



**STATEMENT OF PROCEEDINGS FOR THE
REGULAR MEETING OF THE PROBATION COMMISSION
KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE AVENUE, ROOM 864
LOS ANGELES, CA 90012**



Thursday, October 24, 2019

10:00 AM

Present: Commission President Gardner, Commissioner Caster, Commissioner Seaver, Commissioner Yamashiro, Commissioner Herbon, Commissioner Martinez, Commissioner Swartz, Commissioner Shutan, Chief Deputy Sheila Mitchell, Deputy Director Luis Dominguez, Deputy Director Howard Wong, Deputy Director Dalila Alcantara, Nicole De La Torre

Attachment: [Audio Transcript](#)

I. ADMINISTRATIVE MATTERS

Commission President Joe Gardner welcomed all and called the meeting to order at 10:00 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.

1. Excused Absences: Commissioner Levine
2. Roll Call

II. APPROVAL OF MINUTES

Meeting minutes for September 26, 2019, were rejected by the Commission.

III. PROBATION DEPARTMENT

4. Provide Report and Data on the Probation Officer Reserve Program.

Deputy Director Ron Barrett provided the status and function of the Probation Department's (Probation or Department) Reserve Program overseen by Joan Pera. The Department assembled a committee of managers to evaluate the role and efficacy of the current program and will report back with recommendations by the end of December 2019.

The Commission inquired about the number of reserves the Department currently has and if there is training schedule for incoming reserves. The Commission

Commissioners

Joe Gardner-President,

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

recommended that the Department assign someone ensure the Reserve Program committee is progressing with its evaluation.

Speaker(s): Deputy Director, Ron Barrett

Action Item(s): No action items requested.

5. Provide information on K-9 drug searches in Probation Department detention facilities and of youths under supervision of the Probation Department.

Deputy Director Howard Wong provided the Commission with information on the infeasibility of having K-9 units assigned to each camp and hall:

- K-9 work a maximum of 4-6 hours per day;
- The maximum duration time of a search is 15-20 minutes;
- K-9 cannot work seven days a week;
- Dual purpose dogs take longer to train than single purpose K-9 dogs;
- K-9s become complacent when searching the same areas, CDCR assigns their K-9s regionally;
- Funding limitations - cost of employing K-9 handlers is 2.5 million per year; 1.3 million for subsequent years;
- Current contract allocates \$100,000 a year, includes 2-3 unannounced monthly visits and as-requested visits.

Probation Department plans to purchase one dual purpose K-9 to dedicate to the halls/camps. Contracted K-9 units perform perimeter searches and specific area checks upon requested.

The Commission inquired why staff searches aren't conducted upon entering the facilities and asked how many staff contraband investigations are substantiated.

Deputy Director Luis Dominguez reported that employees must consent to locker searches and the Department had an average of one substantiated case per year from 2015-2019.

The Commission requested statistics regarding contraband found by facility and inquired if searches could be extended to parents, community-based organizations, and LACOE staff.

Mr. Dominguez reported the following data since January 2019 to present:

- Central Juv. Hall, 65 K-9 hits, majority were vaping pens
- Los Padrinos, 96 K-9 hits, majority were vaping pens
- Barry J., 80 K-9 hits, majority were vaping pens

Chief Deputy Sheila Mitchell reported that the Departments goal is for all facilities to

be contraband free. If a K-9 detects a scent in staff area, the employee is called in and search consent is requested and defers to its probable cause policy.

Commission inquired about the protocol for instances when contraband is found and if youth's attorney contact information readily available and notified.

The Department stated that law enforcement is present when minors are questioned, youth is mirandized and asked if they would like to have their attorney present during questioning. Contraband is typically found in common areas such as sockets, outside areas, recreation rooms, and school rooms.

Speaker(s): Sheila Mitchell, Probation Chief Deputy,
Luis Dominguez, Probation Deputy Director,
Howard Wong, Probation Deputy Director
Dalila Alcantara, Probation Deputy Director

Action Item(s): Probation Department to provide answers on the following questions from the Commission:

- Is it possible to have a neutral observer (possibly Public Defender) at facility during K-9 searches?
- Are youth informed in the orientation packet that K-9 searches are conducted?

6 Response from the Probation Department and actions taken regarding report of youth-on-youth violence that occurred during the evacuation of Barry J, Nidorf Juvenile Hall on October 11th.

Probation Department stated that there are several active investigations being conducted by Jennifer Donnell with Probation Internal Affairs (IA). Rosters were sent out once youth were identified and attorneys contacted to communicate with their clients.

The Commission expressed concerns regarding reports that some of the buses that transported youth were not supervised by Probation or Sheriff staff. Per Commissioners Meredith and Shutan, they witnessed two Probation staff and two Los Angeles Sherriff Department (LASD) staff get on each bus. Probation policy states that if there is a disturbance while transporting youth, staff is to arrive to a safe location and in some cases California Highway Patrol or other law enforcement are contacted for assistance.

Commission expressed concern with the tools used to restrain transported youth and their ability to manipulate out of the restraints. Probation reported that due to urgency for evacuation, four-man chains/plastic flex cuffs were used. Probation reported that Probation staff were present on the buses and in compliance with LASD policy. The Commission inquired why IA is investigating, instead of LASD and questioned if

Probation is cooperating with the LASD investigation. It is understood by the Commission that IA will facilitate the initial investigation and make referrals to LASD if required. Probation indicated that IA's Criminal Investigation Unit is qualified to conduct these types of incidents and the Department is cooperating with sending information to LASD for investigation when applicable.

Celeste Freeman, Witness LA, inquired about the number of Probation staff on each bus. It's her understanding that assaults occurred on buses without Probation staff and referred to an email from Chief McDonald to the Board of Supervisors. Ms. Freeman stated that the configuration of two of the buses did not allow enough room for two Probation staff to be present and offered to publish a correction to a published news article the if information was incorrect.

The Department stated that there were no Probation staff present in the holding tanks; however, was compliant with LASDs policy of having Probation staff on each bus.

Commission expressed concern with time it took to provide care for youth once they arrived at Los Padrinos. Probation stated youth received immediate care by staff and nurses upon arrival.

Commission inquired if the Department had previously trained with LASD on emergency bus evacuation. Probation did not have previous training with LASD bus evacuations; the Department evacuated in the quickest most efficient manner available.

Speaker(s): Sheila Mitchell, Probation Chief Deputy,
Luis Dominguez, Probation Deputy Director,
Howard Wong, Probation Deputy Director,
Celeste Freeman, Witness LA

Action Item(s): Probation to provide the Commission with the configuration of all the buses used in evacuation.

Chief Mitchell will follow up with Jennifer Donnell and Chief regarding IA investigations.

The Probation Commission will receive, exchange, distribute information, conduct discussion and take possible action relevant to Item #4 and #5

V. GENERAL PUBLIC COMMENT

- 7. Opportunity for members of the public to address the Commission on items of interest within the subject matter of the Commission. Three (3) minutes are allowed, per person, on each agenda and non-agenda item with a total of 15 minutes for public comments unless the Commission sets alternative limits or other allocations of time**

No public comments were received.

VI. BUSINESS CONTINUED FROM PREVIOUS MEETING

8. **Report from ad hoc subcommittee established to review Probation Department's emergency and disaster preparedness (Commissioner Shutan and Commissioner Meredith).**

Sub-committee to provide report to Commission regarding status of Probation Department's emergency and disaster preparedness once allowed. Item will remain on the agenda.

9. **Continued discussion of August 13, 2019 Board Motion drafted by Supervisors RidleyThomas and Kuehl – "Restructuring the Juvenile Justice System: Building a HealthFocused Model" and our participation in the Youth Justice Work Group to be co-convened by the Chief Executive Officer and the Executive Director of the Office of Diversion and Re-Entry.**

Commission showed 17 minutes of footage from Board of Supervisors meeting regarding the direction it intends to go in the creation/function of the Probation Oversight Committee.

The Probation Commission will receive, exchange, distribute information, conduct discussion and take possible action relevant to Items 6, 7 and 8

VII. COMMISSIONER REPORTS AND UPDATES

None

VIII, ANNOUNCEMENTS

10. **Inspection reports for Halls and Camps must be completed and submitted to the Chair by November 14th**

All inspections must be completed by November 14, 2019.

The Department provided a package of the following inspections: Nutritional health, medical, and Management Services bureau inspection. Missing inspections: fire and health and safety inspections.

Commission President directed Commissioners to request missing inspections from the facilities Directors and reminded the Commissioner to use the October 2018 template when completing their reports.

Pending inspections: Glenn Rocky Camp, Central Juvenile Hall, and Campus Kilpatrick

Action Item(s): Probation to provide Commission with electronic copies of fire and health and safety inspections.

11. Annual election of officers will take place on January 9th, 2020.

Commissioner Gardner directed anyone interested in holding Commission leadership positions to contact the current Commission and announced that elections will be submitted via a formal letter.

12. Next Probation Commission meeting will be Thursday, November 14, 2019, at 10:00 A.M. in Room 372 at the Hall of Administration.

VIII. ADJOURNMENT

The meeting was adjourned.