

MOTION BY SUPERVISORS SHEILA KUEHL  
AND MARK RIDLEY-THOMAS

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Over the past 10 years, the Los Angeles County Department of Probation (Department) has been led by no fewer than five Chief Probation Officers. Each has attempted to put their own stamp on the nation’s largest probation system. Now, the County is engaged in a national search for yet another leader, one who will reflect the rehabilitative values and goals envisioned by the current Board. In order to take advantage of this time of change and reform, it is important to assess the past action and oversight of the Department, evaluate ongoing needs and determine what modifications might be adopted at this critical time of reformative change in Los Angeles County.

In years past, the Department was plagued with allegations and a number of substantiated cases relative to inappropriate relations between probation officers and youths in camp and juvenile hall, the initiation of staged fights, drug and alcohol abuses, worker's compensation fraud and other serious violations of policy. On November 6, 2006, the United States Department of Justice (DOJ) initiated an investigation into whether youth housed at these Probation facilities were adequately protected from harm

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RIDLEY-THOMAS \_\_\_\_\_

KUEHL \_\_\_\_\_

KNABE \_\_\_\_\_

ANTONOVICH \_\_\_\_\_

SOLIS \_\_\_\_\_

and subjected the County to monitoring and correction. As the County emerged from DOJ monitoring, a number of different advisory commissions and departmental units were developed in order to continue the improvement of Probation operations. The following summarizes several oversight and advisory efforts (pre- and post-DOJ investigation):

- The Sybil Brand Commission, founded in 1959, is tasked with inspecting jails, lockups and probation facilities. It evaluates each facility's administration for effectiveness, economic health, cleanliness, discipline and comfort of inmates, as well as juveniles at probation camps and juvenile halls. The Board receives reports from this Commission.
- The Civil Grand jury investigates County, City and joint power agencies and its 23 members are charged with responding to citizen complaints, visiting jails and making recommendations for improving County operations. Members of the Civil Grand Jury are nominated by Superior Court Judges.
- The Los Angeles County Board of Supervisors established the Countywide Criminal Justice Coordination Committee (CCJCC) in 1981 as an advisory body that reports to the Board and serves as a unique policy forum for the development and coordination of strategies to improve the operation of the justice system. CCJCC does not oversee probation operations. It does, however, work closely with the Probation Department on a wide variety of issues, such as the implementation of the Prop 36 drug treatment program, drug courts, Public Safety Realignment and the recently authorized collection of victim restitution from the impacted AB 109 populations.
- The Probation Commission was established on September 7, 1999. This 15-

member Commission is an advisory body to the Board and primarily inspects the 13 juvenile camps and three juvenile halls in Los Angeles County to assure compliance with applicable laws and regulations regarding the health, safety, welfare and education of youth at these facilities. This Commission provides reports to the Board on their findings.

- In October of 2010, while still being monitored by DOJ, the Board of Supervisors (Board), created a separate and distinct internal affairs division tasked with assisting the Probation Department with investigations, use of force reviews, disciplinary processes and analysis of on-and-off duty probation officer behavior. This division, formerly part of the Office of Independent Review (OIR) covering both the Sheriff and Probation, became the Office of Independent Monitoring (OIM). Three full-time attorneys now monitor and advise Probation. This was considered the first independent oversight of a Probation Department in the country.
- In 2011, in response to several county reports on juvenile reentry issues, the County established the Juvenile Reentry Council, chaired by the CEO's office and the Courts. The Council was tasked with overseeing and coordinating reentry services for the County, particularly for youth leaving camps. The Council has not formally dissolved but has stopped meeting.
- When the DOJ monitors left Los Angeles in December 2014, the Probation Department established the DOJ Compliance and Quality Assurance Bureau which is tasked with collecting data to measure overall DOJ related program performance measures and outcomes. The unit's 16 probation officers, acting as monitors, report to a Probation Director who in turn reports to a Bureau Chief.

This compliance unit provides analysis of their findings through audits and reports, assists with the development of sound Corrective Action Plans and monitors the progress of the plans, evaluates DOJ related programs and services and conducts daily updating of data into the various databases used by the DOJ compliance unit.

- In addition, over the past 10 years the Board has directed the Auditor-Controller to conduct audits and prepare reports relating to the Probation Department's budget, fiscal and personnel functions to ensure compliance with Board-approved policies including recruitment, cost effectiveness of camps and halls, grant outcomes and evaluations, Request for Proposal procedures, operating costs, and numerous realignment and Prop 47 issues.
- The Contract Monitoring Office within the Probation Department is tasked with determining whether the Probation Department's contractors are financially viable and also to maintain the necessary fiscal and administrative systems and records to properly manage contracts in order to ensure compliance with Federal, State and County guidelines and determines whether contractors are providing the type and required level of services specified in their contracts.
- In response to the Los Angeles Probation Outcome Study Report released in the spring of 2015, the Board of Supervisors created a Probation Workgroup to address specific issues found to contribute to the reduction of recidivism, as well as improving the experiences of youth and families in the Probation system. The Probation Workgroup currently has a number of representatives from various County agencies, researchers, schools, advocacy agencies, community based organizations, and youth and parents who have experienced the probation

system. This group of key stakeholders is tasked with presenting a comprehensive juvenile justice strategy, identifying services currently available, highlighting the gaps that exist in needed services, improving the referral system for services, and proposing key measures to publicly report on a regular basis.

- In response to the provisions of Senate Bill 81, a number of committees and leadership bodies were formed with representation from key County departments and external stakeholders to examine practices across a broad range of issues including data collection, staff hiring, training and recruitment, education, trauma informed programs, operational procedures related to institutions, the role of family and community-based providers in juvenile justice, and reentry of youth into communities. Los Angeles is on the verge of establishing, with Probation as the lead agency, the LA Model, which is a small-group therapeutic model that is youth-centered, collaborative across agencies and within families, and embodies a culture of care rather than a culture of control. The model's central framework relies on probation officers to coordinate and deliver a range of integrated services aimed at cultivating opportunities for growth and healing, while at the same time promoting responsibility and personal autonomy. This will require a cultural shift within the Probation Department.

Each one of these entities serves a different function for review, monitoring, coordinating and implementing reform of the Probation Department but none were established to execute comprehensive oversight for the entire system, which serves two distinct and separate populations – Juvenile offenders, both in and out of custody, and Adult probationers.

The youth probationer population has decreased in the last three years from over

12,000 to approximately 9,000 in and out of custody. The camp and juvenile hall populations are at an all-time low of less than 1,800 youths. At the same time, the adult probationer population has increased significantly due to the 2011 adoption of Assembly Bill 109, Public Safety Realignment, which authorized Post-Release Community Supervision (PRCS) for certain non-violent, non-sexual, non-serious offenders being released from State Prisons. With the establishment of the Office of Diversion and Reentry a new era of reform is taking place in Los Angeles, as well. Probation Officers assigned to supervision of transition-age youth and adults will now have to be knowledgeable about substance abuse treatments, mental health programs, housing and educational or vocational options available in the community, among others. Transformative probationary supervision will be required in order to achieve an orientation towards the social-emotional well-being of clients rather than an overseer of enforcement.

With this information as context and acknowledging that many improvements have been made in the last decade, the County is in the process of selecting a new leader for a Department that is in flux. There is no overall, formal assessment and reporting process. Disparate silos parse out information to the Department and the Board. It is necessary, at this time, to examine overlaps and duplications in current efforts being performed, as well as identification of potential needs for more effective oversight.

Currently, there is no entity monitoring all the disparate pieces. We must devise a better way of evaluating Department staff, facilities, financials, operations and population outcomes in order to assure consistency in Probation compliance and effectiveness of many of the programs. The Board must evaluate whether there is an

opportunity for comprehensive oversight of the entire Probation Department.

**WE, THEREFORE, MOVE** that the Board of Supervisors establish a working group, convened by the Chief Executive Officer (CEO), comprised of the Acting Probation Chief, County Counsel and one appointee of each Supervisor to identify and assess the current landscape of entities tasked with any aspect of evaluating, monitoring and correcting the work of the Probation Department.

**WE FURTHER MOVE** that the Working Group:

1. Evaluate the feasibility of establishing a permanent Probation Oversight Commission, similar to that recently established to oversee the Sheriff's Department, to oversee the operations of the Probation Department. The working group shall, after evaluating the existing entities, recommend whether a Probation Oversight Commission could replace or complement current work and where there may be current overlaps or gaps;
2. Make recommendations that also include a proposal for any investigative and monitoring structure to replace and/or improve the current milieu of various divisions analyzing the Probation Department and reporting back to the Board, as well as identify how the new Commission might access information necessary to their oversight;
3. Include in this evaluation a recommendation as to whether oversight is needed to assess Juvenile and Adult Probation operations collectively (as a whole) or separately; and
4. Report, in writing, to the Board in 90 (ninety) days on its progress and plans for moving forward to achieve the goals set out in this motion.