

Strengthening Critical Incident Protocols to Protect Probation Youth and Promote Accountability

Los Angeles County (County) operates the nation’s largest juvenile justice system. It includes three juvenile halls and thirteen probation camps. Youth incarcerated in these facilities are considered wards of the court and under the care of the Probation Department (Department) and County. The County is responsible for the safety, health and well-being of these youth while in custody.

Given this responsibility, it is essential the County adequately protect these youth. The Department, however, has struggled over the years to fulfill this mandate. From 2006 – 2015, the Department of Justice investigated and monitored the County’s juvenile justice facilities in response to a range of alleged abuses. In 2010, a lawsuit was filed over the failure to provide education to youth in the camps and led to a multi-year settlement agreement.

Progress has been made to adopt positive, youth-centered models, including the new Los Angeles Model at Campus Kilpatrick and the banning of solitary confinement. Spurred by two motions earlier this year (“Probation Oversight,” Kuehl and Ridley-Thomas, February 2, 2016 and “Exploring Best Practices in Probation,” Ridley-Thomas and Kuehl, February 16, 2016), additional systemic reforms being considered include restructuring the Department, providing more effective oversight, and exploring long term options for youth facilities, including closure. With these reforms, the level of care should continue to improve, as should the safety of youth.

-MORE-

MOTION

RIDLEY-THOMAS _____

KUEHL _____

KNABE _____

ANTONOVICH _____

SOLIS _____

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However, recent incidents in the County's juvenile justice facilities, including allegations of staff abuse, underscore that more reforms are needed to protect young people and promote institutional accountability. The County's response to these occurrences can be just as significant over time as the events themselves. The County and Department must respond to critical incidents in a timely and thoughtful way to ensure problems are fully and seriously addressed and resolved. Trauma-informed, timely responses that emphasize healing, coordination, and accountability should be the norm and the protocol, not the exception.

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

1. Authorize the Chief Executive Officer, in coordination with the Interim Chief Probation Officer, Director of the Department of Health Services and Director of the Department of Mental Health, to report back within the next 45 days in writing on existing policies and protocols related to incidents, both critical and non-critical, that occur in Los Angeles County juvenile justice facilities, including the probation camps and juvenile halls. This report back shall include:
 - a. A definition of what constitutes a critical versus a non-critical incident, and when and how that determination is made;
 - b. A description of how current policies and protocols address when, in what circumstances and what timeframe, and how involved stakeholders, such as a youth's attorney, the courts, the family or caretakers, the Probation Administrator/On Duty Supervisor, a Department of Health Services nurse, the Interim Probation Chief, and the Board of Supervisors, are notified of an incident, both critical and non-critical;
 - c. A description of how current policies and protocols identify and, in a coordinated manner in both the short and long term, address the root causes that led to an incident, both critical and non-critical, and a youth's needs (i.e. medical, health and trauma) leading up to and

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- resulting from the incident, including medical examination and trauma-informed counseling/interventions focused on healing;
- d. The extent to which the reporting of critical and non-critical incidents in Los Angeles county juvenile justice detention facilities is enforced consistently with, or contrary to, the mandated child abuse reporting duty under law;
 - e. A description of how internal investigations and staff discipline are administered in instances of critical and non-critical incidents;
 - f. An explanation of whether stakeholders including the youth's attorney, the courts, the family, and the Board of Supervisors are notified of any administrative remedial actions taken by the Department to address critical and non-critical incidents; and
 - g. A description of how these policies and protocols around critical and non-critical incidents are implemented and enforced, including any training, communication, monitoring and accountability.
2. Authorize the Auditor-Controller, in coordination with the Interim Chief Probation Officer, the Chief Executive Officer, the Chief Attorney of the Office of the Independent Monitor, the Director of the Office of Child Protection, and County Counsel, to report back on the types and prevalence of critical incidents that have occurred over the past three years, and report back to the Board in writing within 90 days.

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MN/DJJ