stressed the importance of having in person meetings with youth due to the ill repair of the facilities which individuals become accustomed to and don't complain because of a sense of hopelessness.

Commissioner Canales sought confirmation on the OYCR Ombudsperson visiting facilities unannounced. Ms. Lucero clarified that they are not currently allowed unannounced visits, but the facilities have allowed visits for OYCR's staff.

Ms. Lucero confirmed that Karen Fletcher requested 1,700 flyers and 40 posters, and the OYCR Ombudsperson Office will ship those out tomorrow.

Attachments: Supporting Documents

Public Comment/Correspondence

- 5. Discuss and take appropriate action on the Los Angeles County Probation Department's progress on reaching compliance with Title 15 and Title 24 through the Corrective Action Plan submitted to the Board of State and Community Corrections (BSCC).
 - Karen Fletcher, Interim Chief, Los Angeles County Probation Department

Chair Jackson explained that the POC will be holding a special meeting on this item for further discussion to include Interim Chief and Chief Strategist.

Ms. Felicia Cotton stated that the Board has not taken action on this item, so the Probation Department is not at liberty to discuss agenda item 5, as they are following the leadership of the Board.

Commissioner Garcia-Leys inquired about who advised the Probation Department not to speak on this agenda item.

Commissioner Lewis joined the meeting at 2:25 p.m.

Crystal Jones, Aditi Sherikar, James Maddox, one live public commenter, and one additional call-in user addressed the POC.

Commissioner Meredith shared a concern about Probation's cooperation with Board actions and emphasized the importance of monitoring by the POC and the Office of Inspector General (OIG) to ensure compliance.

Commissioner Kakani asked Ms. Cotton for an answer on who restricted the Probation Department the liberty to talk speak on this agenda item. Ms. Cotton answered that the Probation Department is as concerned as the POC about this topic.

In response to Commissioner Carrillo's comment, Ms. Cotton confirmed that Probation will take the Board's lead on motions and directives that the Board has implemented in the past and moving forward.

Commissioner Meredith shared his ongoing frustrations with Probation's responsiveness and accountability.

Commissioner Mundo expressed his sentiments about Probation's presentation at the BSCC meetings, and specifically concerns with the BSCC appointees. He added that reform begins at the top, which are the Governor's appointees on the BSCC.

Commissioner Garcia-Leys stated that according to his legal analysis, the juvenile

halls should be shut down in three weeks and the Probation Department should think of this as a hard reset to reflect on current capacities and strategize about what happens if youth will no longer be able to be safely housed in Los Angeles County juvenile facilities.

Commissioner Lewis shared that ARC helps to take SYTF youth to school because there are no staff going into the SYTF facilities. He inquired about where the SYTF staff were.

Attachments: April 13, 2023 – BSCC Letter

April 5, 2023 – Probation's Response on Adopting a Global Plan April 3, 2023 – Probation's Supplemental Corrective Action Plan March 27, 2023 – Notice Letter to Interim Chief Fletcher

March 23, 2023 – BSCC Response to Probation's Corrective Action Plan March 16, 2023 – BSCC's Biennial Inspection of Juvenile Detention Facilities

March 14, 2023 - Probation's Corrective Action Plan

Public Comment/Correspondence

- 6. Discuss and take appropriate action on the Probation Department's official policies and practices on grievances and complaints.
 - Wendelyn Julien, Executive Director, Los Angeles County Probation Oversight Commission
 - Felicia Cotton, Acting Chief Deputy, Los Angeles County Probation Department
 - Luis Dominguez, Deputy Director, Los Angeles County Probation Department

Ms. Julien shared an update about grievances and complaints. She highlighted that the focus of the POC's role in the grievance process is to ensure that there is transparency and understanding about what is going on in the facilities, ensuring the safety of the youth, and providing a safe environment for youth to be able to express their concerns. She shared some of the concerns that have risen from facility visits including broken grievance boxes and glitches in the electronic grievance system that resulted in delays in grievances being received by the facilities.

Ms. Cotton mentioned that the Probation Department is in the process of building a grievance and complaint system where youth feel free to report when things are not right. She added that the Grievance Policy now includes the OYCR Ombudsperson as a reference for youth and families to file grievances and complaints. Ms. Cotton also highlighted that the new Grievance Policy is now PREA compliant, addresses anonymous complaints and how staff should process those, and emphasizes the need to resolve grievances within three days.

Mr. Dominguez provided updates the Probation Department has made since the POC's November 2022 meeting including keeping the paper form and grievance boxes in the facilities for hand-written grievances, utilizing an electronic grievance management system to file grievances, assigning iPads to the Grievance Officers to sign off electronically on grievances, and the implementation of kiosk machines (target date being March 2024). He reported that 33 grievances have been received through the grievance management system, and the closeout percentage is now 90% (with the other 10% being attributed to facility issues).

Ms. Taneka Shehee, Ombudsperson for the Los Angeles County Probation Department, reported that the youth grievance process is separate and different than

the adult complaint process. She mentioned that the Ombudsperson is collaborating with the POC to finalize the complaint policy, does not handle youth grievances, can enter the facilities unannounced, and are available as a resource to adults, youth, as well as internal and external agencies.

Ms. Julien explained the overlap between OYCR and Probation's Ombudsperson. She addressed the concerns of having dueling posters in the facilities, and finding ways to unify the grievance process so that a young person can be given information about the state Ombudsperson as a reference.

In response to Ms. Julien's inquiry about how the iPads are being used, Mr. Dominguez explained that the youth can electronically file grievances using their Los Angeles County Office of Education (LACOE) computers. Once a grievance has been resolved, he mentioned that the Grievance Officer then electronically signs using the iPads.

Daniel Lopez, Kent Mendoza, and Stacy Ford addressed the POC.

Commissioner Carrillo asked for a response from LACOE on how access to grievance system is provided to the youth via the iPad.

Commissioner Kakani shared her sentiments on youth not having access to LACOE computers when access to the classrooms is restricted and inquired about a timeline for implementing the kiosks. In response, Mr. Dominguez reiterated that the youth have access to the paper forms to file grievances. He clarified that the target date to implement the kiosks is March 2024.

In response to Commissioner Kakani's inquiry about the number of grievances filed in the halls, Mr. Dominguez stated that the monthly average is 40, but he will report back on the actual number of grievances in the halls. He confirmed that 33 grievances were filed in the camps since the roll out of the PMS system.

Commissioner Kakani inquired about how the effectiveness of the new grievance system looks like and if youth are being engaged for feedback. Mr. Dominguez stated that youth have not been engaged in the review process so far.

Ms. Shehee reminded everyone that the youth still have access to the telephones so they can call the Ombudsperson.

Ms. Valerie Van Kirk, Bureau Chief for the Los Angeles County Probation Department, made a comment about grievances.

Commissioner Carrillo raised a concern about things being lost in translation when transferring grievances from paper to iPad. Mr. Dominguez confirmed that grievances are not edited, and are translated verbatim into the electronic system, but the paper copy is filed away for auditing purposes.

Dr. Diana Velasquez, LACOE, discussed that an application was installed onto the LACOE computers about four to five years ago, but the youth still have access to the old form while the grievance portal is being updated.

Commissioner Carrillo inquired about what happens once grievances are filed on LACOE computer. Dr. Velasquez confirmed that students have private access to the grievance system, and those filed grievances are routed directly to the Probation Department once submitted.

Commissioner Mundo asked about the process of what happens when a grievance is received, addressed, and closed. Mr. Dominguez mentioned that it is reviewed, filed, and audited.

In response to Commissioner Mundo's inquiry about complaints from the field, Mr. Luis explained that these grievances and complaints are handled on a case-by-case basis. Ms. Cotton stated that most of the complaints received from the field go straight to the Ombudsperson.

<u>Attachments:</u> <u>Supporting Document</u>

Public Comment/Correspondence

III. REPORTS

- 7. Report and take possible action on updates from the Los Angeles County Probation Department on the hiring of a strategic planning consultant, the development of a strategic plan, and progress on addressing the backlog on use of force investigations.
 - Karen Fletcher, Interim Chief, Los Angeles County Probation Department

Ms. Julien explained that there is an attachment in response to this agenda item from Ms. Sheila Williams, Deputy Director for the Los Angeles County Probation Department.

No members of the public commented on this item.

<u>Attachments:</u> <u>Probation's Written Response</u>

Strategic Plan Updates

Public Comment/Correspondence

- 8. Report and take possible action from the Los Angeles County Probation Oversight Commission on progress on the Commission's strategic goals including:
 - Outstanding requests for information
 - OC spray phase out
 - Contraband and substance use disorder treatment
 - Structural Release and Girls' Decarceration
 - Wendelyn Julien, Executive Director, Los Angeles County Probation Oversight Commission

Ms. Julien acknowledged the one week at BJNJH where there were no OC Sprays, highlighted the reduction in OC spray used on girls and gender-expansive youth, and shared that the POC requested additional data to analyze the trend of sprays on youth who are DCFS-involved. She reported that the POC and OIG recommended a full phase out of OC spray by June 30, 2023, but the Probation Department requested full phase out by January 2024.

An update was provided on contraband and substance use where Ms. Julien reported

that the County is being pushed towards a more comprehensive approach for substance use treatment for youth inside and outside of the facilities.

She stated that the structural release and girls' decarceration processes have been progressing where stakeholders are engaging in weekly MDT meetings. Additionally, Ms. Julien announced that the Probation Department was awarded the VERA Institute Grant.

Ms. Julien outlined the outstanding requests for information which includes the reporting of use of force incidents, monthly list of programs and services being offered in the halls and camps, inventory of those programs and services, and the intake and detention log.

Corrales addressed the POC.

Commissioner Terry asked for clarification on the 14 reported incidents where DCFS was involved. Ms. Julien stated that the 14 reported incidents were across all of the facilities due to the reports aggregated that information together and identifying information about staff is omitted from the report.

Commissioner Terry inquired about resources and support that are offered to staff within the Probation Department. Ms. Cotton explained that Probation's de-escalation training incorporates the appropriateness of building relationships and other mechanisms that can be used instead of OC Spray. She is open to ideas to implement and has been consulting with Probation's Chief Strategist Guillermo Viera.

Ms. Julien and Commissioner Meredith asked for an update on Probation's mentoring program that was supposed to roll out with the new recruits. Ms. Van Kirk confirmed that mentors were assigned to the facilities beginning this year, and the new graduating class should be assigned mentors also.

Commissioner Meredith raised a concern of Probation offering a course on how to interact with the youth during the academy in addition to the trainer when they begin working at the facilities.

Chair Jackson inquired about an employee wellness center. Ms. Cotton mentioned she can report back on this item but shared that the Los Angeles County Department of Human Resources is looking at different ways to bring employees back to work, addressing their well-being, and their wellness.

Ms. Julien stated that Los Angeles County can distribute monthly climate surveys.

Commissioner Meredith emphasized that the information requested by the POC can aid in identifying what is happening within the facilities, specifically addressing the significant number of youth on staff assaults.

Commissioner Mundo proposed a motion, seconded by Commissioner Carrillo, to accept the attached POC Motion requesting detailed monthly statistical intake data from the Probation Department as written.

On motion of Commissioner Mundo, seconded by Commissioner Carrillo,

unanimously carried (Commissioners Canales and Lewis being absent), the POC agreed to accept the motion to request detailed monthly statistical intake data as presented:

Ayes: 7 – Commissioner Franky Carrillo, Commissioner

Donald D. Meredith, Commissioner Eduardo Mundo, Commissioner Diane Terry, Secretary Sean Garcia-Leys, Vice-Chair Milinda Kakani, and

Chair Esché L. Jackson

Absent: 2 – Commissioner Dolores Canales and

Commissioner Samuel Lewis

Attachments: POC Motion

Population Statistics

OC Spray Deployment Reports

Staff Training Roll Out on Eliminating OC Spray

OC Spray Deployment Summary - Updates Through March 31, 2023

Report Back on Least Restrictive Placements for Youth in Probation Department

Public Comment/Correspondence

IV. MISCELLANEOUS

MATTERS NOT POSTED

9. 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.

Commissioner Carrillo highlighted that space should be allotted to have virtual Commissioners' comments addressed by panelists.

PUBLIC COMMENT

10. 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. one business day before the scheduled meeting to be included on the agenda. Please include the Agenda Item(s) and meeting date in your correspondence. Correspondence received by 5:00 p.m. the same day of the meeting shall become part of the official record.

Thomas Bell and Tanisha Pierce addressed the POC.

Attachments: Public Comment/Correspondence

IV. ADJOURNMENT

11. Adjournment for the regular meeting of April 27, 2023.

On motion by Commissioner Garcia-Leys, seconded by Commissioner Meredith, the POC adjourned the meeting at $4:06~\rm p.m.$