PROBATION OVERSIGHT COMMISSION WORKING GROUP MEETING
Thursday, May 12, 2016

Probation Department
Department of Justice Settlement Agreement Monitoring
Fact Sheet

Probation Juvenile Halls

- In August 2004, the County entered into a settlement agreement with the Department of Justice (DOJ) to implement reforms at the juvenile halls.

- The Probation Department created the DOJ Project Office to conduct internal audits of the implementation and ongoing compliance with the requirements of the settlement agreement.

- In October 2009, the DOJ concluded that the County had implemented all of the settlement agreement requirements and the Probation Department continued to conduct internal audits.

- Each juvenile hall has a DOJ Director and staff that monitor compliance with the DOJ settlement agreement through daily quality assurance reviews. Formal audits are conducted monthly.

- The Probation Department monitors compliance with 19 settlement agreement provisions that covers the following topic areas:
    - Staff training on suicide prevention, child abuse, use of force, and mental health.
    - Access to health and mental health services
    - Use of force, child abuse reporting and investigations
    - Mental health screening and treatment, including identification and care of suicidal/self-harming youth

- Results are formally communicated to the Probation Department Detention Services Bureau Management Team.

Probation Juvenile Camps

- In October 2008, the County entered into a settlement agreement with the DOJ to implement reforms at the probation juvenile camps.

- The Probation Department DOJ Project Office now began to focus its efforts on conducting internal audits of the implementation and ongoing compliance with the requirements of the juvenile camps settlement agreement.

- Audits are conducted monthly/quarterly/annually, depending on the provision, utilizing tools developed by the Probation Department and DOJ Monitors.

- Results were formally communicated to the Board of Supervisors through semi-annual formal monitoring reports prepared jointly by the County and the DOJ Monitors.

- The Probation Department monitors compliance with 32 settlement agreement provisions that covers the following topic areas:
    - Sufficient staffing levels to ensure safety, security, and allow for treatment.
    - Staff training on suicide prevention, child abuse, use of force, and mental health.
    - Assessment, case planning, treatment, transition to the community
    - Use of force, child abuse reporting and investigations
    - Mental health screening and treatment, including identification and care of suicidal/self-harming youth

- In February 2015, the DOJ concluded that the County had implemented all of the settlement agreement provisions.

Additional Questions

1. Does the DOJ compliance unit evaluate all facets of Probation including adults and juveniles? The DOJ Project Office currently audits the probation camps, but the Quality Assurance Services Bureau does have the knowledge and ability to evaluate other programs.

   How are the audits carried out by the compliance unit developed, analyzed, completed and reported? The audits are developed to measure known program performance and outcome measures. Standards are established according to evidence based practices to determine if the program "meets expectations" or "does not meet expectations". The data captured from the audit tools are analyzed to monitor ongoing compliance rates and to identify anomalous trends that require inquiry or corrective measures or further detailed data analysis.

   Are there currently Corrective Action Plans in place? Corrective Action Plans or CAPs are developed at the time of the findings with the DOJ Project Office and the facility Director. During the next audit period, the CAP is revisited for completion or reviewed for continuance.

   How is the updated data utilized to improve services and outcomes for Probationers and assure compliance? The DOJ Project Office includes recommendations where needed on the audit tools. These audits are disseminated to camp management and executive staff. Changes are made by camp management based on these findings and recommendations. Managers often use the audit tools and the audit results to train or inform their staff of program performance.

Are the audit findings and corrective action plan implementations reported to any citizen oversight bodies or to the Board of Supervisors? (Holt) No.

2. Who has oversight responsibility of audit/report findings, recommendations, implementation of adopted recommendations and evaluating outcomes? The audits are reviewed for accuracy at two levels internally and the camps are given the opportunity to dispute any findings prior to finalizing the audits. All audits and outcomes are reviewed and shared with the Camp Directors, Senior Directors and Bureau Chief who are ultimately responsible for implementation of recommendations.

   How is this process maintained in an ongoing comprehensive manner to assure the appropriate actions are implemented and findings addressed? A Continuous Monitoring System database has been developed to house camp data, completed audits, quarterly reports, and annual reports. This data is stored by camp with the ability to generate reports for a specific camp, region or RTSB as a whole. Settlement agreement provisions are audited monthly, quarterly and the training provision is monitored annually after the training calendar year.

   What improvements or changes of oversight would the DOJ compliance unit recommend? (Holt) A level of expertise is needed to review criminal justice treatment programs and facilities. Comparison to national standards is needed and possible through a credible, independent organization such as Performance-based Standards or PbS.

3. What has your engagement been with the Auditor-Controller's Office? (Chodroff) Engagement with the Auditor-Controller Department is positive and collaborative. The lines of communication remain open as both departments work diligently to monitor compliance with the DOJ settlement agreement.

4. What has your engagement been with the Violence Intervention Project (VIP)? (Chodroff) The DOJ Project Office does not interact with the Violence Intervention Project.

5. Please provide specific examples of corrective action plans that have been developed pursuant to monitoring and oversight of the Probation Department: (Chodroff) Specific examples of corrective actions include re-scheduling cancelled treatment groups or ensuring sufficient staff are trained to deliver treatment groups.
   a. Have these plans been effectively implemented? Please describe. Yes. Facility Directors can now schedule ad-hoc training to ensure they have sufficient treatment group facilitators to meet the population needs.
   b. What is the process for overseeing and evaluating implementation of these plans? The DOJ Project Office reviews the previous audit and findings, including corrective actions, and verifies the implementation status at the next audit.

6. With what other county entities charged with providing oversight over the Probation Department does the Quality Assurance Services Bureau, and the DOJ Project Office, most frequently interact? (Chodroff) The Auditor-Controller Department.

7. How would you rate compliance with the agreements reached pursuant to the DOJ Monitoring? (Chodroff) The Probation Department has maintained full compliance and continues to improve its' programs, policies and practices based on data and research trends.

8. What, if any, county entities charged with providing oversight over the Probation Department have evaluated this compliance? (Chodroff) The Auditor-Controller Department.
    a. Do you think this entity / these entities have been effective in their oversight efforts? The Auditor-Controller Department has consistently monitored the Probation juvenile halls and camps for compliance with the settlement agreement provisions. Their reports are provided to the Board of Supervisors and Probation Department Management. If needed, corrective actions are taken to address any deficiencies identified.

9. What suggestions might you offer to strengthen and improve oversight of the Probation Department? (Chodroff) Oversight needs to be streamlined to independent monitors with an established expertise in criminal justice (adult and juvenile), and knowledge of evidence-based treatment, education and employment programs and services that work with this population.