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January 22, 2016

TO: Supervisor Hilda L. Solis, Chair
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Supervisor Don Knabe
Supervisor Michael D. Antonovich

FROM: John Naimo
Auditor-Controller

SUBJECT: **PROBATION DEPARTMENT – HIRING PRACTICES AND GRANT ADMINISTRATION (BOARD AGENDA ITEM 10, APRIL 14, 2015)**

On April 14, 2015, your Board instructed the Auditor-Controller (A-C) to conduct an audit of the Probation Department (Probation or Department) with a focus on its budget, contracting, grant, and hiring functions to ensure compliance with Board of Supervisors (Board) approved policies and best practices. The A-C was also requested to hire a consultant to obtain feedback from youth under the Department's supervision.

On July 24, 2015, we issued our report covering the budget and contracting functions. We also informed your Board that we contracted with Sjoberg Evashenk Consulting, Inc. (SEC) to review Probation's hiring practices and grant administration activities, and Violence Intervention Program (VIP) to conduct interviews with youth under the Department's supervision.

SEC's report is attached, and VIP expects to issue their report in May 2016.

Scope - Hiring Practices

SEC's report of Probation's hiring practices focused on the hiring of mission critical sworn positions because the Department has experienced difficulty in filling sworn vacancies. To augment SEC's review, the A-C reviewed the Department's hiring and promotional practices for a sample of eight unsworn (civilian) positions and two additional sworn positions, including 2 Unclassified (e.g., executive management) positions.

Both the SEC and A-C reviews included interviews with Probation management and human resources staff, a review of applicable authoritative guidelines, evaluating pertinent recruitment packets, job postings, class specifications, applications, examination results, qualification documentation, and Live Scan/background check results. SEC and the A-C also worked with the Department of Human Resources (DHR) management and staff, who actively assisted Probation with some of the Department's hiring responsibilities.

Audit Results - Hiring Practices

Both the SEC and A-C reviews concluded that the Department's hiring and promotional practices were generally in compliance with County policies and procedures. However, both reviews noted that the Department did not always thoroughly document background check clearances. In addition, SEC also noted challenges encountered by Probation in converting applications into successful hires. For example, from January 1, 2012 to June 30, 2014:

- Only 773 (53%) of the 1,472 applicants who filed for Group Supervisor Nights (GSN) passed the examination. SEC reviewed information for seven of the eligible GSN candidates that were not hired by Probation and noted that two (29%) did not pass the background screening, two (29%) failed the medical or psychological evaluation, two (29%) had inadequate employment history, and one (14%) withdrew.

- Only 2,335 (55%) of the 4,274 applicants who filed for Detention Services Officer (DSO) passed the examination. SEC reviewed information for nine of the eligible DSO candidates that were not hired by Probation and noted that five (55%) did not pass the background screening, one (11%) withdrew, and three (33%) were not in reachable bands.

SEC's report acknowledges that Probation recently established a pilot effort by dedicating a single individual to be responsible for attending job fairs, recruiting on college campuses, and developing marketing and outreach materials. SEC recommends that Probation continue to expand their recruiting efforts, and develop marketing and outreach materials specifically designed to attract candidates that are most likely to be successful. Four benchmarked counties (i.e., Riverside, Sacramento, San Diego, and Orange) attributed their success in attracting qualified sworn personnel to similar marketing efforts.

SEC's report further noted that for nine academies held in 2014 and 2015, Probation candidates pass rate was only 76% compared to a 100% pass rate in the four benchmarked counties. The four benchmarked counties credited job suitability interviews and orientations during the background screening process and standard written examinations as factors for ensuring highly qualified candidates were selected to

go through their academies. Probation management cited additional Department of Justice (DOJ) mandated training requirements included in their academies as a factor for the lower pass rate.

SEC's report also notes that Probation's inability to recruit sufficient qualified candidates at the GSN and DSO level impacts their ability to fill higher level sworn positions. For example, GSNs and DSOs are critical entry-level positions utilized at juvenile camps and halls. In accordance with the Memorandum of Agreement (MOA) entered into between the County and the DOJ, Probation maintains staffing ratios at the juvenile camps and halls to ensure "sufficient supervision to keep the residents reasonably safe from harm and allow rehabilitative activities to occur successfully." Therefore, before Probation promotes qualified GSNs and DSOs, they need to hire replacements to fill the vacancies caused by the promotions. Due to the low percentage of qualified GSN and DSO applicants eligible for hiring, Probation is not able to backfill sufficient GSNs and DSOs to fully staff the higher level Deputy Probation Officer (DPO) positions.

Scope - Grant Administration

SEC reviewed nine grants and special revenue funding streams to determine laws, rules, regulations, and allowable uses for the funds. SEC also analyzed outcome and program performance reports to assess Probation's effectiveness in achieving program goals.

Audit Results - Grant Administration

SEC noted that for some funding sources, such as the Community Incentive Corrections Performance Incentive Act (SB 678) and the Youth Offender Block Grant, fund balances have increased by $82 million and $11.6 million, respectively, over the last two fiscal years. SEC determined that the increases were primarily caused by higher staff vacancy rates resulting in lower cost reimbursement claims, and Probation's use of General Fund revenue instead of submitting claims for allowable program costs.

SEC also attempted to review program outcomes, but noted that in general, the State reporting requirements are focused on output data rather than outcome-oriented data. However, the Juvenile Justice Crime Prevention Act program undergoes a formal external evaluation conducted by the RAND Corporation (RAND) annually. According to the RAND report, Probation has experienced a decline in the rate of juvenile arrests of nearly 30% since Fiscal Year 2011-12. This reduction is consistent with a reduction statewide. SEC also referenced a Judicial Council report that identifies Probation is also experiencing positive outcomes resulting from SB 678, which was enacted to reduce the number of felony probationers sent to state prison for committing new crimes or violating probation. Probation's SB 678 outcomes are slightly better than the statewide average.

Details of these and other findings and recommendations are included in SEC's attached report.

Review of Report

SEC discussed their report with Probation's management. As indicated with their response, Probation generally agreed with SEC's recommendations.

If you have any questions please call me, or your staff may contact Arlene Barrera at (213) 974-0729.

JN:AB

Attachment

c: Sachi A. Hamai, Chief Executive Officer
Cal Remington, Acting Chief Probation Officer
Lisa M. Garrett, Director of Personnel
Public Information Office
Audit Committee

December 9, 2015

John Naimo, Los Angeles County Auditor-Controller
Kenneth Hahn Hall of Administration
500 West Temple Street, Room 525
Los Angeles, California 90012

Dear Mr. Naimo:

Sjoberg Evashenk Consulting respectfully submits our report of the results of the Performance Audit of the Department of Probation's hiring and grant administration activities. The Auditor Controller's Office engaged our firm to conduct this engagement pursuant to the April 14, 2015 Board Agenda Item 10. The attached report, entitled "Review of the Department of Probation's Hiring and Grant Administration Activities," includes our observations, conclusions, and recommendations arising from our audit work. A draft of this report was provided to the Department of Probation, and input provided by the Department was considered when finalizing this report. The Department submitted its written response directly to the Office of the Auditor-Controller.

Respectfully Submitted,

Marianne Evashenk, President
Sjoberg Evashenk Consulting, Inc.

County of Los Angeles
Office of the Auditor-Controller

Review of the Department of Probation's Hiring and Grant Administration Activities

December 9, 2015

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Executive Summary

Sjoberg Evashenk Consulting has completed an audit of recruitment practices and efficacy in administering grants and programs at the Los Angeles County Probation Department (Probation), under contract with the Los Angeles County Department of Auditor-Controller. The objectives of the audit were to review Probation's:

- Recruitment, Examination, Hiring, and Promotional Practices
- Efficacy in Administering Federal and State Grants and Programs

The hiring aspect of the audit focused on efforts to fill vacancies within Probation's sworn classifications and did not include reviewing civilian positions. The scope of the audit included fiscal years 2013-2014 and 2014-2015. Refer to the detailed scope and methodology on page 5.

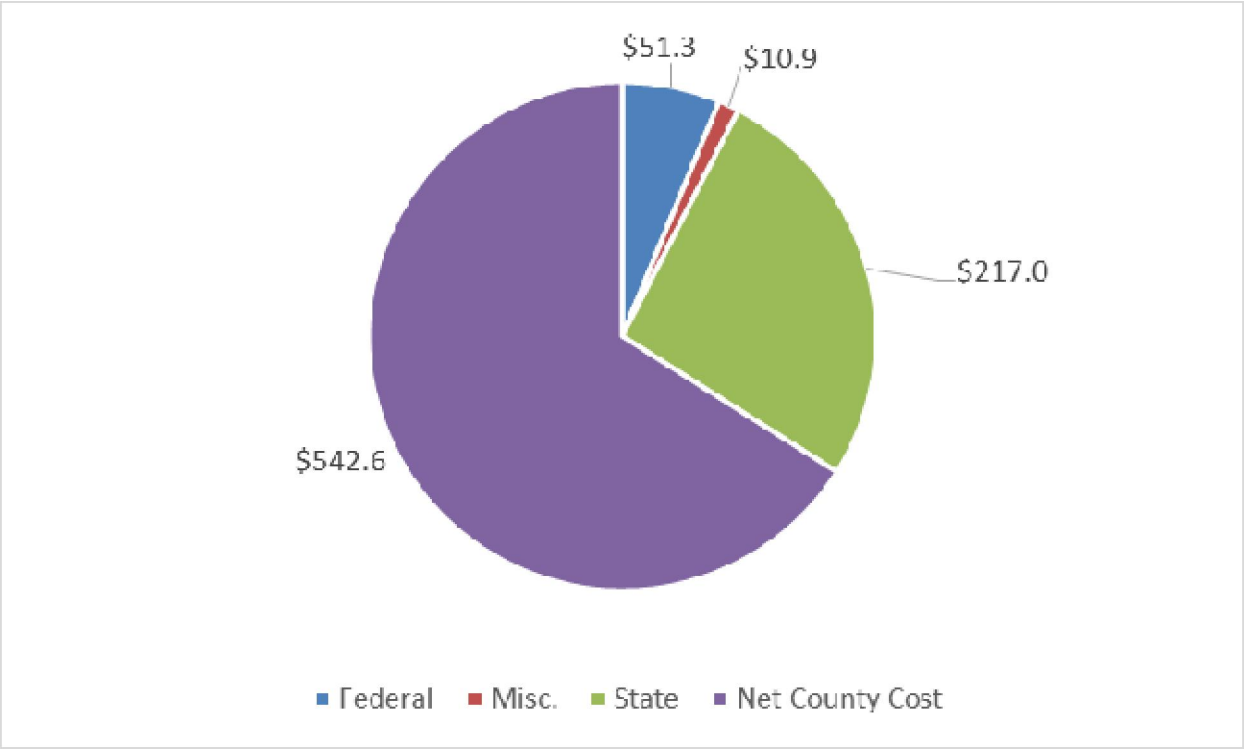
Background

The mission of Probation is to promote and enhance public safety, ensure victims' rights, and facilitate a positive change in adult and juvenile probationers. To support its many responsibilities, Probation proactively seeks resources and collaborations to maximize opportunities to positively impact the behavior of probationers by providing them with the educational and vocational services, as well as access to health and mental health services that will build upon the strengths and capabilities of probationers, their families, and their communities. Probation's services are administered and financed through five budget units:

- Probation-Support Services—administrative, information technology, quality assurance, training, and management services.
- Juvenile Institutions Services—three juvenile halls, intake and detention control, community detention services, transportation, the Dorothy Kirby Center, and probation camps.
- Field Services—juvenile and adult investigation and supervision services.
- Special Services—juvenile special services and juvenile placement services.
- Care of Court Wards—placement of juvenile court wards in residential facilities, foster homes, and the Department of Corrections & Rehabilitation housing as parole placements.

To fund these activities, the Probation Department relies heavily on federal, state, and local revenues. The Department's budget is supported, in part, by several federal and state funding sources. In Fiscal Year 2014-2015, Department records show that these special revenue funding streams accounted for $280 million of the Department's $820 million in revenues, and consisted of federal, state, and local court and county funding sources. As a "Net County Cost" (NCC) department, the remainder of Probation's budget is funded through the County's general fund; in Fiscal Year 2014-2015, NCC revenues amounted to more than $540 million, as illustrated in Figure 1, approximately $20 million more than was budgeted.

Figure 1. Probation Department Revenues, Fiscal Year 2014-2015



Source: Departmental budget-to-actual revenue summary reports.

Probation's Hiring Process

In order to receive a permanent appointment to one of Probation's sworn classifications, employees must meet minimum qualifications, successfully participate in a civil service examination, receive a qualifying score on the state-mandated examination to be placed on an "eligible list," undergo a thorough background and medical screening, participate in a training academy, and serve a probationary period. Probation staff handles all aspects of recruitment/selection, examining, background investigation, training, and hiring processes. The Los Angeles Department of Human Resources (DHR) provides some assistance with the hiring process related to components of the examination process that involve a written component (tools developed by and copyright owned by DHR), such as the Work Styles Assessment Tool.

A number of recent local, state, and federal mandates have impacted Probation's hiring processes, including:

- 2008: Memorandum of Agreement (MOA) between the Department of Justice and Los Angeles County resulted in the implementation of minimum staffing ratios at Probation's juvenile institutions and strengthen the current hiring practices.
- 2009: Five-year county-wide hiring freeze.
- 2011: Assembly Bill 109 Public Safety Realignment shifted the oversight responsibility of certain non-violent prison parolees from the State to County Probation departments.

Summary of Results

Overall, during the two-year period covered by our review, it appears that Los Angeles County Probation Department's (Probation) sworn hiring processes were generally well organized, documented, and complete and Probation made strides in improving some process efficiencies. During this period, we found that Probation increased its hiring efforts, which resulted in an increase in the number of new hires during Fiscal Years 2013-2014 and 2014-2015 over prior years. These efforts, however, were not enough to actually increase the number of active sworn officers employed by the Department, which equaled 4,183 in Fiscal Year 2011-2012 and dropped each successive year to 4,041 in Fiscal Year 2014-2015.

We found that attracting quality entry-level candidates is essential to ensure Probation's sworn vacancies throughout the organization can be filled as current positions must be "backfilled" before staff can be released and promoted. Although during the period reviewed Probation had limited proactive recruiting efforts, it processed thousands of applications for its multiple entry-level sworn classifications. However, we found Probation faced challenges converting its applications into successful hires:

- Candidates for certain critical entry-level positions, such as the Detention Services Officer (DSO), often were not successful passing the department's extensive hiring protocols, particularly the intensive background screening processes.
- Another entry-level position, Deputy Probation Officer I (DPO I), requiring the most education and having the best success rate passing through the hiring process, experienced candidates that were often not interested in accepting a DSO position due to lower pay and risk of not being "reachable" for promotion into DPO I. These candidates would wait for DPO I openings rather than enter at the DSO level.
- Candidates were not always reachable as mandated staffing ratios at Probation's juvenile institutions necessitated currently held positions to be "backfilled" before staff could be released to be promoted. Because of the backfilling requirements and the department's desire to promote internally before hiring external candidates, candidates on eligibility lists not having seniority could not be offered positions.

As a result, the Probation's best potential entry-level candidates (DPO Is) were not interested accepting positions in the most critical classification (DSO). Additionally, having multiple points of entry into the sworn ranks may appear to afford Probation with a greater opportunity to fill vacant positions and "grow" its ranks internally, under the current circumstances it may have unintended consequences of not attracting the most qualified and likely successful candidates. In the end, Probation is left unable to fill its vacant positions.

Additionally, we found that Probation had implemented sworn hiring processes that were generally well organized, documented, and complete. However, the audit identified some opportunities for process improvements, such as reviewing classification specifications to ensure they reflect the current requirements of sworn positions and better documenting certain background clearance reviews and minimum qualification verification processes. Additionally, we found that while Probation has largely met its internal hiring timeframe goals, its hiring processes took longer than any of the four benchmark departments we interviewed. Due to the required extensive nature of hiring for sworn personnel, recruiting

and hiring processes are lengthy and intensive. Probation has recently modified some of its hiring processes to improve timeliness and efficiencies, such as contracting with an external company to administer the polygraph to receive results in days rather than weeks.

Finally, we found that Probation was underutilizing state and federal funding intended to support key programs and operations. Specifically, we identified cash balances ranging from $3 million to $23.3 million related to four different state-funded programs, including AB 1628, SB 678, YOBG, and JJCPA. These under-utilized cash balances can be partly attributed to the number of vacancies that Probation has not been able to fill. Because most of the funding sources where we observed increased cash balances are intended to reimburse staffing costs, high levels of vacant positions could result in "salary savings" and underutilized special revenue funding. However, we also found that some program costs that could have been funded through federal and state funds were in fact charged to the County general fund through Net County Costs. As identified in the Auditor-Controller's July 2015 audit report, Probation did not seek reimbursement for $10.2 million SB 678 in Fiscal Years 2012-2013 and 2013-2014. Additional examples include:

- Probation has maintained a $3 million cash balance in an old YOBG fund, even though current YOBG funding allocations are insufficient to cover Probation's costs, leading to increased NCC allocations. According to Probation, these funds were derived from growth funds several years ago, and the balance has been set aside to fund one-time program costs, such as dormitory reconfiguration and furniture costs.
- Probation allocates more JJCPA funding to Community Based Organizations (CBOs) than is actually used by the CBOs, resulting in under-utilized JJCPA funding, and funds some JJCPA-related program services—such as CBOs providing gang intervention services—to Net County Costs instead of JJCPA funding. Both contribute to an increasing cash balance that amounted to $23.3 million by the end of Fiscal Year 2014-2015.

In this report, we offer 14 recommendations to assist Probation in ensuring that it can respond to the challenges of filling vacancies with quality candidates and improving the administration of grant programs. These recommendations can be found at the end of Chapters 2, 3 and 4.

Scope and Methodology

At the request of the Los Angeles County Board of Supervisors, the Auditor-Controller initiated this audit with the purpose of reviewing the Probation Department's hiring and grant administration activities. The Auditor-Controller contracted with Sjoberg Evashenk Consulting to conduct this performance audit following Generally Accepted Government Audit Standards (GAGAS). The scope of this audit included Probation's sworn hiring and grant administration activities during Fiscal Years 2013-2014 and 2014-2015, and included:

- Reviewing the Department's recruitment, examination, hiring, and promotional practices to determine whether the Department is effectively recruiting, retaining, and promoting the most qualified staff; and
- Evaluating the Department's administration of nine identified federal and state grants and special revenue streams, including determining whether the Department fully utilizes federal and state funding resources and reviewing required program evaluations and related outcomes.

The hiring aspect of the audit focused on efforts to fill vacancies within Probation's sworn classifications and did not include reviewing civilian positions.

In order to achieve the audit objectives, we reviewed background information including: previous audits, studies, and reports; pertinent laws, rules, regulations, and policies; budgetary and financial information; classification and vacancy data; recruiting, hiring, termination, promotion and other related statistics; collective bargaining agreements; grant agreements and administrative manuals and reports; and enacting legislation for special revenue funding streams.

Additionally, we conducted interviews with key management and staff over human resources, administration, and fiscal operations to identify key processes related to sworn hiring and promotional activities involving vacancies, recruiting, applications, examinations, and eligibility requirements. We also interviewed management and staff to understand how federal and state grants are utilized and tracked as well as financial management over the spending of the grants.

Further, we also performed the following procedures to evaluate the effectiveness of Probation's Human Resource and Administrative processes over sworn hiring activities:

- Compared Probation's policies and procedures for recruiting, evaluating minimum requirements, administering employment/promotional examinations, hiring, and promoting staff to Los Angeles County Department of Human Resources (DHR) policies.
- Evaluated the processes related to advertisement of vacancies and outreach to recruit qualified candidates of sworn positions.
- Identified DHR's role in Probation's hiring processes and documented how the DHR's assistance changed over the years.
- Performed in-depth testing of a sample of employees across the Probation's sworn classifications hired and promoted during the audit period to:
    - Determine if Probation complied with hiring policies and procedures.

  - Verify employees met the minimum qualifications.
  - Determine required background checks were completed and reviewed verification processes to ensure that candidates placed on county employment lists met minimum requirements.
  - Identify timeframes Probation established to complete various phases of the recruitment process (e.g. application review, exam administration, background checks, etc.) and determined if Probation met those timeframes.
- Tested a sample of candidates that were not ultimately hired to determine the reasons those candidates did not succeed in the hiring process.
- Analyzed Probation's success at filling vacancies and retaining employees.
- Selected seven county probation departments to include in benchmarking efforts based on the number of sworn probation officers, and adult and juvenile caseloads – Riverside, San Bernardino, San Diego, Orange, Santa Clara, Alameda and Sacramento. We identified the following areas to benchmark sworn probation officers (including correctional/institutional probation officers) for this review:
  - Career ladders—points of entry, upward mobility, and career paths
  - Minimum qualifications including education and experience
  - Provisions of bargaining agreements (MOUs) relative to seniority, promotions, and retirement
  - Departmental outreach for recruiting
  - Hiring processes including examinations, other evaluative methods, background processes and approaches, academy.
  - Hiring success rates and statistics for disqualifications through the process
  - Recruiting and hiring challenges, best practices, and initiatives.
- We attempted to conduct telephone survey interviews with each of the seven selected counties. Four counties agreed to participate: Riverside, San Diego, Sacramento, and Orange. Santa Clara declined, we were unable to make contact with Alameda, and San Bernardino responded after the report was drafted.

Moreover, we also performed the following procedures related to grant activities and programs:

- Researched each of the nine grants and special revenue funding streams defined in the audit scope to identify reporting requirements; purpose; allowable uses; and laws, rules and regulations.
- Reviewed fund cash balances for each funding stream to determine if cash balances existed and had increased over the two year audit period.
- For each state special revenue funding stream, compared annual state allocations to the Probation Department to revenue received, as reported by Probation, to identify variances and cash balances carryovers.

- Analyzed outcome and program performance reports, where available, to assess Probation's effectiveness in achieving grant and special revenue program goals and purposes. Reviewed state annual reports, where available, to assess Probation's performance in comparison to statewide overall performance.

Audit fieldwork was conducted between August and October 2015. A draft version of this report was provided to the Probation Department for review and comment on October 30, 2015, and input provided during an exit conference on November 16, 2015 was considered and incorporated where appropriate prior to finalizing the report.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Chapter I: Probation's Attrition Rates Outpace Efforts to Fill Sworn Vacancies

In March 2015, Los Angeles County Probation Department (Probation) submitted to the County Board of Supervisors a proposal and implementation strategy to fill vacant sworn positions. This strategic plan identified significant challenges that Probation has experienced when recruiting and hiring probation officers in recent years. It reported that despite past efforts to hire new probation officers, Probation has only been able to hire enough officers to mitigate attrition and has not been able to reduce its vacancy rate, and identified several planned steps to increase hiring in the future.

According to the plan, Probation processed more than 10,000 peace officer applications in 2014 alone, resulting in six academies and just over 250 new sworn employee hires during the same year. As illustrated below in Figure 2, Probation reported that as of March 13, 2015 there were 805 vacancies in *authorized* sworn positions; when compensating for the mandatory 10 percent department-wide salary savings rate, Probation's effective number of *fillable* sworn position vacancies is actually 336. Our analysis of authorized full-time equivalent sworn position vacancies aligned with the budgeted vacancies reported to the County Board of Supervisors by Probation.

Figure 2. Sworn Position Vacancies as of March 2015

Position Title	Current Budgeted Vacancies as of 3/13/15	10% Salary Savings	Total Vacancies Fillable
Group Supervisor, Nights	89	47	42
Detention Services Officer	154	90	64
Deputy Probation Officer I	63	53	10
Transportation Deputy, Probation	10	9	1
Deputy Probation Officer II, RT	68	35	31
Deputy Probation Officer II, Field	323	175	148
Senior Detention Services Officer	26	18	8
Supervising Deputy Probation Officer	65	35	30
Supervising Detention Services Officer	7	6	1
Supervising Transportation Deputy	0	1	-1
Total	**805**	**469**	**336**

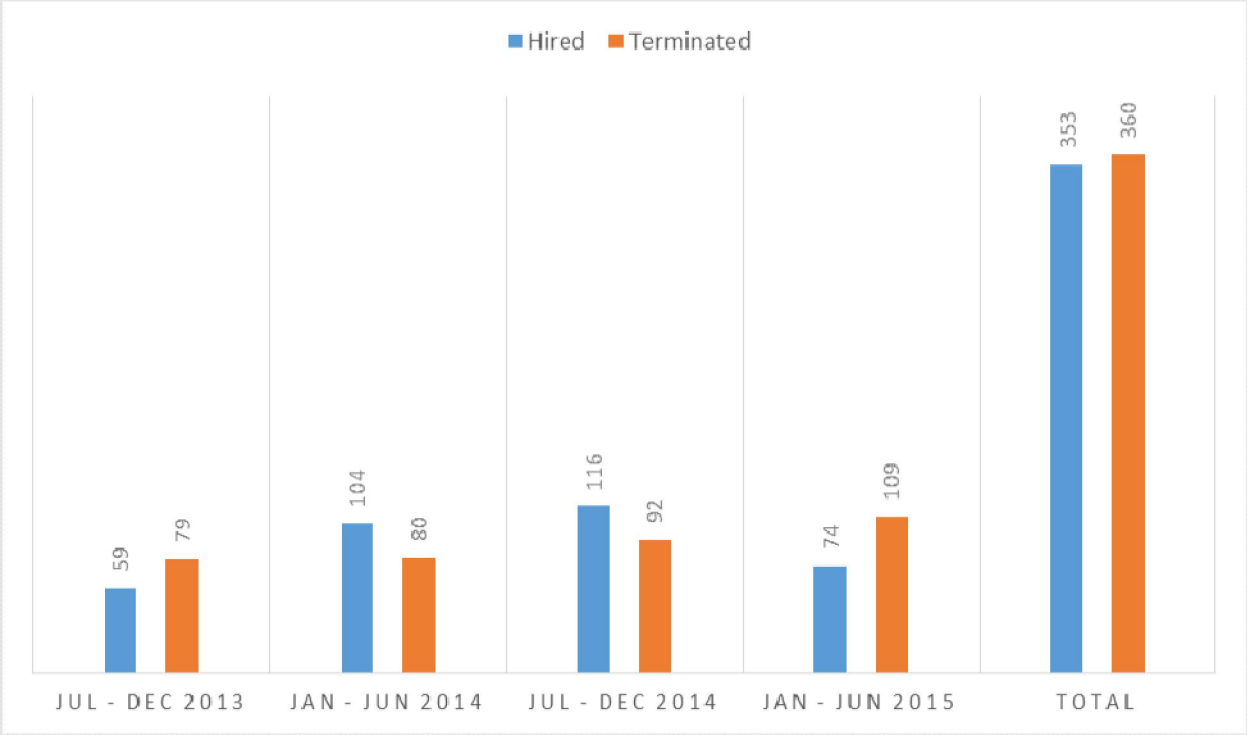
Source: March 19, 2015 Probation Department Proposal and Implementation Strategy Memo

To fill these vacancies, Probation's plan sets forth a strategy to overcome past challenges with a goal to hire 400 candidates into sworn positions by June 30, 2016. However, Probation anticipates that given its historical attrition rates, Probation will still have approximately 150 fillable sworn vacancies after hiring 400 candidates. This is consistent with our independent analysis, which determined that the attrition rates experienced by Probation resulted in nearly

unchanged vacancy rates during the fiscal years of 2013-2014 and 2014-2015. In effect, Probation's rate of hiring was not sufficient to overcome attrition rates during the same period.

Between July 2013 and December 2014, Probation generally increased the number of hired sworn positions over each six-month period, nearly doubling from 59 to 116 in a six-month period, with 353 sworn positions hired over the two-year period. At the same time, however, as shown in Figure 3, the number of sworn position terminations also increased, amounting to 360 sworn terminations—slightly more than the number of new hires.

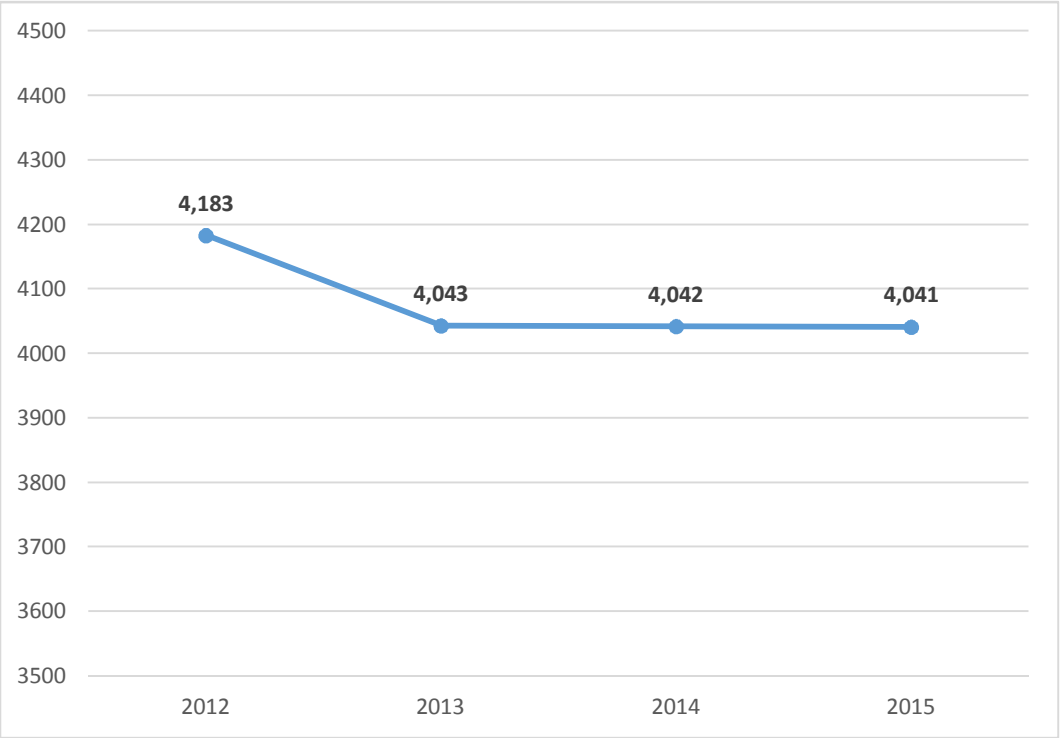
Figure 3. Sworn Positions – Hired vs. Terminated Sworn Employees



Source: Reports provided by Los Angeles County Auditor Controller

Because Probation was unable to hire new sworn positions at a faster rate than terminations, the number of active sworn positions over the period has remained relatively flat. As illustrated in Figure 4, despite increased hiring activity, the number of full-time equivalents (FTE) among sworn positions slightly declined from 4,043 sworn FTEs as of June 30, 2013 to 4,041 as of June 30, 2015. Although outside of the period of the audit, for context we included filled sworn position data for 2012. According to Probation, when the new administration came in, beginning in 2012, it initiated concerted efforts to review the pool of sworn officers and outplace any that were unqualified, committed crimes, or otherwise unsuitable for service, to be in compliance with its Department of Justice settlement agreement. As illustrated in Figure 4, at the beginning period of our audit, Probation had a lower level of positions filled than could be attributed to normal attrition—in essence, starting its hiring initiatives in a deeper hole.

Figure 4. Filled Full-time Equivalents for Sworn Positions as of June 30th, 2013



Source: Department position control records.

Another factor impacting Probation's vacancy rates was promotional activity. Specifically, we found that promotional activity had an impact on vacancy rates experienced at Probation's entry-level positions. Probation has promoted more individuals into Deputy Probation Officer (DPO) I and DPO II than any other position. As illustrated in Figure 5, promotions in to DPO I and DPO II positions accounted for 427 of the 603 total sworn position promotions, or nearly 71 percent. The career ladders within Probation have DPO Is promoting to DPO IIs and individuals qualifying for the DPO position holding Detention Services Officer (DSO) and Group Supervisor Nights (GSN) positions (both entry level) would promote into the DPO I vacancy. The result of this upward mobility, however, is that before theses promotees can vacate the entry-level (DSO/GSN) positions, these slots must first be filled to meet statutorily required supervision ratios for juveniles. Further, DSO and GSN positions have higher than average attrition rates, thus an even greater negative impact on total FTEs filled for these two positions, as illustrated in Figure 5. Conversely, promotions and new hires had a positive overall impact on DPO II and DPO I positions.

Figure 5. Net Impact of Hires, Promotions, and Terminations on Top 5 Sworn Positions

Position Title	Total New Hires	Total Terminations	Total Promotions	Attrition Rate[1]	Average Length of Service[2]	FTE 2013[3]	FTE 2015[3]	
Deputy Probation Officer II, Field	26	78	220	5.8%	25.1	1,285	1,416	↑
Detention Services Officer	180	79	18	9.8%	5.7	852	759	↓
Deputy Probation Officer II, RT	1	30	43	9.9%	26.1	311	284	↓
Deputy Probation Officer I, RT	99	50	164	10.1%	7.0	480	487	↑
Group Supervisor Nights	47	59	0	15.0%	12.6	430	371	↓
ALL 17 SWORN POSITIONS	**353**	**360**	**603**	**8.9%**	**17.3**	**4,043**	**4,041**	↓

Source: Department position control records and eHR data extracts relating to Department hiring, promotions, and terminations.

Additional data relating to the number of new hires, terminations, and promotions is presented in Appendix A.

While this audit report focuses primarily on the factors contributing to the challenges Probation has faced in its hiring processes, we also found that several factors contributed to the recent increase in terminations experienced by Probation, including retirements and various terminations during the period of our audit.

From July 2013 to June 2015, Probation experienced an overall attrition rate of 8.9 percent for all sworn positions. For this two-year period, more than half of the total sworn position terminations related primarily to retirement and—in some cases— death, with an average length of service more than 17 years. Conversely, for the three entry level positions (DSO, DPO I - Resident, and GSN), most terminations were due to reasons other than death or retirement, and the attrition rates for these groups ranged from almost 10 percent to 15 percent. For these three lower level positions, the average length of service for terminated employees, not including terminations related to death and retirement, was six years or less, with some employees terminating in less than one year.

We reviewed exit interview data for three years, from 2012 through 2014. While exit interview feedback was provided by a relatively small percentage of staff, approximately 30 percent of staff leaving the Department—including both sworn and non-sworn personnel—exit interview results shed light on some of the factors contributing to Probation's attrition rates. Over the

[1] Attrition rate from Fiscal Year 2013-2014 to Fiscal Year 2014-2015
[2] Average length of services for terminations occurring between July 1, 2013 and June 30, 2015
[3] Filled positions as of June 30th each year

three-year period we found that there was a consistent negative opinion about the lack of support for career growth. Areas most often cited as negatives by respondents concerning their career growth were:

- Management did not take an active interest in career development.
- Adequate professional training and development for higher-level positions was not available.
- Probation's promotional policy in my department was unfair.
- Insufficient opportunities for personal and professional growth were offered.

While this data may be anecdotal, it is consistent with concerns expressed by Probation management and challenges noted later in the report.

Chapter II: Hiring Structure Impacts Probation's Ability to Fill Sworn Vacancies

Attracting quality entry-level candidates is essential to Los Angeles Probation Department's (Probation) overall ability to fill critical sworn vacancies. Specifically, Probation must attract and hire a sufficient number of entry-level candidates to ensure sworn vacancies throughout the organization can be filled as current positions must be "backfilled" before staff can be released and promoted. Our review found that candidates for the critical entry-level Detention Services Officer (DSO) position often were not successful passing the department's extensive hiring protocols, particularly the intensive background screening processes. Additionally, some of Probation's best potential entry-level candidates with the most educational background were often not interested accepting positions at the DSO level while other candidates were not always reachable as staffing ratios at Probation's juvenile institutions necessitated currently held positions to be backfilled before staff could be released to be promoted. Further, having multiple points of entry into the sworn ranks may appear to afford Probation with a greater opportunity to fill vacant positions and "grow" its ranks internally; however, under the current circumstances it may have unintended consequences of not attracting the most qualified and likely successful candidates.

Some Entry Level Classifications Experience Low Rate of Successfully Passing Hiring Processes

During the period of our review, we found that although Probation has limited outreach or overt recruiting activities, it attracted thousands of entry-level sworn candidates into its application processes. However, some candidates vying for Probation's most critical entry-level sworn classifications, such as the DSO and Group Supervisor Nights (GSN), while meeting the minimum qualifications to sit for the examination, did not fare very well on the examination whereas candidates for the DPO I position, another critical entry-level classification were far more successful. Additionally, DSO and GSN candidates, typically external hires, had a much lower rate of successfully passing the background screening process than the Deputy Probation Officer (DPO) candidates, that are hired both externally and promoted internally.

Probation Should Continue to Expand Recent Recruiting Efforts

During the audit period, Probation reported that it did not have a formal recruiting strategy due to the five-year hiring freeze that preceded the new Probation administration and did not have the proper classification for this public relations activity. As such, in the recent years, Probation concentrated on its examination, human resources, and background activities and relied upon County human resources and its website for most of its recruiting.

Only one of our four benchmark probation departments had a public relations unit or activity. Others attributed attracting successful candidates to deliberate participation on an informal basis such as attending job and career fairs, making presentations in college classrooms, and attending community events; these were performed by sworn officers and department administrators as part of their duties. Interviewees stated that these department actions also raise the visibility of the department for public relations purposes as well.

According to Probation, it recently assigned recruitment efforts to a single employee for a pilot effort to expand on existing activities and provide dedicated oversight related to attending job fairs, recruiting on college campuses, and developing marketing and outreach materials specifically designed to attract potential recruits. Currently the employee dedicated to this effort is on loan from another division within the Probation department.

Nonetheless, despite the lack of focused recruiting activities during the audit period, Probation attracted thousands of candidates to apply for its positions. However, while the number of candidates that applied appears numerous, the quality of candidates was insufficient to pass Probation's extensive hiring processes and fill vacancies.

Although Meeting the Required Minimum Qualifications, Some Entry-Level Classifications Have Low Examination Pass Rates

As reflected in Figure 6, Probation has developed minimum qualifications for its three entry-level sworn positions that reflect a large range of education and experience requirements, including a sworn position which requires only a high school diploma and no previous work experience. The minimum qualifications for these three points of entry into its sworn officer career attract a wide variety of applicants, some of which are significantly less successful than other applicants in passing through and completing the hiring process.

Figure 6. Los Angeles Probation Department Minimum Qualifications for Entry-Level Sworn Positions: Education and Experience

Classification	Minimum Requirements: Education	Minimum Requirements: Experience
Deputy Probation Officer I	Graduation from an accredited 4-year college or university	None
Detention Services Officer	60 semester or 90 quarter units from an accredited college or university	None
Group Supervisor Nights	High school graduation or equivalent	None

Source: Los Angeles County Classification Specifications

None of the three classifications require work or relevant experience; the GSN works only at night, but works in both the detention facilities and camps. Whereas DSO works within the juvenile detention facilities and the DPO I is at the camps. According to Probation, the core pool for DPOs is from the DSO classification. Regardless of the employee's current position—DSO or GSN—to become a DPO I the candidate must attain the minimum education requirements for that level. Applicants determined to have met the minimum qualifications of a classification are invited to participate in a competitive testing process, which typically consists of a standard State mandated written examination. In the past, Probation's examination process also included a job interview to determine interest and suitability for the job to assess areas such as emotional control, adaptability, tolerance, listening comprehension, oral comprehension, selective attention, and applied memorization. According to Probation, the interview component of the process repeated much of the same

areas as the examination. As such, the results of interviews did not aid in the elimination of candidates or significantly changing the scoring of candidates and the interview component was eliminated.

We reviewed six examination processes for the GSN, DSO, and DPO I entry-level classifications taking place between January 1, 2012 and June 30, 2014[4]. Of the 7,425 candidates examined, 4,415 passed the exam (60 percent) and were placed on an eligibility list. As reflected in Figure 7, candidates for the DPO I classification, which requires at least a four-year college degree, had a much higher pass rate than candidates taking either the DSO or GSN classification exams, which have lower educational requirements.

Figure 7. Examination Statistics for Entry-level Classifications January 1, 2012 - June 30, 2014

Classification	Exam Number	Average # of Days Filing Period Open	# of Candidates Examined	# of Candidates Placed on Eligibility List	Examination Pass Rate
Deputy Probation Officer I	F8608W	8.0	1,679	1,307	78%
Detention Services Officer	F8655C, D & E	39.7	4,274	2,335	55%
Group Supervisor Nights	F8618D & F	5.5	1,472	773	53%
TOTALS			**7,425**	**4,415**	**60%**

Source: Probation Department Examination Statistics, January 1, 2012 – July 21, 2015

Candidates passing the written examination are ranked and certified onto eligibility lists that have "Bands" according to their examination score, in compliance with County Civil Service Rule 11. Additionally, for internal represented candidates, Local 685 MOU requires the bands be prioritized in seniority order. Candidates proceed through the process in the order of their banding.

Probation Experiences Low Background and Medical Screening Pass Rates

The top candidates on an eligibility list, starting with Band 1, are invited to begin the background, medical, and psychological screening processes, which include verification of education and employment information, criminal background check, polygraph test, and neighborhood canvassing. After successfully passing these reviews, candidates undergo medical and psychological evaluations.

[4] This examination time period would closely correspond with ultimate dates candidates were hired during the audit period of 7/1/2013 through 6/30/2015 after passing through all hiring processes.

During the time of our review, the fallout rate due to the background evaluation was profound; according to Probation, only 20 percent of the candidates undergoing the background evaluation, particularly the polygraph where half the candidates are failed, advance to the final stages of the hiring process. Overall, our testing reveals that only 11.5 percent of all candidates on eligibility lists during the period of our review are ultimately hired and advanced into the academy.

Our testing of the six examinations revealed that DSO and GSN candidates on eligibility lists typically had a much lower rate of being hired than the DPO I candidates, as reflected on Figure 8.

Figure 8. Entry-level Candidate Hire Rates

Classification	# of Candidates Placed on Eligibility List between 1/1/2012-6/30/2014	# of Candidates Hired & Promoted between 7/1/2013-6/30/2015	% of Candidates hired
Deputy Probation Officer I	1,307	263	20.1%
Detention Services Officer	2,335	198	8.5%
Group Supervisor Nights	773	47	6.1%
TOTALS	**4,415**	**508**	**11.5%**

Source: Probation Department Examination Statistics, January 1, 2012 – July 21, 2015

We selected 25 entry-level candidates that were on recent GSN, DSO, and DPO I classification certification lists, but were not hired to determine the reason why candidates that passed the examination and were placed on eligibility lists were not hired. We found:

- GSN—The reasons GSN candidates reviewed were not hired included failing background screening (two out of seven), failing the medical or psychological evaluation (two out of seven), inadequate employment history (two out of seven), or withdrew (one of seven).
- DSO—The reasons DSO candidates reviewed were not hired included failing background screening (five out of nine) and withdrew (one out of nine). Although Probation was able to reach bands one through four, three candidates were not hired because they were not reachable.
- DPO I—The reasons DPO I candidates reviewed were not hired was largely because the candidates were in Bands two through five and Probation was only able to reach candidates in Band one (eight of nine). One additional candidate withdrew.

As such, it appears that the GSN and DSO candidates were more apt be disqualified from the hiring process due to the results of Probation's background and medical screening processes.

We noted that the four benchmark departments have eliminated certain steps included in Probation's background process, choosing to focus on other aspects of the hiring process to find

the best suited and most successful candidates and to streamline the process and reduce the duration and resources committed to the hiring process. We were told by three of the four peer probation departments contacted that the industry's movement is toward positive counseling, mental and social services, and behavioral management programs. As such, these departments were conducting alternative steps prior to background to cultivate candidates with appropriate attitudes and aptitudes and to cull out candidates who would prove unsuccessful hires or would be disqualified during the background process for cause. These processes employed by peer probation departments are intended to advance only the most qualified and suitable candidates, thus, reducing the pool to be examined during the background process and providing a higher pass rate at this step. For example:

- Two of the departments use a form of large group orientation to convey to the candidates the nature and environment of the careers, rigors of the duties, and depth of the recruiting process. One stated that it holds the orientations at a juvenile facility so that candidates can see and experience the "closed" environment. Orientations included a variety of functions—each included some type of personal job interview with a department representative, some conducted physical conditions test, and other oral or written evaluative tests. Overall, these departments indicated that the orientations were held on a single day, and candidates to continue in process were selected on the spot.
- Two others conduct job suitability interviews during which they discuss the rigors of the position and assess the candidate's suitability for the job. We are told by each of these benchmark departments that their goal is to ensure candidates fully understand the job and the hiring criteria and have the suitability for the position before entering the background process which is labor intensive.
- Two eliminated the canvassing steps as they found little value in this process and instead deploy rigorous verification and reference checks in conjunction with in-depth background interviews where the individual's background is discussed, but also the candidate's interests, aptitude for the work, job conditions and rigors, and other more qualitative aspects of the career.
- Most stated they seek individuals with backgrounds in behavioral studies or experience interacting with juveniles rather than law enforcement or criminal justice.
- None of the benchmark departments utilize polygraphs—some noted that these are too expensive and take too long to process. Three of the four comparable probation departments reviewed instead use CVSA (voice stress tools).

As previously mentioned, a common comment we heard in regards to the background reviews was that the peer probation departments were moving to more social behavior based hiring practices and, as Sacramento stated, looking for candidates with a passion for the job and the skill and knowledge to deliver the department's mission to "support positive change."

JCOC Entry-Level Academy Pass Rates Lower than Comparable Departments

Moreover, after individuals are hired or promoted into all three entry positions, GSN, DSO, and DPO I, they must complete training through the JCOC academy, unless they have previously completed a required academy at the County during their current position.

Probation's initial academy, Juvenile Corrections Officer Core (JCOC) is the standard training program for entry level juvenile corrections officers and requires each candidate complete specific coursework on job specific knowledge base needs as well as one week Police Officer Standards and Training (POST) course attendance. Nine JCOC academies were held between 2014 and 2015, which according to Probation was an increase in the number of academies held in the past. Further, according to Probation, additional academy sessions can be conducted—the limits on the current number of academies held relates to having a sufficient number of "new hire" candidates passing through the hiring process and available to attend.

For the nine JCOC academies held between 2014 and 2015, there were 353 entry-level candidates who entered the training process of which 270, or 76 percent, passed and 83, or 24 percent did not pass. As shown in Figure 9, despite the significant fallout rate throughout the earlier steps of the hiring process, a significant number fail the academy.

Figure 9. JCOC Academy Graduation Percentages – By Classification

Classification	Number of Candidates Entered the JCOC Academy between 2014-2105	Percentage of Candidates that Passed the JCOC Academy
Deputy Probation Officer I	115	71%
Detention Services Officer	188	82%
Group Supervisor Nights	50	66%
TOTALS	**353**	**76%**

Source: September 10, 2015 JCOC Academy Enrollment Report, July 26, 2015 Terminated Employees by Unit Report, and Probation Department Examination Statistics, January 1, 2012 – July 21, 2015

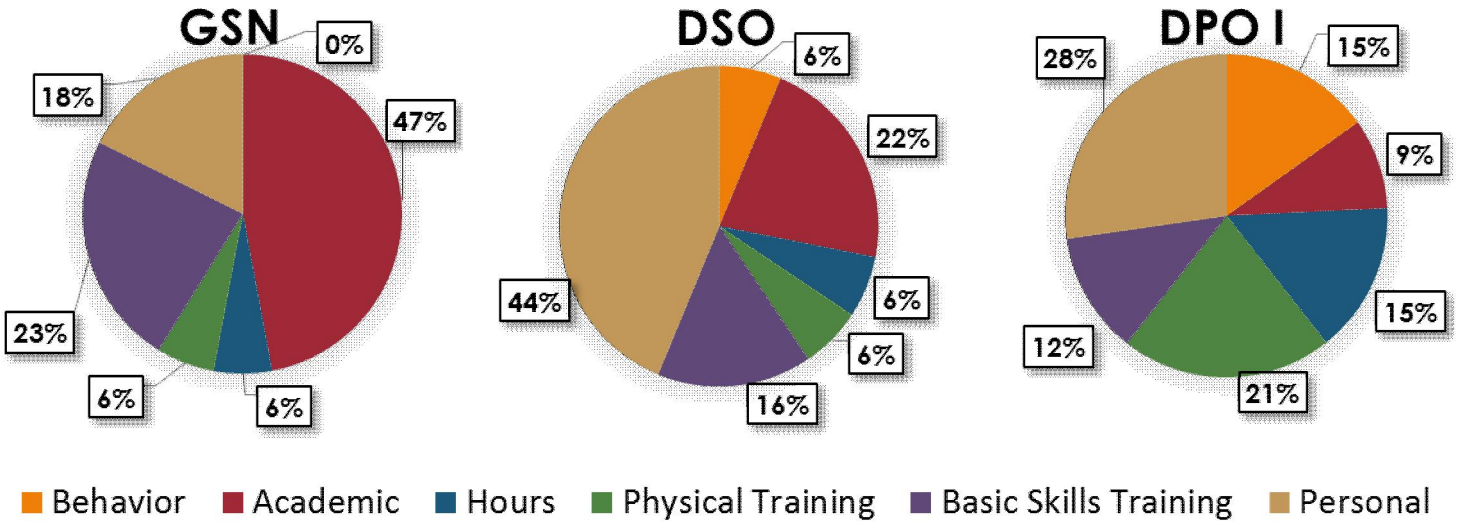
As shown in the table, the GSN classification had the lowest academy pass rate at 66 percent and the fewest candidates entered the academy.

Additionally, of the 83 that did not graduate the JCOC academy for the following reasons:

- Academic Requirements (18)
- Basic Skills Training (13)
- Personal Reasons (27)
- Physical Training (10)
- Hours (8)
- Behavior (7)

When the evaluation is broken down by classification, as depicted in Figure 10, 47 percent, just under half, of the GSN candidates did not graduate due to failing to meet academic requirements, while only 22 percent of DSO and 9 percent of DPO I candidate failure to complete the academy for this reason.

Figure 10. JCOC Academy Separation Reasons – By Classification



Source: Probation Department JCOC 2014-2015 New Hires Report: Completed, Terminated, Separated and Demoted

Our review of four benchmark county probation departments cited a 100 percent academy pass rate. Each stated that they believed that this was achieved by conducting job suitability interviews and orientations during the background screening process to ensure that candidates were prepared and suited for the career as a peace officer. Most included other academic-type evaluative tools in addition to the standard written State examination such as a personal statement essay and written examinations at the orientation. According to Probation, their graduation rate is impacted by additional DOJ mandated training requirements (as a result of the Juvenile Hall settlement agreement) placed on Probation's academies, such as Safe Crisis Management certified training, that their candidates must successfully complete.

In addition, of the 270 that graduated Probation's academy, another 135 were still in the probationary period or were promoted before completion of their probationary period; therefore, not included in the following statistics. Of the remaining135 individuals that completed the probationary period, 21 employees, or 16 percent, did not pass probation for the following reasons:

- One was demoted—DSO to GSN
- 12 resigned—nine DSO and three DPO I
- Four were transferred to other County departments (self-initiated)—three DSO and one DPO I
- Four were discharged—three DSO and one DPO I

Of the 21 that did not pass the probationary period after graduating the academy, 16 were DSOs and five were DPO Is. As such, DSOs were much more likely to fail the probationary period than DPO Is. As the intent of the probationary phase is for the candidates to determine their suitability for the profession as well as the determining how they fit into the career, our benchmark reviews indicate that some level of fallout is expected. Two benchmark

organizations have an "up or out" policy that requires promotion to the next level within the first year of service or termination from the department.

Overall, through our review and testing, we found that some entry level classifications experience a low rate of successfully passing Probation's hiring processes. Specifically, we identified the key points in the hiring process where entry-level candidates are eliminated from consideration and the average pass rates, including the examination, background screening, and the academy training. Due to data limitations, we have used a combination of Probation's statistics and the results of our testing to break out the points in the process where candidates are culled from the process.

Figure 11 uses a hypothetical group of 1,000 applicants to illustrate how many candidates that take an examination, and on average, successfully complete subsequent phases of the hiring process.

Figure 11. Hypothetical Illustration of Hiring Process Success Rates

1,000 Hypothetical Candidates	Pass the Examination & Placed on Certification List		Pass Background/Medical Screenings and Hired		Pass the Training Academy	
	Number of Candidates	Pass Rate	Number of Candidates	Pass Rate	Number of Candidates	Pass Rate
GSNs	530	53 %	32	6 %	21	66 %
DSOs	550	55 %	44	8 %	36	82 %
DPO Is	780	78 %	156	20 %	111	71 %

Source: September 10, 2015 JCOC Academy Enrollment Report, July 26, 2015 Terminated Employees by Unit Report, and Probation Department Examination Statistics 1-1-12 through 7-21-15

As the table illustrates, a group of 1,000 candidates for the DPO I classification would produce the greatest number of entry level new-hires and the GSN classification would result in the fewest.

Circumstances Related to "Backfilling" Impacting Hiring

In 2008, the Department of Justice and Los Angeles County entered into a Memorandum of Agreement (MOA) to ensure youth were adequately protected from harm at probation camps. One of the requirements was that Probation would provide "sufficient staff supervision to keep residents reasonably safe from harm and allow rehabilitative activities to occur successfully." To comply with this, Probation implemented target staffing ratios based on the number of staff needed to provide proper supervision, meaningful casework time, and to enhance the facilitation of evidence based treatments and programs. As a result, some qualified candidates are not always reachable as the resulting hiring structure requires maintaining specific staffing ratios necessitating currently held positions to be filled before staff can be released to be promoted.

In 2011, the State of California enacted Public Safety Realignment through the passage of Assembly Bill 109 (AB 109), which shifted the oversight responsibility of certain non-violent prison parolees from the State to County Probation departments. To accommodate the increase in the number of individuals that Probation would have to oversee in the community, Probation focused efforts to increase the number of probation officers in the field, including promoting individuals in the DPO I position to the DPO II Field position.

The push to fill the AB 109 positions through promotions effectively depleted Probation's entry-level classifications causing staffing ratios for staff responsible for overseeing juvenile institutions to be negatively impacted and put compliance with the MOA with the DOJ in jeopardy. In response, Probation concentrated on increasing the staffing ratios in the entry level classifications by requiring currently held positions to be backfilled before existing staff can be released for promotion. Additionally, Probation's preference and commitment to the labor union is to promote internal candidates before hiring candidates from outside the department. To illustrate:

- In order to fill vacant DPO II positions, Probation must release and promote employees currently in the DPO I position. (Rarely, DPO II candidates come from external source.)
- In order to release and promote employees in the DPO I position, Probation must fill the DPO I positions being vacated by current employees.
- In order to fill the DPO I positions being vacated by the current employees, Probation can either hire external candidates on the DPO I eligibility list, or promote internal candidates currently in DSO or GSN positions and waiting to be promoted.
- In order to hire candidates on the DPO I eligibility list, Probation must fill DSO or GSN positions being vacated by current employees or hire external DPO I candidates new to Probation. As stated, the preference is to promote current employees before hiring external candidates.
- In order to fill the DSO and GSN positions being vacated by the current employees, Probation must hire candidates from the DSO and GSN eligibility lists.

This ripple effect, needing to hire at the lower level before filing higher levels, is exacerbated by the low success rate in attracting quality candidates to these positions as previously described. Moreover, the most qualified candidates are not always reachable if there is an insufficient number of vacancies filled in lower-level classifications.

For example, internal candidates on the DPO I certification list that are on existing DSO or GSN employees list must wait for their positions to be filled before being promoted. If a certification list is full of internal employees in "Band 1" who wish to be promoted, but their positions cannot be backfilled, they cannot be released from their current position until that position is backfilled. The inability of Probation to "clear" Band 1 prevents it from reaching subsequent bands. Specifically, according to Los Angeles County Civil Service Rule 11, if there are more than five individuals in Band 1 on the current "certified eligible" list that would accept a position, Probation must offer those candidates a position before reaching into a subsequent band.

Because of the backfilling requirements, eligible candidates cannot be offered positions and may effectively block lower bands. Our review of 25 candidates reflected on a recent GSN, DSO, and DPO I certification list, but not ultimately hired found that the reason DPO I candidates were most often not hired was due to Probation being unable to reach them on the certification list. As discussed in Chapter 1, Probation has a vast number of fillable positions open – the problem is due to the requirements to backfill positions and barriers to reach qualified candidates, both internal and external are not hired and critical positions remain unfilled.

Consequently, the lack of upward mobility may result in loss of good candidates, including loss of current employees.

Multiple Points of Entry into Hiring Process Complicates Probation's Ability to Hire Entry-Level Candidates

Probation effectively has three points of entry into the organization's sworn positions through its GSN, DSO, and DPO I classifications. Each of these entry positions has varying minimum qualifications in terms of education; none require experience.

- GSN requires a High School Diploma.
- DSO requires 60 semester or 90 quarter units of college
- DPO I requires a bachelor's degree

While those in the GSN classification are sworn employees, this position is not typically part of the probation officer career path as the GSN position requires minimum education and responsibilities are limited to overseeing juveniles only during sleeping hours at both juvenile detention centers and at camps. Additionally, Probation statistics show that GSNs rarely attain the education needed to move into higher DSO or DPO—in fact, only 12 percent of GSNs have promoted into the DSO position in the last five years.

Conversely, the DSO and DPO Is are considered the "professional" entry-level sworn classifications and seek candidates with educational backgrounds that include behavioral or social sciences. DSOs interact with the juveniles during the day at the detention halls where juveniles stay for an average of 11 to 17 days while going through court proceedings. DPO Is provide rehabilitation treatment and counseling at the juvenile camps where juveniles stay for an average of six months after being dispositioned by the Court.

As described earlier, filling the DSO entry-level position is critical to Probation's ability to release and promote employees up the ranks; however, these candidates experience a low rate of success passing through Probation's hiring processes. On the other hand, the DPO I classification attracts Probation's most successful entry-level candidates as this position requires the most education and has the best success rate of entry-level candidates passing examinations and background screening processes. However, according to Probation, external DPO I candidates are typically not interested in accepting DSO positions that allow candidates entry into the organization and career pathway ultimately to the DPO I position due to lower pay and risk of not being "reachable" for promotion into DPO I (as discussed earlier). As a result, the department's best potential entry-level candidates (DPO Is) are not interested accepting positions in the most critical classification (DSO).

While other benchmark probation departments also may require only a high school diploma or GED to qualify for entry level positions, those departments also conveyed that they use a single point of entry where individuals must work at the lower levels first, which results in an overall pool having a strong number of college educated candidates in the first level positions. Of the four benchmark probation departments we interviewed, three used a single point of entry even though a second classification also could be a point to enter. Of the three that practically use a single point of entry, only one required an AA degree or 60 semester units of college to qualify for the first level position. Importantly, all three required every sworn officer to start in a juvenile facility and required a four-year degree to be a DPO. The fourth benchmark department offered two points of entry—probation officer and a correctional officer position. At this county, these are separate career ladders with the probation officer position working in the field and the correctional officer working in the institution. Unlike Los Angeles' Probation Department, the expectation is not to begin as a correctional officer and promote to a probation officer, rather the employee selects one or the other as their chosen career path. Educational requirements varied between the levels, but both required at least some college units.

While having three points of entry into the sworn ranks may appear to afford Probation with a greater opportunity to fill vacant positions and "grow" its ranks internally, under the current circumstances it may have unintended consequences of not attracting the most qualified and likely successful candidates. As a result, the overall candidate pool is diluted—those with the most education gravitate toward the DPO (and may be unreachable) and Probation must now cull through two lists of thousands of candidates to fill its vacancies.

Concentrating recruiting for DPOs through the single entry point of a DSO would increase the number of qualified and employable candidates going through the process by compressing the pool of the best candidates into a single hiring stream. Highest qualified candidates would submit to a lower level position knowing that they should promote faster than their cohorts and realizing that the single position is where everyone starts. Further, with a more competitive pool of candidates, those marginal potential hires should naturally fallout early on in process when stacked against stronger competition. Our benchmark entities believe that this has been very successful for them. While an occasional direct external hire for DPO I may occur, hiring at just the DSO level should result in a better candidate pool at that level and reduce the work of Probation as it would have to manage one classification evaluation process not two.

Recommendations:

To increase the overall quality of the pool of candidates in the critical entry-level sworn classifications and increase the success rate of worthy candidates passing the department's extensive hiring processes, Probation should consider the following recommendations:

1. Continue recent efforts to establish a formal recruitment strategy to attract the most qualified candidates, including job fairs, recruiting on college campuses, and developing marketing and outreach materials specifically designed to attract specific type of candidates that are the most likely to be successful. A recruitment strategy should include permanent staff that are committed to the effort. Additionally, Probation's community outreach section should coordinate efforts with recruitment staff to expand the department's visibility related to career opportunities.

2. Consider revising the GSN minimum qualifications to include some college courses for specific experience requirements. Include in the GSN examination process a tool for further assessing academic readiness for the department.
3. As staffing becomes more stable and complete, consider restructuring the primary point-of-entry protocol to facilitate and encourage the most qualified entry-level candidates, DPO Is, to enter the organization through the DSO classification thereby making the DPO I classification largely a promotional position. This will consolidate department recruiting efforts into one hiring stream and create stronger, larger DSO pool. Additionally, with highly qualified DSOs (already having college degrees), DSOs will be ready for promotion and have experience in the juvenile halls before going to camps.
4. Consider incorporating additional steps into the hiring processes to cultivate desirable candidates and eliminate uninterested or unsuitable candidates before initiating background screening processes, such as career orientations and job suitability interviews.
5. Revisit the intent and policy related to requiring canvassing. Consider the labor intensive nature of the exercise and related costs and assess the results of these efforts. Determine whether the cost and time result in important data that would not be achieved in a different effort. Compare the likelihood that candidates are eliminated as a result of canvassing versus other background efforts like employment verification, criminal background screening processes, and other evaluative processes.

Chapter III: While Sworn Hiring Processes Generally Complete; Certain Processes Could Not be Verified or Require Review

Overall, during the two-year period of our review, it appears that Los Angeles County Probation Department's (Probation) sworn hiring processes were generally well organized, documented, and complete and Probation has made strides in improving some process efficiencies. However, we noted a few instances where Probation could improve its processes, including updating some classification specifications to reflect current requirements as well as better documenting some background clearance reviews and education/experience verifications. Additionally, although we found that Probation has largely met its internal hiring timeframe goals, its hiring processes took longer than any of the four benchmark departments we interviewed. Due to the required extensive nature of hiring for sworn personnel, recruiting and hiring processes are lengthy and intensive.

Steps in Los Angeles County Probation Department's Hiring Processes

Probation's sworn hiring processes begin when Probation identifies a need to fill a vacancy within a specific classification. If a current eligible list does not already exist, Probation's Human Resources staff determine if any changes to the existing job bulletin or examination process are needed. Once such changes have been made and approved, the job bulletin is announced and the filing period to apply is officially opened.

Probation's current sworn hiring process involves the following three key phases:

- Application Processing and Minimum Qualifications Review
- Examination Administration and Eligibility List Promulgation
- Background, Medical, and Psychological Screening and Evaluation

The hiring processes for sworn entry-level positions and promotions generally follow the same process, but individuals newly hired undergo a more in-depth background screening process than current employees being promoted. Additionally, individuals hired or promoted into certain sworn positions are also required to complete training through an academy process before beginning work in the classification, as mandated by the State. Currently, Probation administers the vast majority of its hiring processes, but the Los Angeles County Department of Human Resources (DHR) has provided assistance with some components of the process over the years.

According to Probation's stated goals and timelines, it should take about nine to eleven months (depending on the position) from the date a candidate applies for an entry-level sworn position to the date of hire (not including time spent in the academy). Our testing of the hiring processes conducted associated with 55 individuals newly hired during the two-year period of our review reflect that Probation generally met this goal. However, Probation's goal to complete its hiring processes is longer than any of the four benchmark departments we interviewed.

The four benchmark probation departments we spoke with indicated shorter timeframes from application to enrollment in the appropriate academy ranging from three to nine months

duration. Like Probation, most have initiated processes to shorten the timeframe—working with county human resources to shorten the time from application to certified listing from initial examinations, conducting orientations and initiating the background questionnaire with only those still interested or invited after this event (thus, reducing the number put into background), and streamlining the background investigative processes—still conducting all the required and essential checks, but not using a polygraph (most used voice stress tests) and some no longer canvassing.

Probation conveyed that these processes not only reduce the number of unsuitable candidates prior to the more intensive background processes, but also seem to result in identifying the best candidates. We have noted some of these practices in the appropriate section of the following discussion of the hiring processes.

Application Processing and Minimum Qualifications

DHR maintains a list of all the county classification specifications, which describe the general functions, minimum qualifications, duties and responsibilities of a given position in a classification. To fill a vacancy, DHR and Probation post an examination bulletin, which is the official public written notice of an examination and includes specific information such as annual salary, duties, minimum requirements, application deadline, and selection process details. An examination bulletin must contain the same basic minimum qualifications as stated in the classification specifications; however, depending on the needs of the specific position, the bulletin may have additional requirements.

Applicants fill out applications online through the NeoGov website. Once applications are received, Probation HR staff evaluate each application against the minimum qualifications (experience and/or education) that are set for each classification. Typically, minimum qualifications are established to require specific types or levels of education and/or certain areas and years of experience. For example, applicants for the Deputy Probation Officer II classification must have graduated from an accredited four-year university and also have two years of related work experience in specific classifications.

To determine whether the applicant has met the appropriate minimum qualifications to sit for the exam, Probation reviews the job application submitted by the applicant to determine whether the applicant's prior experience and/or education meets the minimum qualifications listed in the exam bulletin. Probation stresses with applicants that information in the job application is subject to verification and any discrepancies in the information provided may result in disqualification for hire. Upon determining minimum experience and/or education requirements have been met, applicants are scheduled for the applicable sworn examination. If an applicant does not possess the minimum qualifications required for the job, the applicant is deemed unqualified for the position and is not eligible to sit for the examination.

While Most Employees Met the Minimum Qualifications, Our Review Found Two Instances Where Experience Requirements Were Not Met

As previously described, to fill a vacancy Probation creates and posts exam bulletins for needed sworn positions. The minimum qualifications listed in the exam bulletin must meet or exceed the minimum qualifications listed in the County's classification specifications. Probation

initially evaluates information provided in the application to ensure minimum qualifications are met before inviting candidates to sit for an examination. After a candidate successfully passes the initial examination, Probation goes through the formality of obtaining supporting documents and/or statements demonstrating achievement of the education and experience minimum requirements (e.g. copies of college transcripts, contacting former employers). In accordance with county policies, if adequate documentation supporting the candidate has met all minimum qualifications is not provided, the candidate is disqualified.

In reviewing the minimum qualifications of 74 employees hired during the audit period into the Group Supervisor Nights (GSN), Detention Services Officer (DSO), Deputy Probation Officer (DPO) I/II or higher classifications, we found that the vast majority of employees reviewed met the minimum qualifications of their classification and personnel files reviewed included copies of transcripts, annual performance evaluations or other documents demonstrating completion of the requisite minimum education and/or experience requirements for the position applied. However, audit testing found that two DPO II/Resident Treatment employees did not meet the required experience per the classification specifications. Specifically, we found that there was a discrepancy between the minimum qualifications listed in the classification specification compared to the minimum qualifications detailed in the exam bulletin developed to fill the position. The DPO II/Resident Treatment classification specification requires a minimum of 2-3 years of prior experience and successful completion of a four-year college degree. However, the DPO II/Residential Treatment exam bulletin for exam number F8609K did not include the experience component in the minimum requirements for the position. The discrepancy between the exam bulletin and the classification specification resulted in the two candidates described above ultimately being hired into the DPO II/Residential Treatment position who did not have the appropriate level of experience per the classification specification.

Probation's Process to Verify and Document Prior Work Experience for External Employees Should be Improved

Additionally, testing also identified an area of needed improvement within Probation's experience verification process. As previously described, Probation goes through the formality of validating candidate education and experience reported in the application after the candidate successfully passes the initial examination. Probation's Backgrounds Unit is responsible for checking references, employment history, and education achievement and validates the information reported by the candidate through contacting prior employer(s) annotated on the application, reviewing company information online, and obtaining copies of university transcripts and/or degrees. However, when validating prior work experience from external new hire employees, Probation does not specifically document its verification process, such as requiring a supervisor to initial the application or Background Unit staff record validation results in the employee personnel file indicating the information provided is accurate. Without such a process, it is difficult to ascertain whether the prior work experience information reported by the application is valid.

Examination Administration and Eligibility List Promulgation

The second step of the recruiting process begins after Probation HR staff determine that applicants meet the minimum qualifications of a classification, qualified candidates participate in a competitive testing process administered internally by the Department's Examinations Unit.

During the period of our review, this part of Probation's sworn entry level hiring process included an online Work Styles Assessment (WSA) and the Juvenile Corrections officer (JCO) standard written exam. Certain sworn examinations, such as the JCO and Probation Officer, are sent to the Board of State and Community Corrections to be scored.

The four benchmark counties follow similar processes for examinations. All use the state JCO or administer a comparable written exam; some examinations are administered by county human resources department and some are conducted within the probation department. Two counties allow for continuous filing and then draw a certified list on a quarterly basis. Others conduct periodic examinations as candidate pools are needed.

All entry-level and promotional candidates that receive a score of at least 70 percent on each examination component are placed on an eligibility or "promulgation" list. Eligibility lists for certain entry-level sworn classifications, such as the Detention Services Officer and Deputy Probation Officer I, include a mix of external candidates (i.e. new to the Department) and promotional candidates (i.e. current Department employees in lower classifications). Candidates are placed in "bands" depending on their passing score. For example, Band 1 typically covers scores 100 through 95, Band 2 may cover scores 94 through 89.

According to Probation's stated goals and timelines for entry-level new hires, it should take about three and a half months from the date candidates are notified that they meet the minimum qualifications and are eligible to sit for the examination to the date they are placed on an eligibility list. Our testing of this portion of the hiring process conducted during the period of our review revealed that Probation generally took about five months. According to Probation, the examinations that were administered a year ago would take up to five months because those exams included the WSA tool which delayed the process by about two months. Since the WSA tool has been eliminated from entry-level exams, these processes should more closely align to Probation's timeline goals.

Los Angeles Department of Human Resources Role in Probation's Hiring Process

Since 2014, Probation has handled the vast majority of its hiring processes for its sworn staff, including analysis of job requirements, assessing the qualification of applicants, administering and promulgating examinations, and conducting background investigations.

DHR has provided assistance with some components of the process over the years. Specifically, in the past and at the request of a former Probation Department Head, the Chief Executive Officer and the Board of Supervisors between 2008 and 2011, DHR assisted Probation with some of its hiring responsibilities. Specifically, DHR assigned a Human Resources Manager and two analysts to assist with the administration of all of the hiring processes associated with the Probation Director series and some sworn examinations (GSN, DSO, DPO I, and DPOII), largely because Probation did not have a permanent Examinations Manager or Human Resources Manager. According to Probation, the Examinations Unit did not have a sufficient number of staff with the required expertise to administer the sworn examinations or the Probation Director series. DHR's assistance included:

- Developing Job Analyses and Examination Bulletins
- Developing Rating Tools, Interview Questions, Written Test Components, etc.

- Administering Examinations and Appraisals of Promotability Submissions
- Receiving and Assessing Applications
- Promulgating Examinations
- Notifying Candidates of Results

In late 2013 through mid-2014, Probation hired an Examination Manager and Human Resources Manager and the Examinations Unit staffing doubled in size. At that time, Probation stopped utilizing DHR's assistance and began internally administering nearly all aspects of the hiring process, except for a few specific components of examination processes that have always been, and continue to be, handled by DHR. Components of some examination processes that continue to be handled by DHR include higher level supervisory and management sworn classifications, such as Supervising and Senior DPOs and Probation Directors, that involve a written component (tools developed by and copyright owned by DHR), such as the Work Styles Assessment Tool. All other examination processes related to these classifications are handled by Probation, including the analysis of the requirements, the development of the bulletins, application assessments, calculating raw scores, notifying candidates and responding to appeals.

Background, Medical, and Psychological Screening and Evaluation

California Peace Officer regulations in the Government Code 1031, Penal Code 832.05, and Board of State Community Corrections Title 15 mandate that agencies must perform a thorough background screening of applicants, including those applying for correctional officer and probation officer positions. Regulations require agencies to conduct a thorough background investigation and Probation performs the following:

- Conduct an oral interview
- Check fingerprints with the California Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI)
- Perform a firearms eligibility check
- Review DMV Records
- Evaluate an applicant's personal history statement/questionnaire
- Conduct neighborhood canvassing

These regulations also require agencies to ensure completion of medical and psychological evaluations conducted by licensed physicians and/or psychologists.

State guidelines permit local jurisdictions and agencies to include additional assessments to evaluate the suitability of candidates. Probation also conducts a polygraph test and runs fingerprints through the Child Abuse Central Index as an added measure to detect crimes against children. These screening evaluations are the last part of the hiring process prior to candidates attending an academy.

Background Screening Process

Once Probation's Background Investigations Unit receives an eligibility list of sworn candidates from the Examination's Unit, they are considered ready to be hired or promoted. Starting with Band 1, the top candidates are provided a conditional offer letter pending the outcome of the applicable background, medical, and psychological screening and evaluation processes.

Probation's background screening process for new-hire sworn candidates includes the following key components:

- Verification of Application Information
- Background Check
- Polygraph Test
- Neighborhood Canvassing

Background Check

The initial phase of the background screening process focuses heavily on checking candidates' personal background. Candidates complete a Personal History Statement (PHS), which is a standard questionnaire developed by the California Department of Justice and is required by Government Code Section 1031 and California POST regulations Section 1002(a) to ensure sworn candidates are suitable for peace officer positions. The PHS gathers personal, family, education, employment, residency, military, financial, legal (including criminal history/illegal activity), and motor vehicle information. A Background Investigator reviews the PHS with the candidate to ensure all the information provided by the candidates is accurate and complete. In Los Angeles, this is an essential last opportunity for candidates to provide fully truthful statements before the polygraph test. This interview/discussion with the candidate is not to determine a candidate's suitability in terms of interest and skills for the position. Once the information is deemed complete, the candidate's fingerprints are taken via the Live Scan process to check candidate's criminal background against the California Department of Justice, Federal Bureau of Investigation, Child Abuse Central Index, and Firearms Eligibility Check Program.

During the period of our review, sworn candidates also completed a pre-investigative questionnaire developed by Probation focused heavily on candidates' criminal and substance abuse history as an additional background screening tool. However, Probation has eliminated the pre-investigative questionnaire as part of the background process and has included a pre-employment questionnaire at the beginning of the examination process to eliminate unqualified candidates early in the process.

Polygraph Test

Candidates that pass the background check phase of the process are scheduled for a polygraph test. The polygraph component was added to the sworn hiring process in March 2013 to help "weed out" undesirable candidates. According to Probation, the polygraph process alone eliminates about half of all candidates. When the polygraph test was first adopted as part of the process, the Los Angeles County Sheriff's Department administered the test on behalf of Probation and took about one month to provide the results. In August 2015, Probation began utilizing an independent polygraph contractor that is able to return test results in less than a

week. All four comparable entities benchmarked indicated that they no longer utilize polygraphs—some noted that these are too expensive and take too long to process, thus delaying the hiring process.

Neighborhood Canvassing

After candidates that pass the polygraph test, the final part of the background screening process begins, which involves the Background Investigators canvassing candidates' neighborhoods conducting door-to-door interviews with neighbors. Previously, canvassing was conducted prior to the results of the polygraph test, which resulted in Background Investigators performing resource intensive canvassing on candidates that were later disqualified. Two of four comparable entities eliminated the canvassing steps as they found little value in this process compared to the time-intensive nature of the activity that delays the hiring process. Instead they deploy rigorous verification and reference checks in conjunction with in-depth background interviews.

Other Background Reviews

To fully uncover any signs that a candidate is unsuitable, dangerous, or otherwise unfit to be a peace officer and therefore are screened out of the process, the Background Investigation also reviews:

- DMV driving records to determine if the candidate's behavior is consistent with the safe and appropriate operation of a motor vehicle and adherence to the law.
- Visible tattoos to determine any association with a criminal enterprise, gang, or other group that advocates violence or racism. Gang affiliation or other indications of behavior associated with anti-social tendencies or anger control problems are disqualifying factors.
- Credit records check as an indication of the candidate's dependability and integrity.

Promotional Candidates' Background Review

Promotional candidates also undergo a similar background screening process, including rechecking fingerprints through DOJ, and FBI databases, firearms eligibility check, and child abuse central index check. However, Probation does not rerun the polygraph test or canvassing. Additional steps for promotional candidates include a review of the promotional candidate's master personnel file and an internal clearances check (ensure there are no pending Civil Litigation Cases, County Equity Cases, Internal Investigations, Performance Management /Discipline, and work restrictions preventing the candidate from performing the essential job functions of the position being sought).

Overall, according to Probation, only 20 percent of the new hire candidates pass the complete background screening process. According to Probation, disqualifying factors in the background screening process include any felony convictions, sex offenses, crimes against children and crimes with weapons. Other areas of review include, but are not limited to, criminal offenses, recent narcotics, marijuana, or alcohol abuse, theft, falsification, driving violations, and past employment history.

While the background screening process eliminates many candidates and makes it difficult to fill vacant positions, the memorandum of understanding between Probation and the Department of Justice required Probation to strengthen its hiring practices associated with staff working in the juvenile justice system. Between 2008 and 2015, Probation was under federal monitoring due to employee misconduct and abuses in the juvenile offender camps and halls. The Probation Chief indicated that between 2011 and 2013, 135 probation staff members had been arrested on criminal charges; of those arrested, nearly half were hired during the period when background screening standards were relaxed. According to Probation, a stricter background screening process, including the new polygraph test, was implemented in 2013 in an effort to hire quality employees and crack down on the problems associated with lax hiring practices.

Medical and Psychological Evaluation

Candidates that pass the Department's background screening processes undergo medical and psychological evaluations, which are performed by the Los Angeles Department of Occupational Health (OHP). These evaluations are meant to ensure that the candidate does not have any physical, emotional, or mental condition that might negatively impact their ability to perform the duties of a peace officer. Adverse medical conditions could include poor vision, hearing, or any issue that impacts the ability to perform routine and vigorous physical activity. Adverse psychological conditions include emotional instability, anger control issues, or mental disorders that would impair a candidate's decision making such that they would misuse or exploit the authority and power that comes with the position.

Documentation Review Reveals Some Inconsistencies in Background Screening Recordkeeping

Because most of the background screening processes are sensitive and confidential in nature, such as DOJ and FBI fingerprint results, Child Abuse Central Index, and polygraph results, the County policies and procedures require the screening results to be maintained by DHR. As such, Background Investigators utilize tracking logs with initials to indicate and acknowledge the reviews were conducted and the candidates were clear. Also, although not confidential in nature, Background Investigators also initial tracking logs to indicate that canvassing activities were complete and acceptable. To ensure that all background screening requirements are complete prior to clearing a candidate to move to the next phase of the hiring process, Background Investigators sign and date on a file checklist when the results for each step clear and a manager reviews the checklist and background file for completeness.

We conducted a detailed review the background files of 132 employees newly hired or promoted between 7/1/2013 and 6/30/2015 looking for evidence that each candidate was cleared through each step of the background investigation process. Overall, our review found there was sufficient documentation for a majority of the investigation steps described earlier. However, some employee's background files did not show evidence that each step was completed as verification initials were missing. Specifically, of the 55 newly hired employees, we found verification initials were missing for fourteen employees (seven of the employees had more than one verification missing):

- Neighborhood Canvassing for seven employees
- Firearms eligibility checks for three employees

- CACI database check for three employees
- Polygraph test for three employees
- DMV records check for five employees

Of the 77 promoted employees, we found verification initials were missing for four employees (three of the employees had more than one verification missing):

- Firearms eligibility checks for three employees
- CACI database check for four employees

In each of these instances, the Background Investigation Manager's final review process failed to identify the missing initials before the candidate's background was considered clear to ensure each step was properly conducted.

As described earlier, after each candidate's background screening is complete, the candidate is scheduled for medical and psychological evaluations. Previously, Probation verified the successful completion of these evaluations through review of letters signed by the doctor. More recently, Probation accepts notification of successful completion of the evaluations through a confirmation email from OHP, the county department responsible for conducting the evaluations.

Through our review of the personnel files for 55 employees newly hired between 7/1/2013 and 6/30/2015, we found evidence that each medical or psychological evaluation was successfully completed. These evaluations are not conducted when employees are promoted.

According to Probation's stated goals and timelines, it should take a little over five months to complete the background, medical, and psychological screening and evaluation processes. Our testing of this portion of the hiring process conducted during the period of our review revealed that Probation generally took about five months. However, Probation procured a contractor to administer the polygraph test in August 2015, which has reduced the time to receive the results from a couple of weeks/month to just a few days. This change should reduce the overall time for the background screening process.

Completion of the Three Phases of the Hiring Process

Once candidates successfully complete the three key phases of the hiring process (application, examination, and background/medical screening), they are hired as a temporary employee, complete administrative human resources paperwork, and attend new employee orientation. Individuals hired or promoted into certain sworn positions are also required to complete training through an academy process before beginning work in the classification. Upon successful completion of an academy, employees are considered permanent probationary employees—the probation period lasts one year.

Training Academies

Individuals hired or promoted into certain sworn positions are also required to complete training through an academy process before beginning work in the classification. The Board of State and Community Corrections (BSCC), an independent statutory agency, sets standards and provides

training for local juvenile corrections and probation officers statewide. The Standards and Training of Corrections (STC) program, a division under the BSCC, created specific guidelines for developing "core" courses (e.g. academies) which are designed to provide the knowledge and skills needed for entry level, supervisory and manager/administrator positions. Probation requires candidates for sworn positions complete one of the core academies in preparation for the responsibilities and duties required of the sworn position applied. The requisite academy must be completed during first year of the position assignment:

- Juvenile Correctional Officer Core (JCOC)—Eight-week academy required for entry-level, juvenile corrections officer positions: Group Supervisor Nights (GSN), Detention Service Officer (DSO), and Deputy Probation Officer (DPO) I, Residential Treatment.
- Field Probation Officer Core (FPOC)—Eight-week academy required for the DPO II, Field position.
- Supervisor Core (SupCore)—80-hour academy required for supervisor positions in a jail/adult institution, juvenile institution, or probation department, such as Supervising Detention Services Officer.
- Management and Administrator Core Course (MACC)—80-hour academy required for all manager or administrator positions, such as Probation Director.

Probation administers two of the four academies required for sworn positions: JCOC and FPOC. The STC oversees each of Probation's academies and conducts annual evaluations that include assessing academy curriculum for compliance with State standards and observing academy instructors in the classroom. According to STC, Probation's JCOC and FPOC academies passed the annual STC compliance evaluations in each of the last four years. The SupCore or MACC academies are administered through other county probation departments or other entities certified by the STC. Probation coordinates candidate registration into the SupCore and MACC academies, and requires candidates provide proof of academy certification once completed.

<u>Academy Requirements</u>

Entry Level Juvenile Corrections and Probation Officer Academies

The JCOC is the standard training program for entry-level juvenile corrections officers, such as GSNs, DSOs and DPO Is, while the FPOC is the standard training program for probation officers working in the field, such as DPO II/Field positions. Each academy is eight weeks in duration and requires candidates to complete specific coursework, called modules, on a variety of subjects including personal safety precautions, legal liability, the juvenile and adult justice system and processes, searching probationers, and other job specific knowledge base needs. In addition to the training described above, JCOC candidates attend a one-week Police Officer Standards and Training (POST) course conducted by the Sheriff's Department to become POST certified peace officers. Both the JCOC and the FPOC have the same four basic Academy requirements:

1) Successful completion with a score of 70 percent or higher of written exams given,
2) Successful completion of daily physical conditioning exercises,
3) Successful completion of basic skills testing which includes handcuffing techniques, interviewing victims, investigation interviews, and arrest and control techniques, and;

4) Minimum required hours of academy instruction (JCOC – 192, FPOC- 264).

Probation's academy instruction hours requirements for the JCOC and FPOC exceed the minimum requirements established by the BSCC (JCOC – 160 hours; FPOC – 196 hours), as described in the academy transcripts and academy exam files for each individual candidate reviewed as part of the audit testing.

At the end of the JCOC and FPOC academy, those that passed all components of the curriculum "graduate" by receiving certification in the academy attended. Those that have not achieved the minimum curriculum requirements will not receive certification; academy instructors will then determine if the candidate is eligible to retake the academy at a later date.

Supervisory and Management Academies

The SupCore and MACC are two-week, 80-hour training programs which covers the essentials of supervision, management and administration. Both academies are conducted by instructors certified through the STC that has outlined specific standards that must be met, such as identifying and documenting case management activity, legal issues, labor relations, effective coaching and counseling techniques, management and leadership, defining and creating expectations, ethical leadership, risk management, and media relations. Unlike the JCOC or FPOC academies, SupCore and MACC academies do not require candidates pass graded exams or complete specific skills testing; rather, candidates must demonstrate attendance at the lecture and group discussion sessions totaling 80 hours.

While the audit found that Probation implemented a sworn hiring process which is generally well organized, documented, and complete, we identified some process improvements which will allow Probation to better achieve its hiring goals, such as adding new classification specifications which reflect needs of current sworn positions and better documentation of some background clearance reviews and minimum qualification verification processes.

Recommendations:

To improve its internal control processes over certain hiring activities, Probation should:

6. Implement procedures to ensure all candidates meet all minimum qualification requirements of the classification.
7. Document verification activities that demonstrate candidates meet minimum work experience requirements, including for external candidates.
8. Work with DHR or other appropriate Los Angeles County Departments to review classification specifications to ensure minimum qualifications correspond to the current job requirements of sworn staff, particularly related to the DPO II, Residential Treatment classification.
9. Implement procedures to ensure verification activities of background screening are well documented, including ensuring the required verification initials for each step of the process are present. Also, ensure the supervisory review process ensures all verifications have been documented prior to the background clearance process being finalized.

Chapter IV: Probation's Utilization of Available Grant and Special Revenue Funding Should be Improved

As a "Net County Cost" (NCC) department, Probation's success in maximizing revenues derived from a wide range of federal and state sources has a direct impact on the County's general fund. In Fiscal Year 2014-2015, Probation budgeted more than $340 million in special revenue funding from numerous special revenue sources, and received approximately $280 million in actual revenues—$60 million less than budgeted. The remainder of Probation's adopted $860 million budget consisted of $520 million in NCC funding. As part of this audit, we reviewed the funding related to nine (9) of the Department's special revenue sources, as follows:

- Title IV-E Foster Care Program—The Title IV-E Foster Care Program[5] is a federal open-ended entitlement grant established "to provide safe and stable out-of-home care for children until the children are safely returned home, placed permanently with adoptive families or placed in other planned arrangements for permanency." Grant funds are awarded to eligible agencies based on a prescribed formula, and funding is contingent upon an approved Title IV-E spending plan. The County Department of Children and Family Services (DCFS) is the primary recipient of the grant and administers the grant accordingly; Probation has a Memorandum of Understanding with DCFS to deliver specific services under the grant agreement.

- Youthful Offender Block Grant (YOBG)—The California YOBG Program was established in 2007 with enactment of Senate Bill 81 (SB 81), which prohibited counties from sending certain lower level offenders to the State Department of Corrections and Rehabilitation, Division of Juvenile Justice (DJJ). The YOBG program provides annual funding to counties to cover the expenses related to supervising and rehabilitating youthful offenders subject to SB 81. The proportion of YOBG funds allocated to each county is based on a statutorily defined formula that gives equal weight to a county's juvenile population and the number of juvenile felony dispositions.

- Community Corrections Performance Incentive Act (CCPI, or SB 678)—Funds allocated to probation pursuant to Senate Bill 678 must be used to provide evidence-based community corrections supervision and rehabilitative services for adult felony offenders subject to probation, and was intended to incentivize counties to reduce the number of individuals sent to state prison.[6] According to Probation staff, the department is currently in the process of developing a 5-year spending plan.

- Juvenile Reentry Grant (JRG, or AB 1628)—The JRG program was established to provide local supervision of youthful offenders discharged from the custody of the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities DJJ. AB 1628 authorizes counties to receive annual allocations from the State Juvenile Reentry Fund for the purpose of funding local evidence-based

[5] IV-E of the Social Security Act, as amended, and implemented under the Code of Federal Regulations (CFR) at 45 CFR parts 1355, 1356, and 1357.
[6] California Penal Code Section 1230(b)(3).

supervision, detention, and rehabilitative services for persons discharged from the custody of the State. The State's allocation to each county is intended to "provide payment in full for all local government costs of the supervision, programming, education, incarceration or any other cost resulting from persons discharged from custody or held in local facilities pursuant to [AB 1628]."[7]

- Juvenile Probation Funding (JPF)—JPF sets aside State funds to support a broad spectrum of probation services targeting youth who are deemed habitual truants, runaways at risk of being wards of the court or under juvenile court supervision or supervision of Probation, including serving parents or other family members if such services them will promote increased self-sufficiency, personal responsibility, and family stability for the child. Allowable services include, but are not limited to, anger management, violence prevention, and conflict resolution; mental health assessment and counseling; family mentoring; home detention; educational advocacy and attendance monitoring; and transportation related to any of the allowable services.[8] Statute sets Probation's annual funding allocation through a predetermined formula; specifically, 40.1353 percent of the amount deposited in the State Enhancing Law Enforcement Activities Subaccount shall be allocated to the County of Los Angeles to support juvenile probation activities.[9]

- Juvenile Probation Camp Funding (JPCF)—When the State established the JPF Program, it also established the JPCF to fund counties operating juvenile camps and ranches pursuant to California Welfare and Institutions Code, with a total allocation amounting to 6.46955375 percent of the remaining funds deposited in the State Enhancing Law Enforcement Activities Subaccount.[10] The State appropriates JPCF funds based upon average daily population count of occupied beds in each camp during the prior fiscal year. Prorated allocations distributed to counties are made in monthly installments.

- Juvenile Justice Crime Prevention Act (JJCPA)—JJCPA was created by the Crime Prevention Act of 2000 to provide a stable funding source for local juvenile justice programs aimed at curbing crime and delinquency among at-risk youth. Probation is responsible for administering JJCPA programs within the County. In Probation's Fiscal Year 2014-2015 application for JJCPA funds, it proposed allocating roughly $13.3 million, or 43 percent, of the approximately $30.9 million total allocation for Los Angeles County, to cover administrative costs and programs administered by Probation. The remaining funds were allocated to programs administered by other Los Angeles County Departments, community based organizations, and programs offered by the City of Los Angeles.

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[7] Welfare & Institutions Code (WIC) Sections 1980 *et seq.*
[8] California Welfare and Institution Code Section 18221.
[9] California Welfare and Institutions Code Section 18220(c).
[10] California Welfare and Institutions Code Section 18220.1.

- Medi-Cal Administrative Activities (MAA)—Operated through the California Department of Health Care Services (DHCS), the California Medi-Cal Administrative Activities Program (MAA) allows local agencies to seek reimbursement for costs related to outreach and access to and the delivery of Medi-Cal covered services. Under this program, the County Department of Public Health (DPH) administers the Targeted Case Management (TCM) program, which provides funding to support the MAA/TCM claim reimbursement program with First 5 LA and administration costs of DPH, the auditor controller, the Department of Mental Health-Public Guardian, and Probation. Probation uses MAA funding to reimburse personnel costs related to Medi-Cal outreach activities.

- Standards and Training Corrections (STC)—This program provides BSCC funding to local agencies for training of eligible adult corrections officers, juvenile corrections officers, and probations officers. Probation submits an Annual Training Plan to BSCC for approval, and funding is allocated based on the total number of positions identified statewide in annual training plans. Any un-used funds must be returned to the State.

Generally, each of these programs has stipulated purposes and the use of the funds are limited; some allowable uses are broad while others are more restrictive. For example, according to the Board of State and Community Corrections (BSCC), use of YOBG funds varies significantly amongst counties and state law provides a broad umbrella of allowable uses. Pursuant to State law, "allocations from the Youthful Offender Block Grant Fund shall be used to enhance the capacity of county probation, mental health, drug and alcohol, and other county departments to provide appropriate rehabilitative and supervision services to youthful offenders subject [to the provisions of SB 81]." Based on this provision, allowable uses of YOBG funds are very broad. In contrast, STC funds may only be used to fund training for positions identified in the statewide annual training plan and Probation is required to submit a STC Annual Training Plan to BSCC for approval each year.

Probation generally has little control over amounts allocated or awarded each fiscal year, as amounts are dependent on statutorily defined formulas, subject to state tax and fee revenue, state savings achieved, and/or federal program and funding requirements. As a result, for these nine funding streams, there is little opportunity for Probation to increase state funding allocations. While Probation cannot increase these funding allocations, we found that Probation does not appear to be fully utilizing available funds and has been developing fund balances and cash balances for more than half of these funding streams.

In most cases, these funding sources do not require Probation to track or report on specific outcomes; rather, most are primarily intended to supplement the Department's general operating budget and to compensate counties for the increased workload experienced as a result of realignment. For these funding streams, Probation is required to report various indicators—such as the number of juvenile wards housed in its camps or the number of juveniles under court-ordered supervision—to the State, and the State uses this information to calculate future funding allocations. In some cases, however, the State requires rigorous reporting on program outcomes, including JJCPA and SB 678. In these cases, the State compiles county data and generates annual reports that reveal each county's performance. Our review of related performance reports, including independent third-party evaluations and state annual reports, revealed that Probation completed and submitted the required performance reports and independent

evaluations. Our evaluation of these revealed some cases where Probation did not meet program goals and other cases where it exceeded these goals, as is illustrated below.

For example, the YOBG program requires Probation to set goals for the number of programs to be offered and the number of youths to be served in a program year, but does not require a substantive evaluation of the outcomes of the services themselves. In reviewing YOBG program data, we noted that Probation offered four YOBG funded programs in Fiscal Years 2012-2013 and 2013-2014, as planned, but did not serve as many youths through these programs as it had planned, as illustrated in Figure 12.

Figure 12. Youth Offender Block Grant

Youth Served	Fiscal Year 2012-2013		Fiscal Year 2013-2014	
	Planned	Actual	Planned	Actual
Los Angeles	2,075	1,875	2,250	1,470
Statewide	48,966	41,392	47,657	42,376

Source: Youth Offender Block Grant Annual Report, March 2014 and March 2015

Similarly, the Board of State and Community Corrections (BSCC) sends out a survey to counties throughout the State to gather information about the implementation of Community Correction Plans pursuant to the 2011 Public Safety Realignment Act. In July 2015, Probation reported its progress in meeting goals identified in its Fiscal Year 2013-2014 plan, including coordinating and providing "enhanced substance use disorder rehabilitative services to facilitate offender reentry," and increasing "Post-Release Supervised Persons accountability for criminal/non-compliant behavior through effective monitoring and enforcement activities by probation and local law enforcement agencies." The annual report highlighted the fact that the County doubled the number of treatment provider locations from 35 in Fiscal Year 2011-2012 to 71 in Fiscal Year 2013-2014, and that Probation exceeded its goal to conduct a minimum of 40 compliance contacts per Deputy Probation Officer, per month. As noted above, the Department's tracking and reporting of program activity appears sufficient to meet State requirements. However, as noted in the Juvenile Probation Outcomes Study issued by the Advancement Project in April 2015, for many of the programs covered by this audit, reporting focused more on output data while outcome-oriented data was not always tracked or reported.

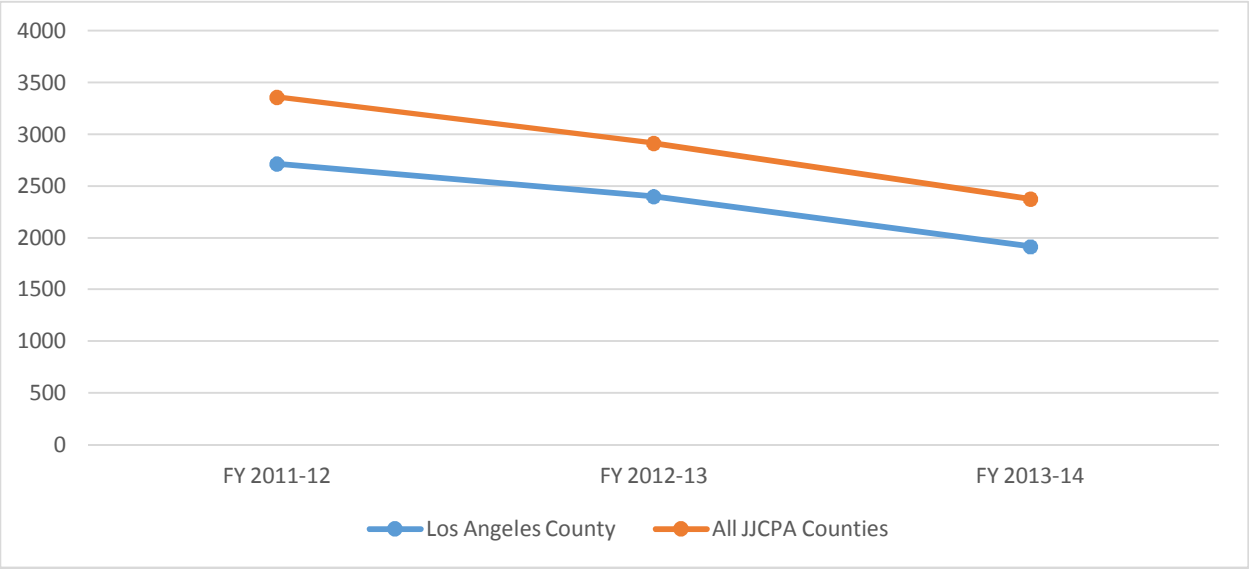
In other cases, however, outcome tracking is significantly more advanced. For example, JJCPA requires reporting on six key outcomes (the "big six"), including successful completion of probation, arrests, probation violations, incarcerations, successful completion of restitution, and successful completion of community services. To evaluate these outcomes, Probation's JJCPA program undergoes a formal external evaluation, conducted by the Rand Corporation, at the close of each program year. In the 2014 annual report—the most recent report completed at the time of audit fieldwork—Rand found that JJCPA program participants showed more and more-positive outcomes than did comparison-group youths, including:

- Significantly lower arrest rates and higher completion rates for youth participating in the Enhanced Mental Health Services program.

- Significantly lower arrest rates among participants in the Enhanced Services to High-Risk/High-Need Youth Initiative when compared to comparison-group youths.
- Participants in the Enhanced School- and Community-Based Services initiative had significantly better outcomes than the baseline period or comparison group on each of the "big six" outcomes, with the exception of probation violations.

Further, as Figure 13 illustrates, Los Angeles County has experienced a decline in the rate of juvenile arrests of nearly 30 percent since Fiscal Year 2011-2012, a rate nearly identical to the trend experienced statewide—though youth arrest rates were lower in Los Angeles County than the statewide average.

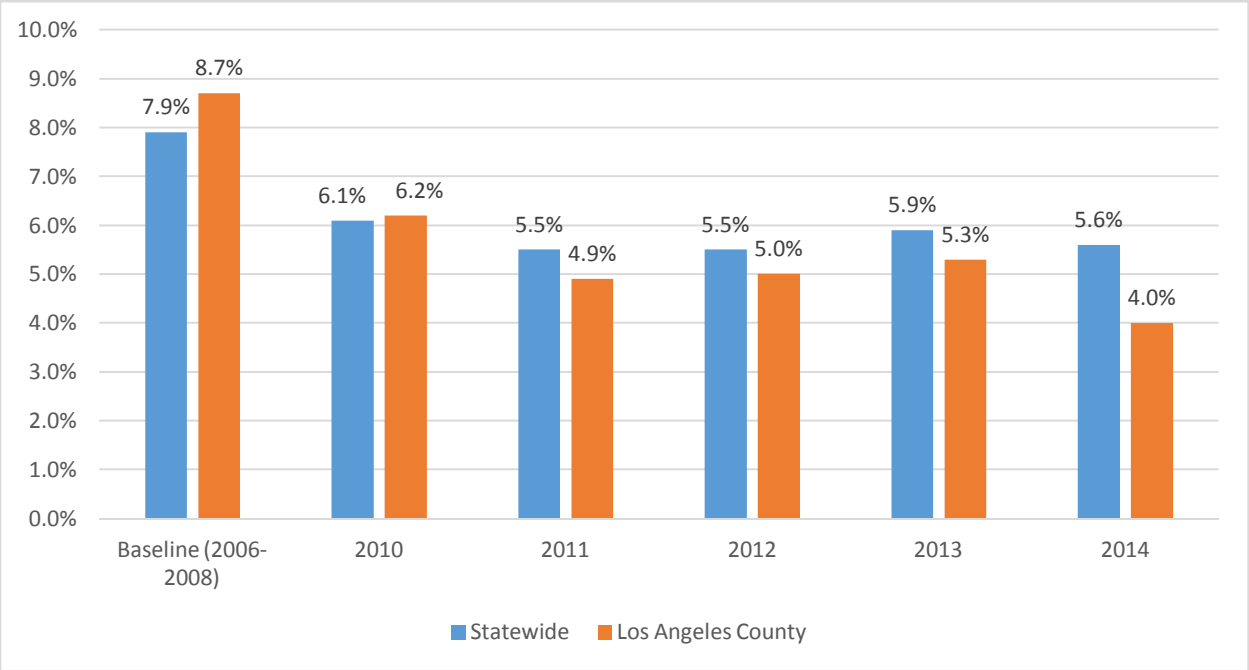
Figure 13. Change in County Arrest Rates Per 100,000 Juveniles, Age 10-17



Source: JJCPA Annual Reports, 2014 and 2015

Our review of SB 678 program outcomes also revealed similar trends. SB 678 was enacted in 2009 to reduce the number of adult felony probationers who are sent to state prison for committing new crimes or violating probation (i.e., "failure rate"). As illustrated on the following page in Figure 14, failure rates have declined statewide since the baseline period before SB 678 was enacted. Rates in Los Angeles County have seen an even greater reduction in the failure rate.

Figure 14. Probation Failure Rate



Source: Judicial Council Report to Legislature: Findings from the SB 678 Program July 17, 2015

For Some Funding Sources, Fund Balances Have Been Increasing

Two of the nine funding streams, Medi-Cal Administrative Activities (MAA) and Standards for Training for Corrections (STC), are based on actual expenses incurred. For MAA, Probation obtains a reimbursement after the fact for allowable program costs and for STC any unspent funds must be returned to the State at the end of the fiscal year. Because these funding streams are based on actual expenditures each year, as such, Probation obtains a reimbursement after the fact for allowable program costs. Because the Probation first incurs an expense and the program funds reimburse that cost, neither funding stream can accrue a cash balance. The other seven selected funding streams are primarily based on pre-defined allocation formulas and are distributed to counties monthly or quarterly. For Los Angeles County, these funds are generally deposited into accounts managed by the County Auditor Controller on behalf of Probation. On a monthly or quarterly basis, Probation submits "claims" to the Auditor Controller to draw the funds down to cover expenses. Similarly, for monies provided through the Title IV-E waiver program, the Department of Children and Family Services is the primary grant sub-recipient and transfers funds in to a trust account (County Fund TK7-7757) for Probation's share of the grant allocation. Probation draws on these funds quarterly when claims are submitted and approved. At the end of each quarter, the Department of Children and Family Services either returns unspent funds to the Federal cognizant agency (actual expenditures were less than grant monies advanced) or draws down additional grant funds to cover actual expenditures (actual expenditures were greater than grant monies advanced).

For the most part, Probation does not recognize the revenue from these grants until they are drawn down from the County Auditor Controller—generally in amounts to cover related program costs. We found that annual revenue recorded by Probation did not always align with amounts allocated and distributed to the County on behalf of Probation. As a result, most of

these funding streams had either increased cash balances and/or fund balances over the two-year audit period.

The cash fund balances for three of the following four funds, which include revenue from five of the nine funding streams, have significantly increased since the beginning of Fiscal Year 2013-2014, as shown in Figure 15.

Figure 15. Special Revenue Funding Stream Cash Fund Balance

Fund	Grant/Funding Stream	Beginning Cash Balance as of 07/01/2013	Ending Cash Balance as of 07/01/2015	Fund Balance Increase
BS2 CCPIF	Community Incentive Corrections Performance Incentive Act (SB 678)	$58,506,409	$ 140,596,190	$82,089,781
GP4 Juvenile Justice	AB 1628 Juvenile Reentry Grant (JRG) Youth Block Offender Grant (YOBG)	$0	$ 11,666,903	$11,666,903[11]
S5E Yth Off Blk Grt	Youth Block Offender Grant (YOBG) – Old Trust	$3,021,303	$3,029,618	$8,315
GP8 Misc LocLaw Actv	Juvenile Probation Funding (JPF) Juvenile Probation Camp Funding (JPCF)	$0	$4,398,927	$4,398,927
	Total	**$61,527,712**	**$159,691,638**	**$98,163,926**

Source: eCAPS Balance Sheet, July 31, 2013 and June 30, 2015

As shown in Figure 15, the cash fund balances for these four funds have increased by nearly $98.2 million over the two-year audit period. Most of the increase is related to Fund BS2, which includes funding allocations for the Community Incentive Corrections Performance Incentive Act (SB 678) program. Over the two-year period, this cash fund balance grew by nearly $82.1 million, from $58.5 million in Fiscal Year 2013-2014 to $140.6 million at the end of Fiscal Year 2014-2015.

JJCPA funds are maintained in County Fund GP6, which also holds funds for other County Departments that receive Citizen's Option for Public Safety Program/Realignment funds. While Fund GP6 had an overall cash fund balance of $33.5 million as of June 30, 2015, internal accounting records provided by the Auditor-Controller, showed Probation's sub-fund GP6E had a cash balance of nearly more than $23.3 million as of June 30, 2015. We found that the following factors contributed, either directly or indirectly, to Probation's increased cash balances.

[11] The $11.7 million cash balance was subsequently reduced to $4.5 million after the closing period for Fiscal Year 2014-2015 when Probation submitted its Fiscal Year 2014-2015 3rd and 4th quarter YOGB claims.

We found that the following factors contributed, either directly or indirectly, to Probation's increased fund balances and cash balances.

Higher Vacancy Rates Resulted in Fewer Staff Dedicated to Programs and Lower Cost Reimbursement Claims

It is evident that the difficulties Probation has experienced in filling vacancies has had a direct impact on the increasing fund balances illustrated above. In particular, SB 678 and JJCPA funding streams—where we observe the most significant fund balances—are primarily designed to reimburse direct and indirect program costs incurred by Probation, the most significant of which consists of staffing costs. Higher vacancy rates result in fewer staff that can be dedicated to specific programs; with fewer staff dedicated to programs, programs may become less effective and program resources may become underutilized.

According to management, during the audit period there were three significant initiatives, AB 109 (i.e., Public Safety Realignment Act), Camp DOJ, and SB678 that impacted Probation's allocation of staffing throughout its juvenile and adult probation programs. According to Probation, "due to limited resources, department efforts were diverted from SB 678 to the more immediate need of building the infrastructure to support the release of over 30,000 offenders to date to the department's jurisdiction under AB 109." As a result, Probation moved resources away from activities supported by SB 678 to support programs established through or impacted by AB 109.

Probation Did Not Submit Claims to Draw Down Grant and Program Funds for Reimbursement

We found five instances in which Probation did not submit claims to the County Auditor-Controller to draw down grant and program funds to reimburse allowable costs incurred. The first case was raised in the Auditor-Controller's July 24, 2015 *Probation Department – Budget, Juvenile Halls and Camps Operating Costs, and Departmental Contracting Procedures Review*. Specifically, the audit found that for SB 678 Probation did not seek reimbursement for $10.2 million eligible expenditures between Fiscal Year 2012-2013 and Fiscal Year 2013-2014. Probation did not and has not subsequently submitted claims for SB 678 funds for the entire Fiscal Year 2013-2014, amounting to more than $8.6 million in costs. While the Auditor-Controller recommended Probation seek reimbursement for these costs, Probation has not yet submitted a reimbursement claim as of mid-October 2015, and was in the process of determining whether seeking a retroactive claim was appropriate.

According to Probation management, the amount of funding provided by SB 678 has been inconsistent over time, making it challenging to develop a sustainable long-term program, leading to concerns that the State could significantly reduce funding at any time. In Fiscal Year 2011-2012, Probation established a plan to accrue a strategic funding reserve that would provide for three years on-going operational funding in the event the funding for programs supported by SB 678 monies was terminated or significantly reduced. According to Probation management, this plan to accrue a strategic reserve was shared with the Board in Fiscal Year 2012-2013.

The second instance relates to YOBG (Fund S5E "Old Trust" and GP4 "New Trust"). Although Probation sought reimbursement for costs totaling the full amount of its current year award, funds remained in the county accounts from prior YOBG allocations and $2.6 million from

additional prior year growth fund and tax adjustments. Specifically, while for Fiscal Year 2014-2015, Probation claimed its full YOBG allocation, Probation's costs relating to the YOBG funding exceeded the State's annual allocation for the program. Specifically, although Fiscal Year 2014-2015 YOGB expenditures totaled $34.0 million, Probation's annual allocation was only $29.7 million, a difference of $4.3 million. At the time Probation had $2.6 million in YOBG cash fund balance available in its new trust fund (Fund GP4) and more than $3.0 million in YOBG cash fund balance in its old trust fund (Fund S5E), for total available prior year YOBG funds of $5.6 million. Instead of utilizing available prior year YOBG allocations, Probation's program costs that exceeded the current year State allocations were instead covered through county general funds as a Net County Cost. According to Probation, the old YOBG funds held in this trust fund and the growth and tax revenue adjustment YOBG funds held in the new trust fund are being held for future dormitory reconfiguration and furniture costs at five camps.

The $5.6 million available balance is sufficient to offset all YOBG Fiscal Year 2014-2015 expenses paid by Net County Costs, these funds could replenish county general funds in either fiscal year to be available for other uses. Therefore, we recommend Probation seek reimbursement for YOBG costs previously funded through county general funds from available prior year YOBG funds.

The third instance relates to "JP8" state funding. Specifically, in August 2014, pursuant to Government Code §30029.05, the state Department of Finance allocated additional growth funds of approximately $3.8 million to the Juvenile Probation Funding and $600,000 in Juvenile Probation Camp Funding (JPF and JPCP). As a result, the fund balance for Fund GP8 increased from zero fund balance in Fiscal Year 2013-2014 to nearly $4.4 million at fiscal year-end in Fiscal Year 2014-2015. According to Probation, it reserved these funds for one-time projects for the associated programs. Probation plans on using JPF cash balances to fund Conservation Corp services for in-camp life-skill training and post-camp on-the-job training, and JPCF cash balances to fund upgrades at its camps and halls, including upgrades to small living areas, game rooms, and clothing/uniforms.

Finally, we recommend that Probation seek clarification from the BSCC regarding the administration and use of AB 1628 Juvenile Reentry Grant funding. During the scope of this audit, Probation changed its method of drawing down AB1628 funds, which has contributed to an increasing fund balance. In the past, Probation submitted claims to the Auditor-Controller amounting to the full State allocation, leaving no fund balance or carryover from year to year. This approach was predicated on the State's method of allocating funding to counties based on a formula that provides a specific dollar amount for each person discharged from the custody of the California Division of Juvenile Facilities during the two prior years. This allocation is based on costs not incurred by the State resulting from realignment and constitutes full compensation to counties for assuming responsibilities for the additional wards.

However, in recent months, Probation adopted a cost-reimbursement approach, drawing down only those funds necessary to cover the direct and indirect costs of staff working on caseloads covered by the AB 1628 grant. This change was based on the statutory requirement that "allocations from the Juvenile Reentry Fund shall be expended exclusively to address local program needs for persons discharged from the custody of the Division of Juvenile Facilities." Recent analyses revealed that costs associated with past service levels to this population were

significantly lower than the State's allocation (with actual costs amounting to approximately 28 percent of the $4.1 million in available funding). However, current year expenditures may be less than or exceed the allocation because the allocation formula is driven by historical discharges not current year discharges or costs. As a result, in August 2015 Probation reimbursed the AB 1628 fund (Fund GP4) by approximately $3 million in NCC monies, increasing the program cash balance to approximately $4.8 million. It appears that this cash balance will continue to increase, and remain underutilized, unless Probation enhances its services for the youth reentry population. Further, if the discharge population declines, then the cash balances accumulated by Probation will grow at a faster rate.

Given that this recent change in methodology has had such a significant impact on the Department's administration of AB 1628 funding, we recommend that Probation seek guidance from the BSCC regarding its approach to ensure it is consistent with program requirements.

JJCPA Programs Not Fully Utilizing Funding

Juvenile Justice Crime Prevention Act (JJCPA) was established to "provide stable funding for local juvenile justice programs aimed at curbing crime and delinquency among at risk-youth." Probation offers a variety of programs geared toward at-risk youth and also contracts with community based organizations (CBO's) to provide these services. Our review found that Probation has been accumulating large JJCPA fund balances. This issue was also raised in a July 24, 2015 Auditor-Controller report, which found that Probation had accumulated $25.1 million in its JJCPA fund as of May 2015. At the time, Probation "indicated that the large accumulation of funds was due to several years of under expenditures, and unanticipated increases in the State's final allocation." Thus, Probation's programs were not fully utilizing available special revenue funding. To address the growing cash balance, Probation "initiated a review of JJCPA programs to assess whether the current programs could be enhanced or modified to fit the current needs of the juvenile population."

We also found that Community-Based Organizations (CBOs) funded with JJCPA funds may be leaving contract dollars on the table, resulting in remaining balances at the end of the program year. For example, in Fiscal Year 2014-2015, of its nearly $28.1 million JJCPA allocation, Probation had established a budget of approximately $6.7 million for CBOs, of which it had 54 agreements with CBOs totaling nearly $6.4 million, roughly $300,000 less than its CBO program budget. These agreements allow CBOs to offer a variety of services to youth under the JJCPA program, including:

- Employment Services
- Gender Specific Services
- Home Based Services
- Educational Pathways & Vocational Opportunity Services
- Writing Programs

Of the $6.4 million in CBOs awards, CBOs expended a little more than half the total amounts contracted, as illustrated in Figure 16. We noted the same circumstance in the prior fiscal year.

Figure 16. JJCPA CBO Awards and Spending

Fiscal Year	CBO Program Budget	Amount Claimed to Grant	NCC Cost	Total Expenditure	Percent of Budget Expended
FY 2013-2014	$6,651,013	$3,644,827	$303,089	$3,947,916	59%
FY 2014-2015	$6,393,750[12]	$3,277,786	$147,753	$3,425,539	54%

Source: List of CBOs provided by Probation for Fiscal Years 2013-2014 and 2014-2015

This illustrates two issues that directly contribute to the increased JJCPA cash balance. First, only half of the JJCPA budget allocated to CBO services was actually remitted to CBOs. According to program staff, this is because CBO contracts are typically deliverable-based—such as the number of referrals to each CBO and the outcomes of each referral—and actual services rendered were lower than those authorized in the contracts. Program management had not established a substantive CBO program monitoring methodology, resulting in insufficient information that definitively explains why CBOs did not or were not able to optimize JJCPA grant funding. Nevertheless, it appears that the underutilization of grant funding relates both to the number of referrals made by probation officers to CBOs and the ability of CBOs to achieve specific, measurable, outcomes. For instance, program records show that CBO agreements are budgeted to accommodate referrals for Home-Based Services for risk youth, 800 referrals for males and 225 referrals for females, but Probation referred 647 males and 137 females for Home-Based services—241 less than the agreements could accommodate. In addition to referrals, CBOs are compensated for specific accomplishments, such as a set dollar amount for each at-risk youth that completes training, is placed into a job, or has retained employment for a specified period of time. Under this model, a CBO would not be fully compensated if they achieve some outcomes (e.g., job training) but not other outcomes (e.g., job retention). Program personnel stated that many CBOs may not maximize JJCPA revenue if they do not meet maximum contract goals on an annual basis, including receiving fewer referrals than budgeted for. While deliverable- or achievement-based contracts for CBOs represent an effective way to ensure program dollars are used to achieve specific, measurable outcomes, the fact that existing CBOs are unable to achieve the goals set forth in the contracts and therefore leave funding on the table at the end of each year suggests that overall program success requires Probation to consider alternatives.

Second, between Fiscal Years 2013-2014 and FY 2014-2015, over $450,000 in CBO costs actually incurred that should have been funded through JJCPA funds were not reimbursed; rather, the costs were funded by the County. According to Probation accounting personnel, this occurred due to county stipulated timing requirements. Specifically, Probation is required to prepare final year-end expenditure reports prior to receiving and processing all CBO invoices for the program year. While final year-end reports must be submitted to the State by mid-October each year, Probation must submit year-end financial information to Rand Corporation—its contracted program evaluator—by mid-August to allow Rand sufficient time to incorporate

[12] Program Budget reduced to account for $258,428 in funds that were not awarded to a CBO.

necessary financial information into the year-end results. As a result, any CBO invoices submitted after mid-August are not claimed against JJCPA funding but are instead funded through Net County Costs. According to accounting personnel, after completion of audit fieldwork, Probation submitted a claim to the Auditor-Controller for reimbursement of these costs.

In addition, we also found that CBOs providing services under two additional categories of services (gang intervention and educational and support services) were funded through NCC and not JJCPA, even though they provided services that, according to program management, qualify as JJCPA eligible, are evidence based youth-oriented programs that are overseen by the JJCPA management structure. According to management, these services were at one point funded through JJCPA, but as early as Fiscal Year 2005-2006 had been funded through NCC. Management stated that while such services are allowable under JJCPA, the Department would need to evaluate the CBO services to determine if they are evidence based before JJCPA funding could be utilized.

Based on these findings, and the findings of the Auditor-Controller's July 2015 audit report, JJCPA management has been in the process of developing a revised strategic plan that will, in part, re-evaluate the existing structure of its CBO-delivered services, related contracts, and program monitoring of CBO activities.

Time Keeping/Study Practices Should Be Enhanced

For many of the funding streams, including the Title IV-E, SB 678, AB 1628, YOBG, and JJCPA programs, Probation utilizes the funding to support probation officer staffing costs. Federal grant requirements for the Title IV-E grant require Probation support salary and benefit program-related expenditures with employee time-keeping records. For the other programs, while not required, Probation tracks program-related salary and benefit expenditures through different employee time-keeping processes. Probation employs two different methods for staff to record or certify the time dedicated to program activities. These include:

- Certifications—Managers throughout Probation list staff that spend their time—typically 100 percent of their time—on related program activities, and certify that their staff indeed spent all or a portion of their time on program activities. Managers do this periodically to correspond with Probation's claim submittals.
- Time Studies—For Title IV-E, staff complete a timesheet representing time spent on program-related activities during the middle month of each quarter. These timesheets are unrelated to the countywide time-keeping system (eHR) used by Probation as the official record for each employee. The County Fiscal Year 2013-2014 Single Audit Report found that Probation did not always follow its policies and procedures requiring detailed supervisory reviews and approvals of timecards and time studies concurrently for accuracy. In fact, a review of 120 employee payroll time cards found that four employees reported 74 non-working hours incorrectly as allocable to the program and seven employee's timecards were not reviewed and approved by their supervisors.

While the scope of this audit did not include a programmatic evaluation of each special funded program, we found that the timekeeping methods employed by Probation represents alternatives to the County's recently established timekeeping and payroll system (eHR) and that employing

alternatives increases the likelihood that they will conflict with the County's official timekeeping system. They also typically measure a limited amount of time spent over the course of each quarter, typically one of three months, and thus, may not sufficiently account for variations in staffing assignments or paid leave. In addition to the potential that these alternative methods may not be as accurate as automated timekeeping methods, they appear less efficient. While eHR is a fully automated timekeeping system, the two methods employed by Probation to track program costs are fully manual, requiring staff to manually prepare timecards, managers to review and sign off, and finance staff to manually enter hundreds of staff timecards into a legacy time tracking system to determine the staffing costs allocable to each program. This represents a potential inefficiency that could be reasonably rectified with the adoption of eHR or an alternative automated timekeeping methodology.

Probation recognizes that the methods it has employed, particularly as it relates to the time studies prepared for Title IV-E, as less accurate and less efficient than desired and, in response to the County's Single Audit finding has been in the process of identifying alternatives to the existing manual processes. This includes an evaluation of eHR as a potential alternative and other third party service providers, particularly those that have extensive experience with other county probation departments, to develop a more precise methodology for tracking all program costs for purposes of cost reimbursements and program management.

Overall, Probation is a Net County Cost department that relies significantly on county general fund support as well as additional funding sources, primarily from federal and state programs. This audit found that Probation could better utilize its special revenue and grant funding streams. In several cases, for the nine funding streams identified in this audit, we found that Probation had accumulated large cash balances. To ensure Probation fully utilizes its available funding, thus reducing its reliance on county general fund support, it should ensure, when available, alternative funding sources are fully optimized and not unduly restricted beyond funding stream requirements. In doing so, Probation should also evaluate the mechanisms and programs employed to fulfill the purpose of the funding streams, identifying gaps in programming and areas where funding could be better used to support its mission and goals. If Probation chooses to reserve funding for special purposes, it should develop a spending plan that identifies when and how it intends to use reserved funding, and seek formal approval from the Los Angeles County Board of Supervisors.

Recommendations:

To enhance its use of available funding streams, Probation should:

10. Determine the feasibility of recovering allowable program related expenditures for which claims have not yet been submitted, including the $10.2 million SB 678 expenditures for Fiscal Years 2012-2013 and 2013-2014, and YOBG costs previously funded through Net County Costs from available prior-year YOBG funds.
11. Seek guidance from the BSCC regarding the current approach for claiming AB 1628 funding to ensure it is consistent with program requirements.
12. Re-evaluate the existing structure of CBO-delivered services, related contracts, and program monitoring of CBO activities to ensure that funding dedicated to CBOs is utilized in a manner that optimizing measurable program outcomes.

13. Implement a time keeping/study process that more reliably identifies and tracks staff time spent on special funded programs.
14. Evaluate ways to fully optimize grant and special revenue funding streams, and for those funding streams with cash balances—e.g., JJCPA, SB 678, AB 1628, and JPF/JPCF—develop spending plans to ensure available funding is fully utilized.

Appendix A – Additional Recruitment, Hiring, and Promotion Data

In Figure 17 below, we provide the total authorized, filled, and vacant full-time equivalent (FTE) for each sworn position as of June 30th of each year from 2012 through 2015. Over the two year audit period, from 2014 to 2015, the number of filled FTE sworn positions has remained constant at approximately 4,040 filled FTE each year. At the same time, the number of vacant FTE for sworn positions has slightly increased from 805 in 2014 to 816 in 2015; this increase directly correlates to an increase in authorized FTE.

Figure 17. Authorized, Filled, and Vacant Full-Time Equivalent Sworn Positions

	2012			2013			2014			2015		
Sworn Position Title	**Authorized FTE**	**Filled FTE**	**Vacant FTE**	**Authorized FTE**	**Filled FTE**	**Vacant FTE**	**Authorized FTE**	**Filled FTE**	**Vacant FTE**	**Authorized FTE**	**Filled FTE**	**Vacant FTE**
Assistant Probation Director	8	4	4	8	2	6	14	7	7	19	9	10
Bureau Chief, Probation	9	8	1	10	11	(1)	11	11	-	11	11	0
Chief Deputy Probation Officer (UC)	1	2	(1)	1	2	(1)	2	2	-	2	1	1
Deputy Director, Probation (UC)	3	3	-	3	2	1	2	2	-	2	2	0
Deputy Probation Officer II, Field	1,406	1,196	210	1,680	1,285	395	1,709	1,339	370	1,746	1,416	330
Detention Services Officer	902	919	(17)	902	852	50	902	814	88	902	759	143
DPY PROB OFCR II, Resident Treat/Detention SVCS	384	354	30	384	311	73	384	316	68	352	284	68
DPY PROB OFFCR I, Resident Treat/Detention SVCS	535	533	2	535	480	55	535	511	24	535	487	48
Group Supervisor, Nights, Probation	469	456	13	469	430	39	469	379	90	469	371	98
Probation Director	102	87	15	102	89	13	105	97	8	105	94	11
Probation Officer	1	1	-	1	1	-	1	1	-	1	1	0
Senior Detention Services Officer	179	175	4	179	152	27	179	135	44	179	152	27
Senior Probation Director	15	14	1	15	13	2	15	14	1	15	14	1
SUPVG Deputy Probation Officer	312	266	46	341	269	72	352	279	73	352	287	65
SUPVG Detention Services Officer	64	69	(5)	64	63	1	64	59	5	64	57	7
SUPVG TRANSP Deputy, Probation	10	10	-	10	7	3	10	7	3	10	10	0
Transportation Deputy Probation	85	86	(1)	85	74	11	93	69	24	93	86	7
Total Sworn Positions	**4,485**	**4,183**	**302**	**4,789**	**4,043**	**746**	**4,847**	**4,042**	**805**	**4,857**	**4,041**	**816**

Source: Department position control records.

Figure 18 on the following page, provides the number of hires and terminations for sworn positions over six month periods beginning in July 2013 through June 2015. As illustrated below, the number of hired sworn positions generally increased each six-month period, from a low of 59 hired sworn positions between July and December 2013 to a high of 116 hired sworn positions between July and December 2014. Similarly, the number of terminated sworn positions also consistently increased each month of the two-year period, with 79 terminated sworn positions between July and December 2013 to 109 terminated sworn positions in the last six month period January through June 2015. As discussed earlier in the report, Probation's hiring efforts had little impact on filling vacant positions, as current sworn positions were being vacated at a faster rate than Probation could fill them.

Figure 18. Sworn Positions Hired and Terminated

	July - December 2013		January - June 2014		July - December 2014		January - June 2015	
Sworn Classification	Hired	Terminated	Hired	Terminated	Hired	Terminated	Hired	Terminated
ASSISTANT PROBATION DIRECTOR				1				
BUREAU CHIEF, PROBATION								
CHIEF DEPUTY PROBATION OFFICER (UC)						1		
DEPUTY DIRECTOR, PROBATION (UC)								
DEPUTY PROBATION OFFICER II, FIELD	14	11	9	15	2	25	1	27
DETENTION SERVICES OFFICER	23	20	56	16	54	17	47	26
DPY PROB OFCR II, RESIDENT TREAT/DETENTION SVCS		8		7	1	8		7
DPY PROB OFFCR I, RESIDENT TREAT/DETENTION SVCS	15	10	37	11	30	16	17	13
GROUP SUPERVISOR, NIGHTS, PROBATION	7	18	2	12	29	13	9	16
PROBATION DIRECTOR		2		1		1		3
PROBATION OFFICER								
SENIOR DETENTION SERVICES OFFICER		4		4		2		4
SENIOR PROBATION DIRECTOR				1				
SUPVG DEPUTY PROBATION OFFICER		1		11		5		11
SUPVG DETENTION SERVICES OFFICER		3				1		
SUPVG TRANSP DEPUTY, PROBATION								1
TRANSPORTATION DEPUTY,PROBATION		2		1		3		1
Total	**59**	**79**	**104**	**80**	**116**	**92**	**74**	**109**

Source: Department eHR data extracts relating to Probation hiring, promotions, and terminations.

In Figure 19, we provide the total number of sworn position promotions over each six-month period from July 2013 to June 2015. Over the two year-period promotions fluctuated between 122 total sworn positions promotions to 189 sworn positions promotions, with the most promotions occurring to the Deputy Probation Officer II position.

Figure 19. Sworn Positions Promotions

Sworn Classification	Jul - Dec 2013	Jan - Jun 2014	Jul - Dec 2014	Jan - Jun 2015
ASSISTANT PROBATION DIRECTOR	1	6	1	1
BUREAU CHIEF, PROBATION				
CHIEF DEPUTY PROBATION OFFICER (UC)				
DEPUTY DIRECTOR, PROBATION (UC)				
DEPUTY PROBATION OFFICER II, FIELD	62	41	69	48
DETENTION SERVICES OFFICER	1	7	2	8
DPY PROB OFCR II, RESIDENT TREAT/DETENTION SVCS	15	7	15	6
DPY PROB OFFCR I, RESIDENT TREAT/DETENTION SVCS	53	33	37	41
GROUP SUPERVISOR, NIGHTS, PROBATION				
PROBATION DIRECTOR	12	1		
PROBATION OFFICER				
SENIOR DETENTION SERVICES OFFICER		11	26	1
SENIOR PROBATION DIRECTOR	1			
SUPVG DEPUTY PROBATION OFFICER	17	15	15	10
SUPVG DETENTION SERVICES OFFICER	1	4		
SUPVG TRANSP DEPUTY, PROBATION			3	1
TRANSPORTATION DEPUTY,PROBATION		4	21	6
Total	**163**	**129**	**189**	**122**

Source: Department eHR data extracts relating to Probation hiring, promotions, and terminations.