

Castaneda, Olga

To: Carol Chodroff (chodroffc@gmail.com)
Subject: FW: Comments on the probation Commission

From: Daniel Seaver <Daniel.Seaver@probation.lacounty.gov>
Date: October 25, 2016 at 11:40:42 AM PDT
To: <probationoversight@ceo.lacounty.gov>
Subject: Comments on the probation Commission

As a member of the probation commission, I have been deeply concerned with true oversight of the department, and I welcome the opportunity to share my comments.

The state of California mandates a probation commission, and so, for that reason alone, it probably needs continue. But the balkanization of duties with other county commissions and the lack of meaningful oversight leaves Los Angeles County's kids incredibly vulnerable, as they have been for years. Direct oversight, with real scrutiny and regular interaction with youth in custody, is necessary if we are ever to experience real change.

As it is, disparate teams of oversight means that problems continue to slip through the cracks. Whatever improvements I have seen in 20 years of being involved with probation youth, I continue to see a department where staffing mandates are inconsistent, where opportunities for meaningful transformation vary wildly, and where children can still be mistreated. And even worse: As best practices about the care and treatment of troubled youth have dramatically changed around the world, Los Angeles County's Probation Department has resolutely continued to provide an outdated treatment model, one continues to cost millions and millions of dollars while still failing to meet the needs of the youth it is tasked with serving.

Ultimately, oversight must be centralized, and it should be meaningful. This makes all sorts of sense: That absence of oversight is a drain on department staff who pulled between competing oversight agencies; it undermines accountability of the department and the oversight body; it decentralizes advocacy for investment in facilities, staff and programming; and it minimizes the importance of the work of each commissioner, whatever they body they serve on.

The notion that a probation commission should "advise" and consult a department (as the Probation Commission is currently charged to do) minimizes the need for an adversarial provider of scrutiny: Scrutiny over facilities, over staff performance, over budget allocations, over programming. These do not exist, except at the board level, which lacks proximity. That has to change.

In terms of a commission with true power to hold the department accountable, one suspects the Board of Supervisors will continue oversight of the budget and the hiring of the chief. Perhaps an oversight commission could have the ability to give a thumbs-up review of the budget, offering some endorsement or critique of the department priorities. Likewise, how about an annual review, yea or nay, on the performance of the chief? (There has to be some accountability or there is no oversight. After a brief honeymoon period, the acting chief stopped coming to meetings. Without him, there is no one from the department who is accountable, and we have heard—at the commission meetings—the most senior staff present defer that commission questions "are above my pay grade.")

The probation commission is involved in many key issues, but I have a hard time sleeping thinking that my County Supervisor—or any parent with a child in the department's custody—may think that I am the eyes and ears watching out for child welfare. Under the current system, we don't have the tools to protect youth or ensure

the department is fulfilling its mission. The probation commission is not notified about changes in the department, about excessive uses of force, about staff injuries. We hear about things anecdotally, or based on our probing around during inspections. While that may be useful, it isn't reliable oversight. I have been on the commission for just under two years, and off of the top of my head, I can easily think of three things that make me a broken record to the department and my fellow commissioners, issues I have asked about again and again:

+ I asked the department to consider adding the word "rehabilitation" to hiring notices for probation jobs. This request that new job listings be re-written with a one-word addition happened in 2015. This felt like a tiny, superficial request made just after I was appointed, but it still hasn't happened.

+ I ask again and again for a daily report on the use of solitary confinement in the Halls. Two years later, I have received one report covering for one month. There is no information shared about the use of solitary in the halls, something past inspections have shown to be common. Meanwhile, RTSB manages to produce a report every single day with this information.

+ I made a request in May or June, 2016 about regular reports about the use of force/pepper spray in the halls. It has been mostly ignored since then. I am not asking for anything probation isn't allowed to share; I just want to know how often contact occurs between staff and incarcerated minors each day, whether justified or not. I know it happens: I have seen it during inspections, and I have read about it in the paper. Knowing what facilities it happens at, how often it happens, what are the historical trends in certain facilities, whether it is based on the population or the staff, and understanding the nature of the use of force: these are all really important details. Unfortunately, the department has not been forthcoming about sharing this information with the commission.

I think this shows a larger systematic problem: there is no accountability. And the probation commission, as currently constituted, has no power to drive improvements in the delivery of services.

It would seem to me that this has to change, that there needs to be a system in place to ensure the department delivers the services it is mandated to provide. Oversight should be centralized and the oversight commission should have resources to ensure accountability.

Dan Seaver

Commissioner

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