

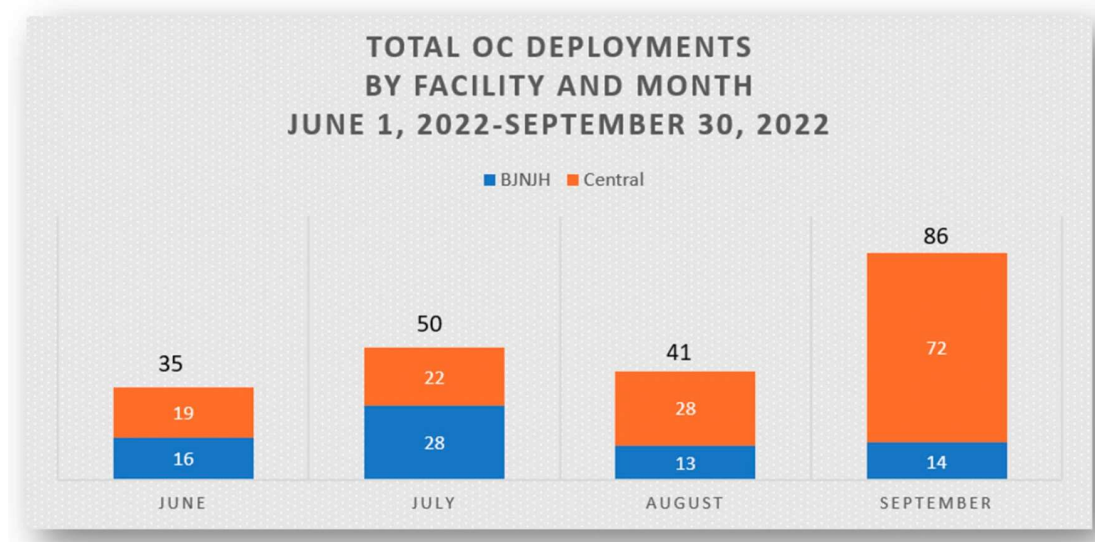
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CRIMINAL JUSTICE

LA County Supes Vote to Curb Pepper Spray in Juvenile Halls (Again) After Report Shows 'Disheartening and Egregious' Use

By [Emily Elena Dugdale](#)

Published Dec 20, 2022 1:44 PM



The breakdown of pepper spray incidents per month in the county's two juvenile halls.

(Courtesy L.A. County Probation Department)

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The L.A. County Board of Supervisors voted unanimously Tuesday to [direct the Probation Department](#) to come up with a plan to phase out pepper spray in certain housing units in Central Juvenile Hall.

LA County Supes Vote to Curb Pepper Spray in Juvenile Halls (Again) After Report Shows 'Disheartening and Egregious' Use

1:22

Supervisors voted nearly four years ago to ban pepper spray in situation got worse.



In August, I reported that [probation officers sprayed detained youths at the county's two juvenile halls](#) at least 409 times between June 2021 and June 2022. That's an average of a bit more than once a day.

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We're not in the mood to have any more excuses.

— Supervisor Janice Hahn

A [report](#) published last month from the L.A. County Probation Oversight Commission found that between June 1 and Sept. 30, youth were sprayed 232 times — almost twice the average rate of the previous year.

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“The findings were incredibly disheartening and egregious as there was a documented increase in the substantial use of OC spray,” Supervisors Hilda Solis and Lindsey Horvath [wrote in Tuesday’s motion.](#)

The probation department has blamed a lack of training and alternatives to spray as well as staffing problems as one of the reasons for the increase.

“We’re not in the mood to have any more excuses,” said Supervisor Janice Hahn.



Barbed wire on the fence enclosing Barry J. Nidorf Juvenile Hall

(Emily Elena Dugdale / LAist)

The probation department has 45 days to create and execute a plan to phase out pepper spray “at the housing units that incarcerate youth with developmental disabilities and girls and gender expansive youth” at Central Juvenile Hall.

Supervisors also voted to request that the L.A. County inspector general and the Probation Oversight Commission oversee the

process and provide updates on the process every 14 days until it is completed.

The inspector general's office will also track and collect data on staff who deploy pepper spray multiple times.

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Emily Elena Dugdale covers smaller police departments around Southern California, school safety officers, jails and prisons, and juvenile justice issues. She also covers the LAPD and the L.A. Sheriff's Department.

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L.A. County supervisors vote to ban pepper spray in some Juvenile Hall units



The Coalition of Probation Unions rallies in August to demand that the L.A. County Board of Supervisors improve safety for probation officers at youth facilities. (Irfan Khan / Los Angeles Times)

BY REBECCA ELLIS | STAFF WRITER

DEC. 20, 2022 8:18 PM PT



Nearly four years ago, Los Angeles County supervisors voted to stop probation officers from using pepper spray at juvenile facilities, likening its use to an “assault” — only to see the ban go unheeded.

Clearly angered by the continued and expanding use of pepper spray, which can cause eyes to tear and redden and skin to burn and blister, the Board of Supervisors on Tuesday unanimously approved another ban — though it more narrowly targets only certain sections of Central Juvenile Hall.

Tuesday’s [motion](#), crafted by Supervisor Hilda Solis, gives the Los Angeles County Probation Department 45 days to stop using pepper spray in units within Central Juvenile Hall that house some of the most marginalized young people. The vote was met with opposition from a coalition of probation unions, who say they need the chemical as a last resort to break up violent fights without physical intervention.

The board first [voted](#) in early 2019 to ban all juvenile detention facilities from deploying pepper spray, also known as oleoresin capsicum or OC spray.

California is one of a handful of states that allow probation officers in youth facilities to use pepper spray. The L.A. supervisors gave the department until the end of 2019 to join most of the U.S. in barring it.

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But the Probation Department [said](#) it needed more time, more de-escalation training and more staff to safely transition away from using pepper spray. The COVID-19 pandemic delayed matters further.

Almost four years later, the politicians and youth advocates who cheered the ban say it has clearly failed.

All five supervisors grilled Chief Probation Officer Adolfo Gonzales on why the 2019 ban had not been enforced. Solis said she was “saddened,” Supervisor Holly Mitchell called the lack of movement “frustrating,” and Supervisor Lindsey Horvath, who co-authored the motion, called it “unacceptable.”

“I think everyone’s really upset. I think everyone’s being really polite, chief,” said Board Chair Janice Hahn. “Come on, chief! This is important to this board. ... We just are not in the mood to have any more excuses.”



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Rather than see a decline, county leaders have watched the use of the controversial chemical become increasingly [common](#).

At Central Juvenile Hall in Lincoln Heights, one of the county’s two juvenile detention facilities, officers used pepper spray 157 times between June and September, according to a recent [report](#) by the Probation Oversight Commission, a civilian watchdog body.

Officers inside the Barry J. Nidorf Juvenile Hall in Sylmar used pepper spray about 75 times despite incarcerating a larger population throughout those four months.

The county's juvenile camps, which operate separately from the two juvenile halls, no longer use the spray.



CALIFORNIA

L.A. supervisors ban pepper spray in juvenile detention halls after reports of abuse

Feb. 19, 2019

The oversight report found that some units within Central were disproportionately sprayed: those that house girls and youth with developmental disabilities.

Startled by the spike, the board set a new deadline for the Probation Department to phase out the spray in units incarcerating juveniles with developmental disabilities, girls and gender expansive youth, a [term](#) used to describe those who don't conform to traditional gender identities.

The report also noted that the probation department during the pandemic had stopped training on how to serve people with developmental disabilities and never resumed it.

Gonzales struck a conciliatory tone Tuesday as he said he too would like to see OC spray eliminated and thought it would be when he took the helm of the troubled department in February 2021. He agreed that the department needed better trained staff and wanted to see juvenile halls become a "professional organization."

"You know, most of our [[detention services officers](#)] that come in are people that come off the streets," he said. "Maybe we need someone with a higher level of experience coming in."

If the training on serving people with developmental disabilities was indeed suspended, he said, he wanted to find out why. This statement, indicating that he was not aware that the training had stopped, drew a sharp rebuke from the board.

"I would put your training unit on notice that this motion is a direct result of their failure to do their job," said Supervisor Kathryn Barger.

The probation department has until Feb. 3, 2023, to stop using the spray in certain units.

“We mean business,” Solis, whose district includes Central Juvenile Hall, said in an interview. “That’s what this motion is about.”

The motion is meeting opposition from a coalition of unions representing employees inside the Probation Department. AFSCME Local 685, SEIU Local 721 and AFSCME Local 1967 decried county leaders’ latest attempt to ban the spray as dangerous and half-baked.

Officers say they use the spray as a last resort to break up violent fights. Without the chemical, the union leaders said, officers would have to physically intervene, which they said would be more dangerous for all involved.

“With this motion, the only option the Board of Supervisors would leave is for us to use hands-on force,” Probation Manager Deborah Lares, president of the Professional Managers Assn., said in a statement. “It is simply irresponsible for anyone to assume that every situation inside the juvenile halls and camps can be resolved with a conversation and that every officer is physically capable of stopping a violent attack.”



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The push by the county comes as the department’s staffing crisis reaches new extremes.

The Times [reported](#) in November that dozens of officers were refusing to show up for work, saying they felt outnumbered and threatened on the job. As the staff shrank, officers were using force on young people more often. The number of times youth were pepper-sprayed quadrupled in the first half of 2022 compared with the first half of 2021.

It’s not clear how the board will enforce the ban now on the department, which has [said](#) it would like to see a youth-to-staff ratio of 5-to-1 before phasing out the spray. The current ratio is 8-1,

according to a department spokesperson.

Should the probation department fail to meet the 45-day deadline, Solis said, the board would “come back and ask the question why.”

Some youth advocates, like Mili Kakani, the director of youth justice with the Children’s Defense Fund in California, say they’re skeptical this motion will bring real change.

“We know that the union has made every effort to essentially ignore this direction and maintain its use of OC spray,” she said. “So it’s a struggle to see what’s going to be different this time.”

Wende Julien, executive director of the Probation Oversight Commission, said she sees a few reasons to believe the motion will have an impact. She said the relatively low reports of pepper spray usage at Barry J. Nidorf Juvenile Hall were encouraging. The department has not been issuing OC spray to new recruits, she added.

“It can be done,” she said in an email. “Many probation staff have demonstrated they have the necessary skills to deescalate incidents without OC spray.”

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Rebecca Ellis



Rebecca Ellis covers Los Angeles County government for the Los Angeles Times. Previously, she covered Portland city government for Oregon Public Broadcasting. Before OPB, Ellis wrote for the Miami Herald, freelanced for the Providence Journal and reported as a Kroc fellow at NPR in Washington, D.C. She graduated from Brown University in 2018. She was named a finalist for the 2022 Livingston Awards for her investigation into abuses within Portland’s private security industry.

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