Los Angeles County
PROBATION REFORM AND IMPLEMENTATION TEAM

Summary Report of the Los Angeles County Probation Systemic Reform Plan

Submitted to the Los Angeles County Board of Supervisors

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August 9, 2019

PC Probation Commission
PRIT Probation Reform & Implementation Team
POC Probation Oversight Commission

Summary Report of the Los Angeles County Probation Department Systemic Reform Plan from the Probation Reform and Implementation Team

On May 1, 2018, your Board unanimously adopted the final report of Resource Development Associates (RDA), dated February 13, 2018, which consisted of recommendations to support your goal of achieving systemic reform of the Los Angeles County Probation Department (Probation). In that same motion, you appointed us as your volunteer appointees, along with the Probation Department, County Counsel, and the Chief Executive Office, to the Probation Reform and Implementation Team (PRIT). One of our tasks was to synthesize hundreds of recommendations, contained in multiple reports and County audits, into an integrated, comprehensive reform plan, with timelines, metrics, performance indicators, and desired outcomes as a **Probation Systemic Reform Plan**. Based on one year of public hearings at locations throughout Los Angeles County (County), our expertise, and developments since the RDA recommendations were first submitted to the County, we respectfully submit the reform plan here, with these essential elements, and a Summary Report that highlights our global view and most urgent recommendations.

We **convened 14 public meetings** to give your constituents and key stakeholders an opportunity to learn about, provide testimony, and leverage your investment in expert studies and the RDA advisory committee. At these meetings, and in internal planning meetings, we heard: Updates from the Probation Department's leadership concerning implementation strategies and challenges; testimony from subject matter experts, including probation union leaders and formerly incarcerated youth; and received written and oral testimony from long time Probation Commissioners, community based organizations, and a broad coalition of stakeholder groups. We considered the input of your departmental appointees to the PRIT and reviewed the updates provided by the Probation Department to your Board on various topics, all in an effort to finalize a synthesized reform plan. The final vote for the contents of the component parts of this reform plan was 4 to 1, with the Fifth District appointee in opposition.

This document also **includes a call for immediate action to respond to staff and youth safety concerns, and to the crisis in the Los Angeles Probation Department's juvenile justice system.** Together, with our proposed design for the powers and structure of the Probation Oversight Commission (POC), we believe the approach articulated in this report reflects necessary and viable steps for the Board of Supervisors (Board) that fulfills our charge as PRIT appointees. Most significantly, it is a road map and action plan to address a crisis that impacts community well-being and public safety.

Your call for an actionable synthesis of these recommendations into a reform plan was critical. This plan can be used by the future Probation Oversight Commission to monitor the Department's progress on the Board's mandate for strategic reform and be reflected in the Department's Strategic Plan. We would like to reiterate our gratitude to you for the confidence you have had in our capacity to support you in elevating **Justice Reform** as a priority for this County. We share your view that reforming the probation system is central to achieving this broader goal and believe this reform plan will help the County accomplish it.

Submitted on this 9th day of August, 2019 by the Probation Reform and Implementation Team

Summary Report of the Probation Systemic Reform Plan

A. The Challenges:

The following are specific areas that emerged from the 14 PRIT hearings, combined with recent developments that the PRIT found to be **most pressing**. This summary report is not intended to be limiting, as there are additional areas deserving of immediate attention that are spelled out in the attached systemic reform plan templates. The reform plan templates include deadlines, outcomes, metrics, and performance indicators for each recommendation. After this brief summation of the following challenge areas, we identify a series of proposed solutions derived from the recommendations we synthesized. Only where urgently necessary, we have gone beyond these recommendations, drawing from our expertise, timely developments, best practices, and current community needs.

1. Juvenile Facilities

One of the most egregious problems facing Probation is its juvenile facilities. This includes poor physical conditions, inadequacy of staffing and training, and lack of sufficient structured time and meaningful activities for youth. Excessive use of force has ranged from room confinement and chemical spraying of youth, to sexual and physical abuse of minors resulting in criminal charges. The unavailability of meaningful grievance processes, the need for greater partnerships with community-based service providers to serve youth while in halls and camps, and the absence of validated assessment tools and inadequate data collection reflect the breadth of obstacles to rehabilitation in the juvenile justice system.

The RDA report notes that **juvenile halls, in particular, are run down and in some cases, beyond repair and a danger to youth, while many halls and camps are organized in barrack-styles that are not consistent with best practice.** The physical layout presents challenges for implementing successful models from other jurisdictions. Most of the camps and halls have designs that are not conducive to youth rehabilitation and safety, with youth living and sleeping in "open bay" areas consisting of large rooms with lines of beds. This makes it difficult to adequately monitor youth or to prevent gang conflicts. **Youth speak of punitive environments characterized by "prison-like" conditions in many county facilities, and staff in many facilities report very low morale**, which impedes their ability to work effectively with young people.[1] Since then, the Department of Mental Health has concluded: "The County's juvenile justice system is the product of a juvenile incarceration model that is flawed and fundamentally fails to adequately meet the current developmental and mental health needs of youth and their families. Outdated facilities and high levels of use of force create an environment that is not conductive to the overall wellbeing of youth, and also frustrates efforts to provide effective

[1] https://oig.lacounty.gov/Portals/OIG/Reports/Report%20Back%20on%20the%20OIG%20Investigation%20and%20Improving%20Safety%20in%20the%20Juvenile%20Facilities.pdf?ver=2019-03-11-133849-507

services and programming."[2] In this report, which followed the Board's ban on pepper spray, the Department of Mental Health reaffirms the range of problems related to serving youth in juvenile halls and camps, including the physical limitations of facilities that **"provide environments that are often counter-therapeutic and negate efforts to stabilize and enhance the youth's functional abilities**."

Moreover, the location of the juvenile facilities presents challenges for community engagement and family visitation. **Nearly all the camps are on the outlying areas of the county, often cutting youth off from their families and community support networks for the duration of their confinement**.

Probation has also faced public criticism for conditions in its youth facilities, including the excessive use of pepper spray. According to the County's Office of Inspector General's (OIG) report on juvenile facilities, "In March of 2018, the Department reported a significant increase in the use of pepper spray in its juvenile halls from 2015 through 2017," with dramatic increases in all three juvenile halls: Central Juvenile Hall had a 338% increase; Los Padrinos Juvenile Hall a 214% increase; and Barry J. Nidorf a 192% increase. During the PRIT's process, **several Probation officers were charged criminally for the improper use of pepper spray[3] and staff reported an unwillingness to show up to work due to the chaos in the facilities.[4]**

2. Community-based Services

The **lack of quality community-based services and genuine community engagement** is a significant issue within the Probation Department. Despite the fact that Probation has numerous contracts with community based service providers, there is a lack of a robust continuum of community services for both youth and adults on probation, and no structured system for Probation officers to access services for their clients.

Numerous reports and audits have found that Probation **severely underspends its community services budget**. According to reports by the Los Angeles County Auditor-Controller, in May 2015, over $140 million of SB 687 funds for alternatives to detention for adults and over $25 million of Juvenile Justice Crime Prevention Act (JJCPA) funds for youth intervention and prevention programs were unspent. The JJCPA unspent funds rose to $37.9 million in 2019. Probation has a **particularly cumbersome procurement process** that is a significant contributor to the pervasive under spending that has been documented. In a June 2019 report, the Los Angeles County Auditor-Controller concluded: "While Probation has made some progress, JJCPA funds continue to accumulate and under spending continues to be an issue."[5]

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[2] Report Response on the Office of Inspector General Investigation and Improving Mental Health Treatment and Safety in the Juvenile Facilities, Dr. Jonathan Sherin, Director, Department of Mental Health (April 26, 2019).
[3] https://www.latimes.com/opinion/editorials/la-ed-pepper-spray-arrests-20190409-story.html
[4] https://www.latimes.com/local/countygovernment/la-me-juvenile-halls-chaos-pepper-spray-detention-probation-20190519-story.html
[5] Probation Department: Accumulation of Juvenile Justice Crime Prevention Funds First Follow-Up Review, Los Angeles County Auditor-Controller (June 27, 2019).

The RDA report describes how **Probation has not capitalized on the opportunities that AB 109 has presented**. Specifically, community offices or AB 109 HUBS "remain overly correctional in nature, with barbed wire, imposing facades, and unwelcoming waiting areas—much like many of the Department's field offices. In addition, by **limiting AB 109-funded services only to individuals under AB 109 supervision, despite there being no statutory or regulatory provisions requiring this**, the Probation Department (Department) is missing an opportunity to more fully engage the community to partner in rehabilitating some of its most challenging clients."[6] Additionally, the failure to spend JJCPA funds has resulted in a lack of services for youth in communities where gang involvement and high-risk environments combine to create a dangerous environment for some of the County's most vulnerable youth.

Community engagement has been made more difficult by the physical nature of Probation's field offices and as noted above, the Department's arduous funding processes. The RDA report further finds that "Field offices, in general, were designed years ago and not with input from local community institutions, which is reflected in their uninviting physical design. **The relatively small amount of funding reserved for community support, and the slow process of disbursing those funds have created frustration among community-based organizations that could otherwise be leveraged as partners**."[7]

3. Bureaucratic and Administrative Inefficiencies

While any large agency will face its fair share of bureaucratic challenges, the sheer size of Probation as well as its specific bureaucratic malaise, significantly impede its ability to function at an optimal level. Probation suffers from a slow and cumbersome procurement process, extremely long and arduous hiring process, and existing labor agreements which do not allow for the effective use of staff.

Most significantly, RDA highlighted specific issues related to Probation's staffing practices: "**L.A. Probation Department's inability to transfer staff to lateral positions** that align with appropriate human resource allocation is a major barrier to meeting the needs of the client population and creates problematic and costly imbalances in staffing distribution. In addition, the **56-hour work schedule for line staff working at the Department's juvenile camps is inconsistent with established best practices** in juvenile facilities.[8] This works against the ability

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[6] http://file.lacounty.gov/SDSInter/probation/1033765_LAPGS_FinalMergedReport_20180206.pdf, at p. 19

[7] http://file.lacounty.gov/SDSInter/probation/1033765_LAPGS_FinalMergedReport_20180206.pdf, at p. 19

[8] During a PRIT public meeting on the staffing, hiring, and training recommendations from RDA, the representatives of the Unions, the administration, and County appointees to the PRIT demurred on discussing these issues publicly, due to pending contract negotiations. On July 22, 2019, the official publication of the LA County Probation Officers' union reported that it had reached a 'tentative agreement with County management' and 'in addition to significant economic enhancements…the successor 3 year contract protects our seniority, transfer rights, and our 56-hour work shift in the probation camps.' The PRIT affirms its recommendation that the POC serve as a public forum for the discussion of finalized labor agreements and how their terms shape the delivery of services. The PRIT notes widespread perception that these items are a key obstacle to reform in L.A. County and that public confidence in the Board of Supervisors' reform effort is impacted by this tension.

to establish a consistent family-like environment in which staff and youth work closely together to build positive relationships that can promote youth wellbeing."[9] Additionally, the RDA report highlighted the need for **more expansive recruiting processes** that would include reaching out to multi-faceted educational settings including schools emphasizing human services and social welfare approaches.

4. Lack of Strategic Uses of Data and Information Technologies

Probation also faces significant challenges related to its data, research and evaluation systems; an important quality of any efficiently managed agency to hold it accountable to its mission and goals. RDA's study explained how **the Department "uses 46 different data systems to manage clients, staff, contracted providers, and a range of other information. There is little integration across data systems. In addition, there is limited data sharing with other County departments.** This reduces the ability of the County to understand the overlap of clients between services and systems and prohibits leveraging and coordination of resources and services."[10] Indeed in 2017, the "Los Angeles Probation Workgroup" of over 71 participants representing a range of expertise and experience, and tasked with supporting Los Angeles County and its Probation Department in improving its juvenile justice system, affirmed that research and evaluation "not only holds systems accountable for their work but creates critical feedback loops intended to continuously and meaningfully improve practices and policies."

Probation suffers from inconsistent data collection and no systematic data management. While better data infrastructure is needed, there is also a need for strategic approaches to using and collecting information to fulfill the mission of the Department. For example, based on the input of experienced Probation staff working with youth and our own experience, the **County could address many of the issues in the juvenile justice system by compiling a more complete, precise profile of youth at every stage of its processing, especially those currently detained, and commit to matching both services and settings with the youth's needs**. This is a long-standing issue, which one of our members detailed decades ago, finding in her dissertation that while the County had set up excellent programs in different camps, there was no proper assessment and match between the youth and the detention setting they were assigned to. Such an assessment of youth's needs should also drive the development and expansion of services, supports and placements through alternative settings.

5. Organizational Culture

By far, **the greatest challenge of Probation is its negative organizational culture, including the pervasive "us versus them" mentality and a deficit and punitive based approach that emphasizes corrections rather than rehabilitation and trauma informed strategies**. This toxic culture was on display at multiple Board of Supervisors meetings when the elimination of pepper spray was first debated, and numerous Probation staff applauded when a speaker made

[9] http://file.lacounty.gov/SDSInter/probation/1033765_LAPGS_FinalMergedReport_20180206.pdf at p, 28
[10] http://file.lacounty.gov/SDSInter/probation/1033765_LAPGS_FinalMergedReport_20180206.pdf at p. 31

racist comments about youth in facilities who need to be pepper sprayed. Probation's labor representatives were given an opportunity to reaffirm its commitment to equity and renounce the association to these comments which its leaders genuinely did at the special hearing on pepper spray. However, at a subsequent Board of Supervisors (BOS) meeting, this behavior was repeated. This was not anecdotal or aberrational: The divisive culture is well documented in the (OIG) report on the use of force in halls and camps, which documented incidents taunting the background of youth and their communities and calling for immediate intervention to end the "us vs. them" culture. To be sure, **these individuals represent a small fraction of the thousands of staff at Probation, the majority of who are certainly hard working and well-meaning but who nonetheless operate in a culture that is demeaning and ultimately demoralizing to them and to the youth**. Along with the toxic organizational culture, the OIG's report highlights how **staff feels unsafe and that morale is low**, explaining that "morale issues may be exacerbated by a perceived lack of sufficient staffing and a lack of trust in existing accountability structures."[11]

B. The Recommended Solutions

The PRIT took the charge of not adding new recommendations seriously. However, Probation and youth justice reform is a dynamic area and certain conditions – locally and across the state – have quite simply changed substantially since RDA, other researchers, and County auditors, made their recommendations. Accordingly, most, but not all, of the following recommendations are taken from a longer list of suggested reforms made in three primary studies of Probation: The L.A. County Probation Workgroup Report, the Juvenile Probation Outcomes Study, and the RDA Governance Report. The purpose of this summary is to address the pressing issues identified above by calling attention to our most urgent recommendations.

1. Culture Change

The Probation Department must engage in **a major, intentional**, **organization-wide culture change initiative** that includes the following actions:

- Adopt a new mission and vision statement that is widely distributed and posted throughout the organization. The statement should communicate the fact that Probation is moving away from a punitive, deficit-based system into one that is a positive, supportive, and developmental in its approach.
- Train all staff on positive client development, trauma-informed care, and the ineffectiveness of punitive approaches.
- Engage in consistent open and transparent communication regarding what policies, practices, and procedures are being changed and why the changes are being implemented.

[11] https://oig.lacounty.gov/Portals/OIG/Reports/Report%20Back%20on%20the%20OIG%20Investigation%20and%20Improving%20Safety%20in%20the%20Juvenile%20Facilities.pdf?ver=2019-03-11-133849-507

- Establish a performance evaluation and accountability structure that holds staff accountable for adhering to the new positive and developmental approach.
- Acknowledge, reward, recognize, and promote staff who exemplifies the new positive and developmental approach.

2. Reduce and Eliminate Juvenile Facilities

(i) Remove the Juvenile Services Division from the jurisdiction of the Probation Department, thereby separating youth and adult probation services in L.A. County

In California and across the nation, states and counties have begun to recognize and apply an extensive body of research and evidence demonstrating that **oversight and care of at-risk youth are best served through a therapeutic and rehabilitative supportive system of care.** Research demonstrates that the outdated model of corrections focusing on control, compliance and supervision does not now, and has never, proven to provide the level and quality of care and services youth need in their healthy development.

In its February 2016 motion, the BOS directed RDA to examine this dilemma and make a recommendation regarding dividing the Probation Department into two separate entities. After extensive research, which included ongoing meetings and even travel with Probation Department leadership to examine different models, RDA recommended that instead of splitting, that an agency model be created. However, the Department has not been fundamentally transformed to focus on culture change and institutional reform. Currently, all **juvenile staff are not routinely and consistently trained on juvenile best practices, nor is there effective supervision or oversight to ensure consistent best practices** are being utilized either in institutional settings or in field services.

Meanwhile, many things have shifted from a public policy perspective, most notably, in January 2019, the Governor acted to move the California State Department of Juvenile Justice out of the state prison system and into the state's Department of Health and Human Services.[12] In March 2019, the San Francisco County Board of Supervisors voted to establish a committee to shut down juvenile hall and replace it with a network of community-based, non-institutional settings by next year.[13] In July 2019, a national study on behalf of the Juvenile Justice Leadership Network definitively called for a move away from institutional settings, in favor of small home-like settings to produce rehabilitation.[14] Because of these and the enumerated challenges facing youth probation in L.A. County, **it is time to separate youth and adult probation services.**

L.A. County must decide if it is wiser to transfer the oversight and care of young people subject to Court jurisdiction to a new department that is dedicated to youth development or to an existing health and human services agency. Youth who have committed infractions that are currently defined as crimes by state law need rehabilitation, therapeutic intervention,

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[12] https://www.latimes.com/politics/la-pol-ca-gavin-newsom-juvenile-justice-plan-20190122-story.html
[13] https://witnessla.com/in-a-historic-move-sf-supes-vote-to-get-rid-of-juvenile-hall/
[14] https://cjjr.georgetown.edu/wp-content/uploads/2019/07/A-Roadmap-to-the-Ideal-Juvenile-Justice-System-Digital-Release.pdf

developmentally-appropriate and trauma-informed services. The L.A. County Probation Department has repeatedly indicated that more than **90% of probation youth suffer from mental health issues. It is truly remiss of L.A. County not to place these youth with an agency staffed with people who are subject matter experts in mental health** diagnosis, assessment, education and treatment. This shift in responsibility and care would support youth in their ongoing healthy and safe development, and best prepare them to return to their families and communities, and deter them from penetrating further into the juvenile justice system and/or entering the adult justice system. Such an approach ultimately ensures public safety.

Even if a significant number of detained youth have diagnosed mental health conditions that have caused them to commit acts that harm themselves or others, there are other causes of youth incarceration, which should not lead to the assumption that health departments are equipped to serve justice-involved youth. Additionally, the community attending PRIT meetings expressed concerns about over-medication of probation youth by mental health and health agencies, in tandem with corrections, in the past. This requires **careful consideration of whether the appropriate jurisdictional assignment of probation youth exists in the current County social service delivery system or whether a new youth development department is necessary**.

Therefore, we urge the County to authorize:

a) The separation of youth from Probation services and to direct the Courts, County Counsel, and Probation to begin preparing for this separation reporting back to the BOS in **30 days** on the main issues to resolve legally to implement this change and;

b) Empaneling the Work Group described in Recommendation (iii) below, to identify, **by December 2019**, the best place in the County's service delivery system for youth probationers and

c) Transferring jurisdiction over youth whom are ineligible to be diverted altogether from the delinquency system, into a health or human services agency or to a new youth development department by **July 2020**, per the Work Group's conclusion and recommendation.[15]

(ii) Fund or build smaller home-like community-based detention housing alternatives to end youth incarceration in Los Angeles County by 2025:

In 2018, **L.A. County taxpayers paid nearly $260,000 <u>per youth</u> in juvenile facilities**, **despite the fact that these facilities were only 38% full**. In 2011, the facilities were almost 60% full, and the annual cost was roughly $215,000, per youth. Adjusted for inflation, this means taxpayers paid <u>70% more</u> for halls and camps in 2018, which were at <u>20% less</u> capacity, than they were in

[15] The PRIT emphasizes that, wherever the jurisdiction to provide services to probation youth ultimately resides, the well-being and legal responsibilities of the County to these youth under state and federal law, call for the POC to retain the powers and authorities to provide oversight on the specific matters related to youth well-being.

2011.[16]

As in most other counties, an unsustainable phenomenon is draining public coffers in our County - **juvenile halls and camps have decreasing populations but skyrocketing costs.** This is morally, economically, and politically indefensible.

The RDA report recommended that the Probation Department temporarily shut down Central Juvenile Hall, move youth to Los Padrinos and Barry J. Nidorf juvenile facilities, and invest millions of dollars to renovate and improve Central Juvenile Hall. Instead, in May 2019, the Department announced the closure of Los Padrinos and plans to move youth and staff to Central Juvenile Hall and Barry J. Nidorf Juvenile Hall. **These moves, which were uninformed by community stakeholders, are confusing at best and at worst, a direct contradiction of the Board's adoption of the RDA recommendations in the same motion that created the PRIT.** Moreover, chaos and violence at the halls and camps has been incredibly disruptive and dangerous to youth and their families, as documented by the news media, codified in reports by and to the Probation Commission, and cited repeatedly as creating unsafe working conditions by the unions representing Probation officers.

The time has come to end youth incarceration in Los Angeles County[17] and follow the national research and state recommendations in building smaller home-like, community-based detention housing alternatives in communities where youth and their families reside. National models have proven over extensive time and research that smaller, home-like facilities, whose foundation rests in positive youth development, family engagement, mental and substance abuse treatment and successful reentry, increases youth resiliency, family functioning and public safety, and decreases recidivism and escalation in the justice systems. Even the Chiefs of the L.A. County Probation Department have endorsed the end to youth incarceration, signing on to a letter that boldly declared, "We believe the time has come to close down youth prisons, once and for all."[18]

We recommend that the Board:

(a) Direct Probation **to immediately stop housing youth with different levels of risk and needs together** and **to produce the assessment of detained youth** described in Section B (Solutions) and sub-section 5 (Data-Driven Decision-Making) of this report **within 30 days**, and;

(b) Authorize the Work Group described in recommendation (iii) below **to assess whether the Community Detention Program is useful anymore, as too many bench**

[16] https://www.sfchronicle.com/news/article/Vanishing-Violence-Cost-of-locking-up-a-youth-in-13793488.php?psid=fk3zN

[17] On June 13, 2019, during the PRIT's final public meeting, more than 20 community organizations across all five Supervisorial districts, submitted a joint letter calling for this direction. The letter was submitted to your Board.

[18] https://yclj.org/statement

officers undermine this program by using it as a form of threat, rather than for increased and meaningful supervision and;

(c) Authorize the Work Group in recommendation (iii) below **to draft a strategy by December 2019,** for L.A. County to develop and/or build smaller home-like, community-based housing alternatives in communities where high percentages of probation youth and their families reside;

(d) **Shut down Central Juvenile Hall by July 2020.** The County should redirect all justice-involved youth to more humane temporary facilities, and rather than spending millions to "improve juvenile hall," should use public resources to fund alternative community-based, home-like facilities as described above;

(e) **Authorize that <u>as many youth as possible coming into contact with the justice system</u>, between July 2020 and Jan. 1, 2025, be directed to diversion programs, alternative to detention programs, and to newly developed community-based housing alternatives,** including secure, non-institutional settings, in cases where they are a harm to others or themselves**.** This would follow the outcomes demonstrated in national research, to keep youth closest to their families, where family engagement works best, and where youth have a more successful outcome in reentry, and;

(f) Finally, as alternatives to detention are fully in place across L.A. County, we recommend **shutting down all juvenile camps by January 1, 2025.**

(iii) Create a Justice Reinvestment Work Group, upon taking action on the PRIT's reports and recommendations in 2019, and authorize it to guide the changes in (i) and (ii) above, immediately.

The PRIT acknowledges that the changes it is proposing are significant. The PRIT also emphasizes that the public and subject matter experts and the human and financial costs revealed in the year of public meetings and past reports justify these departures from the existing system. To ensure that these changes are implemented in a deliberate, well-planned, and sensible manner, it recommends that the Board authorize a working group called the "Justice Reinvestment Work Group" to lead these changes. The **purpose of this working group is to achieve the steps identified in recommendations (i) and (ii) above, and transition L.A. County's juvenile justice system into a new era**. In Addendum A, we include a sample ordinance from the San Francisco Board of Supervisors, which we recommend as a model for authorizing and constituting such a body.

We strongly recommend that the Work Group be **anchored by formerly detained youth, community-based service providers and health and human service professionals**. We recommend additional participation from representatives of the Courts, the Chief Probation Officer, retired and active youth detention officers, and the head of the Unions for Probation

line staff and supervisors. We recommend that the non-County appointees be stipend for their labor at an equitable level, especially formerly system- involved youth.

In addition to the big-picture recommendations above, some of which go beyond RDA and other reports that the PRIT was asked to consider, but which our moral conscience, national and state best practices, and current conditions require at this time, we believe the following recommendations should also be prioritized for youth outcomes and facilities:

- Stop detaining or referring any youth who are assessed as low risk.
- Stop detaining any youth who commits a misdemeanor crime.
- Expedite the plan to replace the Detention Risk Assessment instrument with a nationally recognized validated, norm referenced assessment tool, fully implement it, and rarely override it.
- Increase detention alternatives and adjudication diversion programs.
- Build smaller home-like, community- based detention housing alternatives in communities where youth and their family reside.
- Only refer youth who have been assessed as high risk to camp.
- Hire or assign an expeditor or expeditor team to focus on reducing the length of time youth spend in detention awaiting movement to their court-ordered destination.
- Permanently close Central Juvenile Hall.
- Monitor juvenile programming services and education inside Juvenile Halls pending its final closure.
    - Work with Los Angeles County Office of Education to focus on providing higher quality education to all youth.
    - Strengthen incentive-based behavior management systems for youth and reward facility managers and unit supervisors who can reduce critical incidents and increase school attendance.
- Transform the programming and staffing at all remaining Camps into small, home-like campuses with an education and rehabilitation focus.

3. Expand and Improve Community Services

Probation must seek to develop and expand more meaningful partnerships with communities, especially those with the highest rate of residents on probation. These partnerships should include expanding the amount and improving the quality of community-based services received by youth and adults on probation that build on their strengths and address their needs. In addition to the provision of services, the Department must create space for community voice and shared authority in the operation of Probation. In order to achieve these goals, Probation should implement the following:

- **Expand the initiative to disburse grants to community-based organizations via the public/private partnerships with foundations** that support both capacity building and services. The current investment, an important initial effort, still only represents 1% of

Probation's budget. This should be significantly increased and expanded to include services for adults on probation;

- Expand **AB 109 service access** so that it is available **to all adults on Probation**;
- Using a variety of Probation funds, including: JJCPA, YOBG, Title IV-E Waiver, AB 109, SB 678, and General Fund dollars saved through Probation downsizing **prioritize the expansion and improvement of services in: Education, Employment, Mentoring/Life Coaching, Housing, Drug Treatment, and Mental Health**.
- **Redefine the job of both juvenile and adult probation officers in the field** so that their main duties and responsibilities are to work with the youth or adults on their case load and their families to identify their greatest needs and strengths, and to develop life plans to connect clients to services, supports, and opportunities; and
- **Identify neighborhoods where large numbers of Probation clients live, and in partnership with those communities, establish offices and other operations in these areas**. This may include renovating existing field offices to create community-oriented offices that are welcoming and supportive environments and co-location with other government agencies and community-based organizations. The recently opened "DOORS" Re-entry Opportunity Center, by the Probation Department's Adult Services Division in the Exposition Park area of South Los Angeles is a major step forward that should be replicated across the County. By redesigning a former welfare office and using multiple floors for staff and client needs, it preserves a County asset. By leveraging SB 678 money to fund locally-based community non-profit agencies to co-locate staff, it deepens community partnership and a targeted use of a dedicated funding stream. By co-locating staff from other County departments responsible for workforce development and social services, it reduces the burden of adult probationers to access a continuum of care and encourages cross-departmental collaboration.
- Leadership and staff should **create community stakeholder groups or advisory panels to inform community members of Probation's work and learn from neighbors** what challenges and opportunities exist in their home communities. In the example above involving the new re-entry opportunity center in Exposition Park, an important next step would be to establish a meaningful advisory board for that office that allows the co-located County and non-profit providers to collaborate with community members on further innovations and system changes. The proposed POC Community Probationer Liaisons articulated in the PRIT's oversight structure would participate on such a body as the face of the POC and the Board's systemic reform effort in the community. The Department's growing use of credible messengers and creation of mechanisms for people on probation and their families to shape the direction of the organization, are critical next steps.

Community providers emphasized the need to reorient the Chief Executive Officer (CEO) and County Counsel's role in setting-up, managing, and seeking compliance with the County's contracting process. This includes revisiting language in contracts that embeds structural inequities in the expectation of service provision from the non-profit provider but exempts the County departments from acknowledging the full staffing, in-kind and other costs to meet deliverables. Some agencies have to hire former County staff to simply translate the

agreements into legible formats and meet reporting requirements that do little to improve the quality of care. Other agencies have to redirect multiple staff to cover the reporting requirements and templates required by these departments, away from core competencies related to rehabilitation and therapy. **These County departments need to establish equitable, community-friendly, non-bureaucratic, methods to achieve their own mandates that do not cause organizations to deplete energy, redirect staff, and abandon core competencies, simply to maintain a contractual relationship with the County**.

4. Accountability Mechanisms

There has been no lack of good ideas or recommendations on how to vastly improve Probation, many generated by Probation itself. But, what has been lacking is strong and consistent accountability mechanisms to ensure those ideas will be implemented and sustained.

The **main three accountability measures** that should be prioritized are as follows:

a) Implement the **external, civilian Probation Oversight Commission** (**POC**)[19] and a Probation Division within the Office of Inspector General detailed in a complementary report by the PRIT;
b) Establish a **performance evaluation system** as outlined in the Culture Change section above; and
c) Establish a new **data-driven performance management process**, detailed below.

5. Data-Driven Decision-Making and Performance Management Processes

In order to ensure Probation is achieving its established objectives and implementing the above recommendations, an organizational performance management system should be implemented that tracks data, based on agreed-upon metrics, tied to specific goals, which are reviewed in regular accountability meetings. Specifically, Probation should:

1. Build a strong data infrastructure that is aligned with and facilitates Probation practice.
2. Capture key data points related to system operations in order to monitor system activity as well as forecast and evaluate system activity over time.
3. Capture data to document the quality and quantity of practices and services delivered by Probation.
4. Capture data to produce outcomes that evaluate Probation practices and services.[20]

The new POC should establish no more than 10-15 of the most important goals from this Summary Report, by which to evaluate Probation's performance. Once specific goals are established, metrics tied to those goals and to be assessed quarterly should be agreed upon.

[19] We submitted a proposed oversight design in June 2019. The final report remains unchanged except to clarify that the exclusion of current County employees from the POC, shall not apply to the LA County defense bar.
[20] Herz et. al, The Los Angeles Probation Workgroup Report (March 2017)

There must be capacity for reliable and transparent data to be collected on these metrics. **Metrics from each objective should be collected and presented at the quarterly Data-Driven Performance Management meeting**. These accountability meetings should be chaired by the POC's Executive Director or their designee and a representative of the CEO. Agency Directors or Deputy Directors should then present or respond to data presented at each meeting. If they have not achieved identified performance targets, the respective manager should present a specific plan on how they intend to improve their division's performance.

Every Data-Driven Performance Management meeting should conclude with a detailed plan of action in response to unmet performance targets and/or new metrics. The responsible party (i.e.: POC and CEO) will follow-up with the Chief Probation Officer or Division Directors in the weeks in-between each Data-Driven Performance Management meeting to ensure progress is being made towards achieving identified goals.

An immediate example of data-driven decision-making that is necessary to address the crisis in juvenile justice involves directing Probation to **collect and analyze meaningful data in order to provide a more detailed report of detained youth, in tandem with using a newly developed, validated detention screener.** Ideally, that data includes both quantitative data as well as qualitative data through, for instance, surveys and interviews with youth as well as staff. This is a critical baseline step to help determine the number of youth who require which type of settings. This, in turn, will drive the analysis of alternatives to youth incarceration.

Probation's most recent report delivered to the Probation Commission at its July 25, 2019 meeting does not clearly identify the different types of detention cases the County is managing. The baseline questions to be answered by the Department in its next report should include:

- How many youth are pending WIC 707B related adjudications?
- How many of the WIC 707B related offenses involve the use of a weapon?
- How many youth are pending placement or re-placement based on an active order of "Suitable Placement," which is important to identify youth that have transferred to Probation from DCFS?
- How many youth are awaiting transfers to residential treatment facilities (camps)?
- How many youth are pending bench warrant recalls?
- How many youth are pending Community Detention Program (CDP) violation hearings? (This number can, at times, inflate the population by up to 20%)

Once these numbers are available, the County can set up different options for adjudicated youth. Rather than make informed decisions using this type of inquiry and engaging experienced staff and system-involved youth, the current gaps in Probation's approach to data management and information technologies pulls the County into an unsustainable dynamic where problems are identified at the back-end and the Department cites a need for more resources in order to make changes. The most recent example was the Department's request for $30 million to meet the Board's unanimous mandate to end the use of pepper spray. **Indeed, the Department has repeatedly made clear that it is simply not in a position to**

achieve what the BOS and the public would like it to accomplish, without millions of additional public dollars. While we believe our recommendation to separate youth from probation will help end this cycle, it will also help to have an improved culture and capacity to collect data, use collaborative approaches to generate data inquiries about how systems function and to interpret results and make decisions, and evaluate data to correct course.

C. Conclusion:

L.A. County is at a historic crossroads. We have reached a defining moment, where L.A. County can truly become a national leader in the care and support of at-risk youth and their families. The changes needed to support this vulnerable population are within reach and achievable with will-power, commitment and persistence from the L.A. County Board of Supervisors, the POC and the community at large. For the last year, the PRIT has been hearing from the Los Angeles community, but for much longer than that, the members of PRIT -- in both their professional and personal lives -- have been committed to improving the justice system for youth, adults and families. The PRIT and its members have heard the community loudly and strongly and agree with their call for significant and comprehensive justice reform in L.A. County.

The community and the PRIT are not just asking Probation to do business a little bit differently, or to move programs around. Instead, together, we are asking the LA County Board of Supervisors to be BOLD and SWIFT in adopting proven solutions to support youth, adults and families who come in contact with our justice system.

The community and the PRIT are ready, willing, and prepared to support the Board of Supervisors in taking a national lead in providing the best and highest quality care for our young people and adults on probation and to ensure that the care and services they need are available countywide, are available in their home communities, and are provided by community-based agencies trained to meet their needs and aspirations. This is not about "fixing" our young people or "offering services" to adult probationers and their families. It is about fundamentally valuing and providing all of these individuals with the best chance at success in their lives and in society. This cannot be done by allowing our juvenile justice system to serve as a pipeline, or adult probation as a revolving door, to prison. It can be achieved by implementing the recommendations in this report, ensuring meaningful civilian oversight, and truly supporting our youth, adults, and their families through proven justice reform efforts.

What is being urged by the PRIT and the community is not revolutionary or controversial. It actually represents the direction our nation has been taking for years in believing that our youth, adults and families need support and therapeutic systems of care and services in their own communities that effectively meet their needs. **It represents what communities most impacted by justice systems have said they want and need**. This reform will make a profound difference and give hope and opportunity back to the residents of L.A. County who for too long have come in contact with our outdated justice system. It is our responsibility to support all residents of L.A. County.