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COUNTY OF LOS ANGELES PROBATION DEPARTMENT

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September 13, 2022

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

REQUEST TO RESCIND THE JUVENILE INSTITUTIONS SERVICES HIRING FREEZE (ITEM NO. 54, AGENDA OF OCTOBER 5, 2021, BULLET POINT 2)

(ALL SUPERVISORIAL DISTRICTS) (3 VOTES)

SUBJECT

The County of Los Angeles Probation Department (Probation or Department) requests the Board of Supervisors (Board) rescind the hiring freeze applicable to Probation's Juvenile Institutions Services (JIS) budget unit to ensure safety and security of detained youth, partner agency staff, visitors, and our team members. Rescinding the hiring freeze also supports compliance with various regulatory mandates and oversight agreements.

IT IS RECOMMENDED THAT YOUR BOARD

Rescind the Probation JIS budget unit hiring freeze thus allowing the Department to re-start the process of recruiting, hiring, and training entry level juvenile hall staff, and promoting qualified staff to positions of higher-level responsibility.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On October 5, 2021, the Board approved various recommendations of the Chief Executive Officer pertaining to the fiscal year 2021-22 adopted budget. Included in these recommendations was a hard hiring freeze over Probation's JIS budget unit. The JIS budget unit provides appropriation authority for the operation and staffing of juvenile halls, camps, camp community transition program, and transportation services.

Probation respectfully requests the lifting of the JIS hiring freeze to ensure safety and security of detained youth, partner agency staff, visitors, and our team members. Hiring for the JIS budget unit supports the Department's implementation of recommendations of the California Department of Justice, and compliance with staff-to-youth supervision ratios mandated by regulations overseen by the California Board of State and Community Corrections (BSCC). Probation's inability to hire jeopardizes compliance with BSCC regulations and adherence to the provisions of the California Department of Justice settlement agreement.

A sufficient number of staff are a vital factor in each juvenile hall's ability to provide supervision ratio compliance, ensure safety of youth and all who serve youth in our care, and deliver competent and timely programs and therapeutic services. Shortages or minimum staffing does not readily lend itself to being responsive to the culture and tone within each juvenile hall living unit to provide timely intervention before an incident occurs, and to provide effective de-escalation and safe crisis management if violence appears to be imminent or is underway. Staff fatigue and/or perishable familiarity with effective youth supervision policy compounds the challenges of effective supervision and intervention.

It has been almost a year since the Board's approval of the JIS hiring freeze. Over the course of those months, the Department has experienced a combination of customary staff attrition, and various other factors that impact staffing such as workers' compensation matters, staff unavailability due to illness and/or medical conditions, and Family and Medical Leave Act absences. For context purposes, our attrition over the last year included 130 direct youth supervision staff and the hiring of 31.

Our juvenile halls have approximately 807 budgeted youth supervision positions. Of those 807 positions, currently only 180 (22%) represent able bodied youth supervision staff. The remaining 627 (78%) are either vacant, unavailable for work, or have temporary work restrictions that do not allow them to supervise detained youth. This depleted staffing pool is untenable for effective supervision and programming for youth without some extraordinary and unsustainable staffing supplements as described herein.

Table 1, below, highlights the current juvenile hall budgeted youth supervision (Peace Officer) staff positions, vacancies, and major categories of unavailability.

**Juvenile Halls Staffing
 As of July 2022
 Table 1**

Description	Count	Percentage
Total Positions Budgeted	807	
Vacancies	(370)	46%
Staff on Leave	(257) ⁽¹⁾	32%
Staff Available	180	22%
Call-Outs Per Shift	(30) ⁽²⁾	4%
Net Staff Available	150	19% ⁽³⁾

⁽¹⁾ "Staff on Leave" is primarily workers' compensation, personal medical, or Family and Medical Leave Act needs.

⁽²⁾ Call-outs vary from 30 to 50 per shift depending on the day and the shift.

⁽³⁾ Amounts rounded to nearest whole number.

Juvenile hall staff are generally assigned to one of three shifts. Our two daytime shifts require approximately 125 staff per shift (combining both juvenile halls for discussion purposes), and the sleeping hours shift requires approximately 90 staff per shift.

As Table 1 demonstrates, we do not have sufficient available full-duty juvenile hall staff to adequately staff the facilities. Therefore, we are utilizing the following measures to support staffing needs:

- Deployments – Collaborating with our labor partners for a process of deployment of field Deputy Probation Officers (DPO) and Supervisors. We are deploying over 950 staff per month from juvenile and adult field operations. This is not sustainable as deployment of field staff impacts client services including engagement with their DPO and linkages of clients with community-based providers who deliver supports such as housing, food security, employment, and healthcare.
- Staff Hold-Overs – We are unfortunately at times dependent upon holding staff beyond their scheduled shift to ensure sufficient staffing. This too is unsustainable due to staff fatigue and the substantial amount of time staff are separated from their families.
- Volunteers – Some camp and field staff volunteer to support our juvenile hall colleagues.
- Utilization of camp DPOs – We have temporarily assigned some camp DPOs to support juvenile halls.

- Alternatives to Detention – We are proactive at directing youth as applicable to alternatives to detention such as community-based supervision, electronic monitoring, a relative caregiver, or placement. In addition, camp youth who are moved to a juvenile hall for specialty medical care are returned to camp as soon as possible.
- Requesting Hiring Exemptions – Concurrent with this request to your Board, we have recently been approved by the Chief Executive Office to fill up to 150 juvenile hall sworn positions. This exception to the hiring freeze is greatly appreciated. However, rescinding the hiring freeze remains essential as we move to address attrition, oversight entity expectations, a growing population of youth returning from State facilities, and to fill non-Peace Officer items within juvenile halls that are also impacted by the freeze.

As noted above, some of the necessary measures we have taken to provide staffing for juvenile halls are not sustainable. We are effectively depleting camp and field effectiveness by diverting these staff to juvenile halls. In addition, the nature of deployments results in inconsistent familiarity of staff with juvenile hall youth which represses the building of trusted relationships and mentoring that are vital to the support of detained youth, and to generate staff and youth feelings of safety and well-being. Furthermore, holding staff over for more than one shift causes fatigue which can lead to ineffective decision-making and weakened focus on youth supervision.

Probation is collaborating with the Department of Human Resources to address issues such as extended periods of workers' compensation absences and repeated or patterns of call-outs. These matters include tedious reviews of workers' compensation files, doctors' notes and the potential for workplace accommodation, and where necessary the implementation of progressive performance management techniques.

Peace officer staff within Probation generally start their careers within juvenile halls. Per the structure defined within labor Memorandums of Understanding, these new hires promote within juvenile halls or to camp positions, subsequently they promote or transfer to field DPO positions, and/or pursue opportunities for supervisory and management positions throughout the Department. Thus, the freeze on juvenile hall hiring effectively stops the continuum of movement of staff to camps and subsequently to field DPO and leadership positions.

Juvenile hall leadership are unable to release staff to camp or field promotions due to the detrimental impact on compliance with minimum staffing ratios. The longer the JIS freeze remains in place, the greater the impact of staff attrition on client services delivered by camp and field staff. In addition, many of the Department's field DPO positions are extensively or entirely revenue offset. If those positions are unfilled, the Department is unable to claim field operations' staffing expenses to draw-in available revenue streams.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommended action is consistent with the County of Los Angeles Strategic Plan, Goal I: Make Investments That Transform Lives. Specifically, it will address Strategy I.3 to Reform Service Delivery Within Our Justice Systems.

FINANCIAL IMPACT/FINANCING

There is no net County cost for this recommendation. Sufficient ongoing appropriation and item classification authority already exists in Probation's budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Juvenile hall facility minimum staffing ratios are defined within BSCC Title 15, *Minimum Standards for Juvenile Facilities*, §1321. These regulations generally define daytime staffing ratio minimums as one staff for every ten youth, and one staff for every thirty youth during youth sleeping hours. Title 15 further clarifies that juvenile halls shall have an adequate number of personnel sufficient to carry out the overall facility operation and its programming, to provide for safety and security of youth and staff, and to meet established standards and regulations. Title 15 operative word is "minimum," which does not imply it is sufficient given the extensive safety, service, administrative, and compliance responsibilities of our youth supervision staff.

IMPACT ON CURRENT SERVICES

Rescinding of the hiring freeze for JIS will allow the Department to address attrition, staffing shortage and address safety and security concerns. The recommended action will allow help to minimize the current need to deploy field and camp staff to assist with supervision coverage at the juvenile institutions.

Respectfully submitted,



Adolfo Gonzales
Chief Probation Officer

AG:RS:TH

c: Chief Executive Officer
Executive Officer, Board of Supervisors
Acting County Counsel
Department of Human Resources