



COUNTY OF LOS ANGELES PROBATION COMMISSION
9150 EAST IMPERIAL HIGHWAY
DOWNEY, CALIFORNIA 90242
(562) 940-2754

Part I.

2019 Annual Report

December 18, 2019

Part II.

Primary Focus

Due to the limitations of its resources and human power, the Probation Commission has focused primarily upon the young wards in County Juvenile Probation institutions.

Our focus for youths has been to review the operations, policies and procedures of the Probation Department. Each year, members of the Probation Commission routinely visit and conduct state-mandated inspections of juvenile halls and camps. They also respond and evaluate reports from the community regarding incidents of abuse, violence and other critical incidents. We measure the responses from the Probation Department to determine if they meet appropriate, contemporary standards.

The Probation Commission draws from the subject-matter expertise of its appointees to formulate recommendations and provide advice to Chief Probation Officer and other leadership of the Probation Department. Members of the Probation Commission include child advocates, attorneys, retired law enforcement officers, a retired prosecutor, a jurist, a retired member of the State Assembly, an engineer and non-profit executives.

We promote humane treatment, better health, education, vocational training, and aftercare programs to mitigate the antisocial behavior of minors in the County's detention system. The Probation Commission works and uses its influence to collaborate with the Probation Department to redirect minors into a mainstream of the community where they can become productive members of society. These many efforts have remained the focus of the Probation Commission and the Probation Department since and during the United States Department of Justice monitoring of the Los Angeles County Probation Department's Juvenile Custody Facilities.

Part III.

Historical Background

The Probation Commission, originally the Probation Committee, was created in 1903 and is one of the County's oldest official bodies. Established to meet the Welfare and Institutions Code requirements for a Probation Committee in each county with the population more than 6,000,000 in lieu of a county juvenile justice commission, it consisted of not less than seven members designated as "Officers of the County" who were authorized to be called "Commissioners" in official correspondence and in the conduct of official business.

Under provisions of State law (Section 240 of the Welfare and Institutions Code), the Commission is mandatory and, consequently, has a permanent status in county government.

On February 23, 1960, by order of the Board of Supervisors, the Committee was increased from nine to ten members.

In April 1987, at the request of the County Board of Supervisors, the Legislature amended the Welfare and Institutions Code to change the title of the Probation Committee to Probation Commission. In July 1987, this action was signed into law by the Governor as part of AB 1287.

On September 7, 1999, by order of the Board of Supervisors, the Probation Commission was increased from ten to fifteen members.

Part IV

Summary of Commission Activities and Efforts

Over the last four years as president of the Commission, I have been working to improve the quality of mandated inspections of our juvenile halls and camps. We assure minors in custody are treated humanely and in compliance with state regulations. We have collaborated in the past with the Bureau of State and Community Corrections (BSCC) to obtain training and resources for conducting quality inspections.

The Probation Commission completed annual inspections of all camps and juvenile halls as required under Section 229 of the Welfare and Institutions Code. Copies of 2019 inspection reports will be submitted to the Bureau of State and Community Corrections.

The Probation Commission held 22 hearings in 2019, probing into many areas of the Probation Department to review operations and advise to correct deficiencies regarding overall safety and proper treatment of minors. The topics covered are listed below:

- Overview of the Probation Officer Reserve Program.
- Campus Kilpatrick living and re-arrest data after leaving the facility.
- H.O.P.E. Centers, rise in use at juvenile halls (Healing Opportunities and Positive Engagement)
- H.O.P.E. Centers policies and procedures including staff training.
- Reviews of facilities inspections and responses from the Probation Department.
- Confinement of minors and impact on school attendance.
- Overview of Specialized Supervision Plans.
- Department of Mental Health clinicians and Probation staff de-escalation techniques.
- Pepper spray phase-out in response to Board of Supervisors Directive.
- Behavior Modification Program and associated programming.
- Grievance system including log data.
- Trauma Informed Care staff training.
- Staff accountability Plan
- Probation Department and Department of Mental Health Memorandum of Understanding.
- Central Juvenile Hall and community-based organizations.
- Security checks and audit system.
- Dialectical Behavior Therapy staff training.
- Funding for State Peace Officers Standards and Training. (P.O.S.T.)
- Roll out of revised use of force policy.
- Government Identification for incarcerated youth.
- Barry J. Nidorf Juvenile Hall Departmental response to violence and damage at the facility.
- Update from the Probation Department regarding recruitment, hiring, training, retention and evaluation.
- Pregnant minors and how they are treated within the facilities.
- Central Juvenile Hall inspection and the Probation Department's response.
- Juvenile Justice and Crime Prevention Act fund (J.J.C.P.A.) distribution.
- Review of Office of Inspector General report-back to Board of Supervisors regarding ensuring safety and humane treatment.
- Overview of Probation Department gang assessment procedures prior to camp placement.
- Camp Paige inspection, staff shortages and Department's response.
- Probation Reform Implementation Team (P.R.I.T.) update.
- Review procedures regarding restraints and shackling.

- Training for camp personnel and new hires.
- Training manual and list of master trainers.
- Rehabilitative programming in camp system, including program schedules.
- Access to Department monthly and quarterly statistical reports.
- Staff level data throughout the juvenile system.
- Human Resources overview.
- Review of reports of youth-on-youth and youth-on-staff assaults.
- Campus Kilpatrick inquiry on projected re-opening.
- Review of responses to wildfire incidents including evacuation planning system-wide, including emergency provisions.
- Facilities assaults and incident reports.
- Los Padrinos closure and the impact on the community.
- Internal Affairs, data on cases.
- Chief McDonald attendance at meeting and update on the Department.
- Staffing shortages and their effect on LACOE programming.
- S.E.I.U. 685 attendance and presentation on assaults on staff.
- Presentation regarding the Transformative Career Institute at the former site of Camp Gonzales.
- Overview of procedures regarding criminal case filings submitted by the Probation Department, including question and answer session with Frank C. Santoro, II, Assistant Head Deputy, Juvenile Division, Los Angeles County District Attorney's Office.
- Letter to the Board of Supervisors and Chief regarding urgent need for reform of the Probation Department.
- Update from the Probation Department regarding minors evacuated from Barry J. Nidorf Juvenile Hall on October 10, 2019 due to major wildfire.

Probation Commissioners also conducted many activities outside of our monthly hearings. Probation Commissioners travel to County meeting sites and Probation Department facilities. They spend hours at meetings, doing site visits and completing inspection reports. They are referenced below:

As an instructor at the Probation Department Training Center in Pico Rivera, Commissioner Meredith conducted eight-hour courses at the Academy on ethics, including scenarios based on actual incidents. He also taught the laws of arrest under 832 of the California Penal Code.

Commissioner Butler provided to the Los Angeles Sparks Basketball game. Kids and staff attended the Sparks Women's Basketball game at the Staples Center.

The Probation Commission and members of the Probation Reform and Implementation Team (P.R.I.T.) continued to meet various times of the year to discuss and exchange information regarding the operation of the Probation Commission. Members of the Commission worked in the highest spirit of cooperation to assure the timely implementation of the Probation Oversight Commission.

Executive Summary

The Los Angeles County Probation Commission will continue to fulfill its mandate under the provisions of the California Welfare and Institutions Code 229; Which is to annually inspect juvenile camps and halls in Los Angeles County to assure compliance with applicable laws and regulations regarding the health, safety, welfare, and education of juveniles at these facilities. We will continue to serve as advisors to the Chief Probation Officer as authorized under 240 of the Welfare and Institutions Code. We seek to maximize opportunities which positively impact the behavior of all wards and probationers. We will advocate for providing them with educational and vocational services and opportunities. We will continue to advocate on behalf of the wards for access to health and mental health services. Our mission includes working with families, the community. It is important to build inter-governmental and multi-agency cooperation.

Some of our other projects for 2020 are:

- Continued monitoring of conditions at Central Juvenile Hall and advocating for the replacement of the facility to assure a safe and healthy environment for youth and staff.
- Advocating for dedicated facilities and resources within the Department for youth suffering from mental illness.
- Conducting routine monitoring and reviews of data surrounding the use of force and pepper spray within Probation Department camps and halls and advocating for improved training and oversight of line staff and the humane treatment of those under the care and custody of the department.
- On-going review the Probation Department's grievance process for minors, parents and guardians and provide solutions for reform to assure all grievances are handled in a manner that would prevent incidents of abuse within Probation Department facilities.
- Study the feasibility of doing group home inspections under 229.5 of the Welfare and Institutions Code.
- Reviewing and recommending educational or vocational opportunities for youth in camps who already have a diploma or have completed their GED.
- Reviewing transportation issues for parents to improve parental engagement with their children in camps.
- Continue collaborating with members of the Chief Executive Office and Probation Reform and Implementation Team to facilitate timely establishment of the Probation Oversight Commission.

The Probation Commission is keenly aware of the challenges the Probation Department faces. Although the population of minors within the camps and juvenile halls has steadily declined, the Department is now caring for youth with high needs that include post-trauma behavior and mental illness. We believe it is time to expand services at a dedicated mental treatment facility operated by the Department of Mental Health. We also believe the Probation Department should continue to provide peripheral security and support at such a facility. It is also critical to provide resources after minors exit the custody of the Probation Department to deter recidivism.

We have been concerned for some time about the rise in the use of pepper spray and use of force, including assaults on staff which were uncovered in our inspections and revealed in the media reporting. The issue is complex with underlying factors that include lack of training for line staff and supervisors, attitudes about employee discipline, working conditions and temperament

and attitudes of minors entering the system. We also discovered failures to hold minors accountable for offenses committed against staff and other minors while in custody.

The Probation Department must quickly and thoroughly implement dialectical behavior therapy and de-escalation training at all levels of the Department to stem use of force incidents. The Department must continue to bring positive changes within its culture. The Probation Department must make capital expenditures for equipment to collect, manage and track various streams of data so their efforts can be evaluated and measured to ensure good outcomes for youth and adults under their supervision.

The appointees of Board of Supervisors to the Probation Commission voted in solidarity to inform the Board of Supervisors and the Chief Probation Officer of the urgent need for reforms to the Probation Department. A letter was prepared and submitted to the Board in December. The letter (attached) specifically outlined areas of concern and recommendations for improvements.

Members of the Probation Commission are eager to see full and timely implementation of the Probation Oversight Commission. (POC) The Probation Oversight Commission must be a robust body with the resources necessary to perform the important task of oversight of the Probation Department.

The Probation Department has monumental challenges ahead, especially with the departure of Chief Probation Officer McDonald. We, the members of the Probation Commission look forward to working with Probation Department leadership staff to improve the Probation Department to assure the humane treatment of minors under the Department's care and custody.

Respectfully submitted on behalf of the Los Angeles County Probation Commission,



Joe Gardner, President
Los Angeles County Probation Commission



COUNTY OF LOS ANGELES PROBATION COMMISSION
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December 12, 2019

JOE GARDNER
PRESIDENT

To: Supervisor Kathryn Barger, Chair
Supervisor Sheila Kuehl
Supervisor Hilda Solis
Supervisor Mark Ridley-Thomas
Supervisor Janice Hahn

CC: Chief Probation Officer Terri McDonald

From: Joe Gardner
Probation Commission President

**URGENT REQUEST FOR CONSIDERATION AND ACTION TO CORRECT CONDITIONS
WITHIN THE LOS ANGELES COUNTY PROBATION DEPARTMENT.**

We, the members of the Los Angeles County Probation Commission are compelled to submit this letter to inform you of the current state of the Probation Department. We are also providing specific advice to improve safety and enhance operations of the Department. The Department has reached a point in its history that requires a calculated course correction.

With the pending departure of Chief McDonald, the selection of a new Chief Probation Officer will be critical. The Department has endured changes in leadership seven times in the last ten years. With each change in leadership, confidence has been eroded. Members of the Department's labor force have been very vocal about poor working conditions and confusion in the implementation of policies and procedures.

COMMISSION RECOMMENDATIONS

We urge the County of Los Angeles Board of Supervisors to consider taking as much time as necessary to select a replacement for Chief McDonald. The largest probation department in the nation deserves an individual who has the temperament, skills and willingness to remain the Department's leader for the long haul so that reforms can continue to be implemented.

We also urge the Board of Supervisors to direct an extensive exit interview with Chief McDonald to seek her candid assessment of the operations of the Probation Department to identify its strengths and weaknesses. She may hold valuable insight on a possible replacement. Interim appointments from within the department should be considered until the hiring process is complete. The County Board of Supervisors can end this negative cycle of leadership change and internal disruption for the good of the people who work and are under the care and custody of the Probation Department. (See attachment for further recommendations from Commissioner Yamashiro)

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, Randy Herbon, Gale Swartz

"In pursuit of reforms and accountability for better outcomes through oversight, transparency and community engagement."

As part of our mandated function, the Los Angeles County Probation Commission has conducted fifteen hearings this year, covering a wide range of important topics affecting the Probation Department. Throughout the year, our dedicated commissioners have conducted site visits and mandated inspections of the County's juvenile halls and camps and have seen first-hand the day-to-day operations of the Department, including its responses to critical incidents such as brush fire evacuations, riots, assaults and disturbances within the facilities. It is our assessment the following issues must urgently be addressed to reform the Los Angeles County Probation Department. They are listed below:

- Stop further closures of Probation Department facilities to assure some facilities are held in reserve and in a state of readiness to accommodate emergency situations and use as housing for violators who assault staff and other minors. Insulating victims from perpetrators will enhance safety and send a message that such behavior will not be tolerated.
- Physical separation of first-time offenders from repeat offenders and gang-involved youth must be done to assure safety and deter intimidation. First-time offenders must be given every opportunity to succeed and excel during their camp assignments, so they do not recidivate.
- Implement immediate unambiguous and uniform department-wide training on:
 - De-escalation techniques.
 - Well-defined procedures for reporting and handling violent criminal offenses committed against minors and personnel.
 - Use-of-force procedures.
 - Training for individual defense and safety tactics for all hall and camp personnel.
- Full establishment of a dedicated mental health facility operated by mental health professionals with peripheral security provided by the Probation Department to include the implementation of treatment programs that provide a thorough initial assessment during the juvenile camp placement process and throughout the duration of incarceration and beyond release.
- Consistent programming and vocational training for youth across all camps that include:
 - Opportunities for vocation certifications and employment.
 - Fast-track stream of Juvenile Justice Crime Prevention Act funding to qualified community-based organizations to further facilitate programming.
- Establish an independent grievance system in advance of the implementation of the Probation Oversight Commission to assure transparency and accountability.
- Fund Chief McDonald's recommendations to electronically collect and maintain data on the Probation Department's operations so future audits and inspections can track outcomes of minors moving through the detention facilities.
- Replace dilapidated Central Juvenile Hall.
- Assess and divert manpower department-wide to cover staff shortages and maintain staffing levels within custodial facilities to assure safety, facilitate programming and general control.
 - Hold all personnel accountable for absences.
- Allow Probation Department representatives of labor groups to be partners and treated as stakeholders at the table of discussion regarding reforms and improvements to the department.

The Los Angeles Probation Department's stated mission is to rebuild lives. Dedicated employees strive to do this task each day and should expect department leadership to be supportive in furthering this mission. Deterring recidivism is key to protecting our community from crime. The lives and futures of those under that care of department are at stake. Minors under the care of the Department should be afforded every opportunity obtain the skills and education to lead secure and productive lives after their terms of detention are completed.

We must stabilize the leadership of the Los Angeles County Probation Department. The Department has suffered due to instability and it has created cynicism, poor working conditions and minimal care of resident minors. The youth who reside in our camps must receive the rehabilitative services voiced by community stakeholders and promised by the Probation Department under programs like the "L.A. Model."

ATTACHMENT

The selection of a Probation Chief must be a transparent process that includes the public and those impacted by the policies and the failures of the Probation Department.

The selection of every other law enforcement leader in Los Angeles County faces a public process. The Los Angeles Police Department selection process for police chief featured numerous town halls that included all potential candidates. The County Sheriff is elected by voters of the County.

We recommend the Probation Commission hold public meetings featuring the candidates process, fostering transparency and giving stakeholders and community members an opportunity to voice their support or concerns about potential candidates.

Submitted by Commissioner Cyn Yamashiro
November 14, 2019

A vote of the Probation Commission was taken on December 12, 2019 and votes were recorded below. Commissioners who voted in support respectfully submit this letter to the County of Los Angeles Board of Supervisors for their consideration and action.

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