



**COUNTY OF LOS ANGELES
PROBATION COMMISSION**
9150 EAST IMPERIAL HIGHWAY – DOWNEY – CALIFORNIA 90242
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MINUTES OF REGULAR MEETING OF AUGUST 23, 2018

The regular meeting of the County of Los Angeles Probation Commission was held on Thursday, August 23, 2018 at the Kenneth Hahn Hall of Administration, 500 West Temple Street, 1st floor, Room 140A, Los Angeles, California 90012

I. Commission President Joe Gardner welcomed all and called the meeting to order at 10:16 A.M. President Gardner informed the Commissioners and all present that the meeting was being recorded and asked that all identify themselves prior to making any statements.

The following Commissioners were present:

1st Vice President Jan Levine
Commissioner Meredith
Commissioner Yamashiro
Commissioner Kaplan
Commissioner Mitchell
Commissioner Shutan
Commissioner Butler
Commissioner Herbon
Commissioner Swartz

The following Commissioners were not present:

2nd Vice President Daniel Seaver
Commissioner Martinez
Commissioner Caster
Commissioner Hoover

Commissioners

Joe Gardner-President,
Hon. Jan Levine (Ret.)-1st Vice President, Daniel Seaver – 2nd Vice President,
Donald Meredith-Sergeant at Arms, Azael Martinez-Sonoqui, Cyn Yamashiro, Esq.,
Jacqueline Caster, Esq, Jo Kaplan Esq, Olivia E. Mitchell, Peter Shutan,
Zachary Hoover, Hon. Betsy Butler (Ret.), Randy Herbon, Gale Swartz

The following staff were present:

Dave Mitchell, Deputy Director
Luis Dominguez, Acting Deputy Director
Felicia Cotton, Deputy Director
Tiana Murillo, Chief of Staff
Paul Vinetz, Bureau Chief
Genesis Cervantes, Staff Assistant

The following individuals were present:

Eduardo Mundo
Hans Liang
Erica Webster
Lindsay Graef
Cookie Lommel
Roman Quintana
Maureen Pacheco
Lauren Black
Blaine McPhillips

III. APPROVAL OF MINUTES

Commissioner Levine motioned to approve the minutes of January 11, 2018. Commissioner Yamashiro second the motion and the minutes were approved. Commissioners Swartz and Commissioner Shutan abstained.

Commission Shutan motioned to approve the minutes of August 9, 2018. Commissioner Butler seconded the motion and minutes were approved.

Eduardo Mundo inquired clarification on whether he mentioned stats on his public comment on the minutes of August 9, 2018.

IV. LOS ANGELES COUNTY PROBATION DEPARTMENT UPDATE

Report on Probation Department Staff Departures

Chief of Staff Tiana Murillo presented data on the Probation Department's staff departures from the last two years. Ms. Murillo stated that the Probation Department has a 95% annual retention rate and an attrition rate ranging from 4% - 6% over the last two years. Ms. Murillo shared the following data on the Probation Department employees who separated from employment in 2016:

- Average number of total employees: 5,500
- Number of employees departed: 295 (176 were sworn and 119 were non-sworn)
- Annual turnover rate: 5.4%

Mr. Murillo stated that the most prevalent reason for leaving employment was retirement. In 2016, 75 sworn and 45 non-sworn employees retired. The track data shows the remaining reasons of separation from employment are deceased, discharged, health reasons, relocating, returned to school, other county employment.

Ms. Murillo shared the following data on the Probation Department employees who separated from employment in 2017:

- Average number of total employees: 5,500
- Number of employees departed: 333 (179 were sworn and 154 were non-sworn)
- Annual turnover rate: 6%

Mr. Murillo stated that the most prevalent reason for leaving employment was retirement. In 2017, 69 sworn employees and 35 non-sworn employees retired.

Ms. Murillo shared the following data on the Probation Department employees who separated from employment in 2018:

- Average number of total employees: 5,500
- Number of employees departed: 245 (162 were sworn and 83 were non-sworn)
- Annual turnover rate: 4.4%

Mr. Murillo stated that the most prevalent reason for leaving employment was retirement. In 2018 so far, 64 sworn employees and 25 non-sworn employees have retired.

Ms. Murillo stated that the average number of years in service for the 2016 employees that departed were 8-9 years. In 2017 the average number of years in service for the of the employees that departed was 9-10 years. In 2018 the average number of years in service for the of the employees that departed so far is the 1-2 year range and in close second is the 10-11 years range. Ms. Murillo mentioned that the Probation Department's attrition rates are consistently low, averaging 5%. Ms. Murillo stated that academic research suggests the national attrition rate in the law enforcement industry is as high as 14%. Other research suggests that there is a reason for concern when voluntary departure rates in law enforcement departments reach 10% or higher.

Commissioner Yamashiro suggested it would be helpful to attain the reasons behind the employees' departure and their challenges being that the employees separating from employment have an average of only 10 years in service. Ms. Murillo stated exit interviews may give useful information and feedback to attain that information. Currently the Probation Department is reaching out to other departments and looking at best practices to improve exit interviews and obtain that information. Ms. Murillo stated the Probation Department would like data of employees departing to other department and/or reasons behind leaving the department/county.

Commissioner Yamashiro inquired if the Probation Department offers higher education programs that financially aid current employees with college. Ms. Murillo stated the

Probation Department does offer a 2% bonus for those employees with college degrees but does not currently have a program to help employees pay for college.

Commissioner Swartz inquired if the data presented reflects the separation of employment from the Probation Department or the separation of employment from the county. Ms. Murillo stated the numbers reflect the departures from the Probation Department including Los Angeles County employment. Commissioner Swartz inquired if there is data on employees that leave the Probation Department and attain employment with another department. Ms. Murillo stated the Probation Department currently does not have that data but can obtain the number of employees that contract employment outside the county and present it at a future meeting.

Commissioner Swartz inquired if the 10 years in service for the employees who have departed reflect 10 years with the Probation Department or 10 years in the county. Ms. Murillo stated she would have to ask if the data collected reflected years of experience or years with the Probation Department/county.

Commissioner Shutan inquired if the 10-year average in the data was due to there being the same number of employees leaving with 25-30 years and 1-2 years of service resulting in a 10 years of service average. Ms. Murillo stated that the data presented are aggregate numbers and the data would have to be looked in to.

Commissioner Butler and Commissioner Meredith requested data on the retention of new recruits.

Tracking Staff's Education Backgrounds

Ms. Murillo stated the Probation Department does not track employees' education background in a systematic database. Ms. Murillo stated employees may submit their degrees for bonuses but if the job does not require a degree or if the degree is not relevant to the job the Probation Department does not track employee's degrees mainly due to the data barrier. Ms. Murillo stated that the Probation Department would have to survey employees to attain that data.

Commissioner Butler stated that employees should be awarded for higher education degrees.

Commissioner Herbon stated the Probation Department should look at the universities of the employees that have stayed and departed to determine what schools have the best retention rate. Ms. Cotton agreed and stated that the Probation Department has built relationships with Cal State Los Angeles and Cal State Long Beach that have been successful. Commissioner Shutan mentioned the Reserve Program has benefited from college recruitments and it can benefit the Probation Department.

Job Classifications Update

Chief of Staff Tiana Murillo stated that the revision team has created draft modifications to 9 classifications. Currently the team is revising classifications for Deputy Probation Officer (DPO) 2, Supervising Deputy Probation Officer (SDPO), Assistant Probation Director, and Director. All committee members have been asked to meet with their respective Bureau Chiefs and Deputy Directors to have a discussion on the changes. The timeline has been adjusted to mid-September to meet with labor partners in advance to get their input.

Presentation from the Probation Department Placement Bureau

Deputy Director Felicia Cotton introduced Bureau Chief Paul Vinetz and presented on 6-month snapshot data collected from October 2017- March 2018.

Average Suitable Placement Population: 724

- Short Term Residential Treatment Programs (STRTP), formerly called Group Homes: 439
- Relative/ Non-Relative Placements: 34
- Bench Warrant Status: 150
- New/Pending Replacement: 101

Average Number of Youth Ordered for Suitable Placement Each Month: 119

Average age of youth: 15 years

Gender:

- Male: 82%
- Female: 18%

Average Length of Stay:

- Male: 4 months
- Female: 3 months

Ethnicity:

- Latino: 66%
- African American: 22%
- Caucasian/ Other: 7%

Top Three Offense Categories (Youth Profile):

- Violent/Weapon Related: 69%
- Property Related: 27%
- Other: 4% (includes substance related, false ID to Peace Officer, resisting arrest, etc.)

Commissioner Levine stated her concern with the high number of bench warrants. Ms. Cotton stated that the Probation Department shares the same concern and has put together a team to look at how to pursue those youth more actively.

Commissioner Levine inquired if the runaway youth must go to court when retrieved. Ms. Cotton stated that if there is a warrant in the system it is an automatic detention. Commissioner Levine inquired if the youth are interviewed to determine the reason as to why they ran away. Mr. Vinetz stated that the youth are interviewed if they are detained at juvenile hall or the Placement Services Bureau has an I-Track web-based system that generates an alert when a youth has run away; group home monitoring will then investigate the circumstances.

Mr. Vinetz went over the group home population data.

Current Probation STRTP Population as of 8/14/2018: 439
Certified STRTP's Used by Probation: 9 → 694 beds
Group Homes Pending County Review: 10 → 268 beds
Group Homes with County Review Completed, Pending Final Approval: 4 → 258 beds
Group Home Program Terminations or Closures: 4 → -143 beds
New STRTP Programs in Development: 11 → TBD beds
Tracking Potential: 1220 STRTP Beds (not including newly developed STRTP)

Commissioner Kaplan suggested the Commission come up with a different name for STRTP.

Mr. Vinetz went over the DCFS and Probation Department Special Incident Reporting Guidelines. Mr. Vinetz stated that the Group Homes shall report incidents must be reported via the I-Track web-based system. This is reported as a Serious Incident Report (SIR).

The Mandatory Incident Reporting Categories and Guidelines are as follows:

- Behavioral/Mental Health: Incident I-Track and Phone, Next Business Day
- Injury, Illness, or Accident: Incident I-Track and Phone, Next Business Day
- Death: Phone Immediately/I-Track Same Business Day
- Unauthorized Absence: Phone Immediately/I-Track Same Business Day
- Alleged Child Abuse: Phone Immediately, Child Protection Hotline
- Agency Emergency/Disaster: Phone Immediately/I-Track Next Business Day
- Significant Change in Group Home: Incidents Reported Per Title 22 Requirements

Mr. Vinetz stated that group homes are formally visited once annually. Whenever there are incidents reported in the I-Track system, the Ombudsman sends an alert that there is a concern and follow-up is assigned immediately. There are a couple Ombudsmen; the Probation Department Ombudsman and the Auditor Controller. Concerns are also raised by the Department of Family and Children Services (DFCS), families, and youth.

Commissioner Kaplan inquired if STRTP is fully staffed and shared her concerns with the Probation Department's permanency planning. Ms. Cotton stated that STRTP is fully staffed but is looking to expand for family finding. Ms. Cotton mentioned that the Probation Department's permanency planning backlog numbers are not as high as DCFS. The Probation Department is bringing in a media campaign to aid them in bringing in more families online and connect the older youth.

Commissioner Yamashiro inquired clarification if STRTP encompasses all suitable placements. Mr. Vinetz stated that STRTP are all youth with suitable placement orders.

Commissioner Yamashiro inquired about the levels of care in STRTP. Mr. Vinetz stated that the offense is reviewed and suitable placement. By January 2019 all homes should be able to take in any Rate Classification Level (RCL) including level-14 youth.

Commissioner Kaplan inquired the number of AWOL youth.

Commissioner Butler inquired if Camp Gonzalez was included in the STRTP data. Deputy Director Mitchell stated Camp Gonzalez is considered an adult facility thus it is not included in the data.

Commissioner Herbon inquired how many DPOs are in STRTP and how many suitable placement youth do they have on their caseloads. Mr. Vinetz stated that the targeted caseload size is 10-15 for suitable placement. For on-site DPOs the caseloads can be anywhere from 25-30. Mr. Vinetz stated depending on the cases DPOs are assigned either on site or regional, in some cases there is more than one on-site and regional DPO assigned. If youth is moved to a new placement, an appropriate DPO will be assigned.

Commissioner Herbon inquired if numbers reflect the crossover youth. Ms. Cotton stated that the numbers reflect strictly probation youth and crossover youth are part of a different operation. Commissioner Herbon stated crossover youth should be included in the data.

Commissioner Herbon inquired about the labeling of youth with violent offenses and if it affects them in being replaced in group homes. Ms. Cotton stated the Probation Department will look at the youth's profile for violent behavior so the group home can provide the youth with necessary services. Group homes part of STRTP should be able to take-in all youth including youth with violent behavior.

Commissioner Levine inquired if there is a grievance process outside the facility for youth to report unresponsive staff. Mr. Vinetz stated that there is a grievance process for youth. The youth are informed of their rights and who to contact, it goes through their assigned DPO or Ombudsman. The youth's assigned DPO is required to make face to face contact at a minimum of once a month, whether on-site or regional.

Commissioner Levine inquired who can the youth contact when there is a problem with on-site staff. Ms. Cotton stated that this was an issue raised by the Board of Supervisors. The Probation Department has received feedback from the youth and is now providing

youth with information cards with numbers to call and stated that youth have access to a telephone.

President Gardner inquired who conducts annual inspection. Mr. Vinetz stated that the Director will assign a DPO with specialized group monitoring to investigate. Mr. Vinetz stated that the group home monitor conducts inspection in 10 different areas to evaluate the residential placements in several domains. The Probation Department has a team that monitors and conducts the annual compliance review. DCFS has its own team for group home monitoring separate from the Probation Department.

President Gardner informed the Commission that under Welfare and Institutions Code (W.I.C) 229.5, Commissioners may conduct group home inspections. There are criteria to meet such as a 24-hour pre-notification of the visit and reporting all findings.

Commissioner Yamashiro inquired if the annual inspection visits are unannounced. Mr. Vinetz stated that the annual inspection visits are scheduled and the quarterly visits may be done unannounced. The Probation Department will follow-up on the frequency of unannounced inspection visits and present that information at a future meeting.

Eduardo Mundo inquired about the successful completion rate of youth who have been placed in STRTP without running away, moving to multiple group homes, or being removed by the group home. Mr. Vinetz did not have that information.

Mr. Mundo inquired if an on-site DPO has 20 youth in his/her caseload, how often does the DPO contact the youth. Mr. Vinetz stated that the minimum requirement for face-to-face contact is once a month.

Commissioner Kaplan inquired about a breakdown of the violent offenses and would like to know the statistic and understand the profiles.

Maureen Pacheco inquired if the behavior incident reports can be provided to the court and group home incident data can be obtained. Mr. Vinetz stated incidents are reported through the I-Track system and that information is given to the court. Ms. Pacheco inquired what the protocol is for reporting youth victims of violent behavior in group homes to the court and can the victim's attorney obtain the information. Mr. Vinetz stated that the child detention hotline is to be notified. Ms. Cotton stated that currently there is no protocol to give the victim's attorney reports but the Probation Department will follow-up.

Commissioner Herbon inquired if there are a significant number of youth that transition back to their homes and do they obtain probation supervision with DPO involvement. Mr. Vinetz stated that Placement Community Transition Services (PCTS) program, a unit of deputies, provides several home-based services for youth and their families transitioning back to their homes.

Commissioner Herbon inquired at what point DPOs get involved. Ms. Cotton stated that with funding the Probation Department was able to train staff in Functional Family Probation (FFP) to identify what services youth need and deliver home intervention.

Commissioner Levine inquired if parents are notified when there are behavioral/mental health incidents. Commissioner Levine advised to include that information in writing. Mr. Vinetz clarified that parents are notified when there are behavioral/mental health incidents and amendments will be made to include that statement in writing.

AB 878 Update

Acting Deputy Director Luis Dominguez stated that August 24, 2018 is the deadline for the AB 878 policy to be finalized. An update will be provided at a future meeting.

The Probation Department's Policy for Housing LGBTQ Minors

Acting Deputy Director Luis Dominguez stated that on January 2018 there was a motion by the Board of Supervisors and identify concerns for housing Lesbian, Gay, Bi-sexual, Transgender, and Queer (LGBTQ) minors. Mr. Dominguez went over the draft policy; upon intake, youth are asked how they identify themselves and their answers are documented. The youth will either receive a referral to Mental Health or Health Services to insure the youth's needs are met. Youth are asked where they would like to be housed. If the youth wishes to be house with gender other than birth sex, there is a Multidisciplinary Team (MDT) referral. The MDT will then make a recommendation on housing the minor to management and the Director of the facility. Usually youth are placed where they wish to be placed. Mr. Dominguez stated that recently this practice was put in place at Camp Scott with a minor who identified as female but had not undergone the procedure. The minor graduated from Camp Scott and Juvenile Court House Services providing the youth with services. Mr. Dominguez stated that training was provided for institutional staff at camps and halls. When it comes to clothing, the Probation Department accommodates LGBTQ minors with requests. Showers for LGBTQ minors are scheduled at different times for privacy.

Commissioner Swartz suggested the use of appropriate pronouns be included as part of the training of staff. Acting Deputy Director Luis Dominguez stated that the use of appropriate pronouns is included in the staff training.

V. PUBLIC COMMENT

There were no public comments.

VI. OLD AND CONTINUED BUSINESS

President Gardner went over his written memorandum titled "Probation Commission Transition to Probation Oversight Commission" and ongoing Probation Commission concerns and issues regarding prevention of solitary confinement, mental health and

substance abuse, conditions at Central Juvenile Hall, Use of Force including the use of pepper spray, improving staff training to institutionalize reforms, reform grievance system, asses the Probation Department oversight of group homes, asses operations associated with adult supervision, family engagement including availability of transportation, and implementation of exit or post-detention strategies to prevent recidivism.

President Gardner stated he met with Saul Sarabia and was informed that Mr. Sarabia would like feedback from the Probation Commission and is interested in having a future meeting in between the Probation Commission meetings to discuss the Probation Reform and Implementation Team (PRIT). A future meeting will be arranged.

Commissioner Yamashiro stated he will discuss with the Probation Reform and Implementation Team (PRIT) Executive Director Saul Sarabia regarding giving the Probation Commission invitation notices to the PRIT meetings.

The Commission discussed they received less than a 12-hour notice to one of the PRIT meetings. Commissioner Yamashiro clarified the PRIT is not a Brown Act body. Commissioner Kaplan asked if the Probation Commission can receive prompt notice from PRIT.

Commissioner Yamashiro reminded the Commission that less than a quorum can meet with the PRIT and suggested forming small teams that can meet with PRIT at a time.

VII. ANNOUNCEMENT

President Gardner announced that there will be Use of Force Training for Leadership, coordinated by Deputy Director Dave Mitchell. Set dates will be announced in September or October. Deputy Director Dave Mitchell stated the Probation Department is currently finalizing the policy and looking for a vendor that can provide the original training. The start date will be some time in October. The Commission will be invited once dates are set up.

President Gardner reminded the Commission about site inspections and stated the due date to complete inspections is on November 8th, 2018.

Commissioner Meredith announced that on August 27th, 2018 he will teaching recruits the ethics silence class which is now state certified and will be moving up to the DPO I Academy.

Commissioner Meredith announced that on September 10th and 11th of 2018 the A32 training will begin and invited the Commission.

Commissioner Meredith announced that on August 24, 2018 marks the 50th anniversary of the loss of the Los Angeles Fire Department and Probation Department Crew 4-4 and

there will be a memorial on August 23, 2018. Commissioner Meredith announced that on September 2, 2018 marks the 63rd anniversary of the loss of the Los Angeles Fire Department and Probation Department Crew 5-1. Commissioner Meredith stated that the city of La Mirada gave recognition to Crew 4-4 and he is working on getting recognition for Crew 5-1.

Acting Deputy Director Luis Dominguez announced that on Saturday August 25, 2018 the Probation Department will be hosting a family resource fair at Central Juvenile Hall. There are 44 confirmed Community Based Organizations (CBOs) and vendors passing out flyers for family engagement from 2-5 P.M.

Deputy Director Dave Mitchell announced that the County Quantity and Productivity Awards nominated Campus Kilpatrick for the highest award. The results are to be announced soon.

VIII. ADJOURNMENT

President Gardner adjourned the meeting in memory of the Los Angeles Fire Department and Probation Department Crew 4-4 and Crew 5-1. The meeting was adjourned at 11:51 A.M.