

PROBATION OVERSIGHT COMMISSION WORKING GROUP

Questions for Max Huntsman, Los Angeles County Inspector General

August 17, 2016

Background

Currently, the Los Angeles County Probation Department has the Los Angeles County Probation Commission. This Commission is chartered in the Welfare and Institutions Code in lieu of a Juvenile Justice Commission and are executive officers by county Charter to provide “advisory” oversight to the Chief Probation Officer on matters of policy, procedures and are required to inspect all juvenile lockups within Los Angeles County.

The Probation Commission is composed of 15 members. There are three appointees from each Supervisorial District. The only power they have is to make a formal request to the Board of Supervisors for action, if the Chief Probation Officer declines to act or follow-up on their “advisory direction.”

The Department has experienced unstable leadership as they have had no less than six Chief Probation Officers in the past ten years. The U.S. Department of Justice’s monitoring of juvenile custody camps and several highly publicized alleged incidents of misconduct or excessive force, mainly on the juvenile side of the Department.

As such the Board of Supervisors has appointed the Probation Oversight Commission Workgroup to determine the best practices and concept for a civilian oversight body. The Board has also directed that an independent body review whether the Department should be split in two separate departments, remain as one department but create two distinct divisions of adult/juvenile or remain as is with adult and juvenile operations often being blended outside the custody setting.

Using the Sheriff’s Oversight Work Group as a guide and working to identify the most effective way to create an Oversight Body and gain back the public’s confidence and trust. Thus the following questions have been created, but your ideas and thoughts are very welcome.

Questions

- 1- Having served on the Sheriff’s Civilian Oversight Work Group, do you have any thoughts or ideas that may be helpful to the Probation Oversight Workgroup as they work to identify proper structure for an oversight body?

- 2- Understanding that the Sheriff is elected and the Probation Chief is appointed by the Board of Supervisors do you have thoughts on what authority or power should be provided to make the Probation Oversight Group effective?

- 3- Currently, the Probation Department has a contract with the Office of Independent Monitoring, (formerly Office of Independent Review), to provide independent attorney/client oversight, similar to what Los Angeles County Sheriff's had. Do you believe they could be beneficial to an Oversight Work Group?
- 4- Is the Inspector General's Office a separate and distinct county office, or is it exclusive to the Sheriff's Department?
- 5- Would you recommend the Department create a Probation Department Inspector General?
- 6- Section 6.44.190 of the Los Angeles County Ordinance repealed the Office of the Ombudsman and enacted the Office of Inspector General as part of the Board of Supervisors' duty to supervise the official conduct of the Sheriff under Government Code section 25303. Since Government Code section 25303 charges the Board of Supervisors with overseeing the conduct of all county officers could it amended to include the Probation Department?
- 7- Does the Office of the Inspector General report to the Citizens Oversight Commission?
- 8- Does the Citizen Oversight Commission supervise the Inspector General's Office?
- 9- How does the Inspector General and Citizen's Oversight Commission interact?
- 10- Can the Inspector General share information with the Citizen's Oversight Commission? Or are they precluded due to confidentiality laws?
- 11- Does the Citizen Oversight Commission nominate a person to the Board of Supervisors to fill the Inspector General position if a vacancy occurs?
- 12- Does the OIG provide its reports and investigations to the Board and the Sheriff at the same time it provides them to the Commission?
- 13- Does the Inspector General report directly to, and serve as an agent of the Commission and make regular reports to the Commission on the Sheriff's Department's operations?
- 14- Does the Inspector General serve as special counsel to the Commission and have an attorney-client relationship with the Commission?

15-Based on your experience with the Sheriff's Citizen Oversight Workgroup would you recommend that the Probation Citizen Oversight Workgroup have something similar to the Office of Inspector General to perform the investigative, oversight and inspection functions required to monitor the Probation Department?

16-If so what would be your thoughts on its structure?

17-Additional thoughts or comments?