



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



MINUTES OF REGULAR MEETING OF APRIL 14, 2016

The regular meeting of the County of Los Angeles Probation Commission was held on Thursday, April 14, 2016, Kenneth Hahn Hall of Administration, 500 West Temple Street, room 743, Los Angeles, California 90012

I. President Gardner called the meeting to order at 10: 15 a.m.

He informed the Commissioners and all present that the meeting was being recorded for purposes of increasing accuracy of the minutes. He asked that all identify themselves prior to making any statement.

The following Commissioners were present:

President Joe Gardner
1st Vice President Levine
2nd Vice President Hollopeter
3rd Vice President Seaver
Commissioner Kaplan
Commissioner Shutan
Commissioner Meredith
Commissioner Mitchell
Commissioner Caster
Commissioner Jones
Commissioner Butler

The following Commissioners were not present:

Commissioner Holt
Commissioner Martinez
Commissioner Hoover
Commissioner Yamashiro

The following staff and guests were present:

Luis Dominguez, Bureau Chief, RTSB
Patricia Rodriguez, Secretary, Probation Department
Monica Garcia, Special Projects
Michelle Newell, Justice Deputy, District 2
Natasha Kamashian, Public Defender's Office
Cookie Lommel, Local 685 Representative
Cynthia Hernandez, OIM, Probation Department

Commissioners

Joe Gardner-President,

Jan Levine-1st Vice President, Clayton Hollopeter-2nd Vice President, Daniel Seaver-3rd Vice President,
Donald Meredith-Sergeant at Arms, Azael Martinez-Sonoqui, Cyn Yamashiro, Esq.,
Fitzgerald Jones, Gabriella Holt, R.N. E.J.D. Jacqueline Caster, Esq, Jo Kaplan Esq,
Olivia E. Mitchell, Peter Shutan, Zachary Hoover, Betsy Butler

II. APPROVAL OF MINUTES

The minutes of January 28, 2016 were approved. Commissioner Levine moved approval, seconded by Commissioner Shutan.

The minutes of February 25, 2016 were approved. Commissioner Shutan moved approval, seconded by Commissioner Meredith. Commissioner Mitchell abstained.

III. LOS ANGELES COUNTY PROBATION DEPARTMENT UPDATE

Bureau Chief Dominguez advised the Commission that Camp Scott and Camp Scudder were relocated temporarily overnight to Barry J. Nidorf due to a small electrical fire. The actual repairs took 3-4 days. The youth returned without further incident.

Commissioner Kaplan inquired as to where the girls were housed. Bureau Chief Dominguez informed the commission the girls stayed together in a dormitory unit that was available at Barry J. Nidorf.

Reorganization of the Department has commenced. There is an Executive Bulletin (No. 1716, dated 4/8/16) from Chief Remington advising of the changes in responsibility. Phase I of this reorganization includes Internal Affairs and Professional Standards. The other changes are awaiting final timeline from leadership.

IV. DISCUSS LETTER TO BOARD OF SUPERVISORS, WORKING GROUP

President Gardner asked Commissioners to review the draft Letter to Board of Supervisors regarding the Proposal to Improve Oversight of the Probation Department.

Commissioner Seaver expressed support for the document and moved for an additional bullet indicating that the Commission would provide an annual vote of confidence on the performance of the Chief Probation Officer. This motion was seconded by Commissioner Kaplan.

A robust discussion surfaced issues of relationship, roles and responsibility between the Chief and the Commission. The desire surfaced for a positive, collaborative relationship with consistent, responsiveness and meaningful communication. Issues were raised about rights of an employee, the meaning of a "vote of confidence", public critiques of the Chief and communication back to Board of Supervisors.

It was noted that the Commission and the Department are aligned in desire for a high quality Department and quality services. Discussion also surfaced regarding appropriateness of a "vote of confidence," whether it should be communicated in Closed Session and whether it belongs in this document. Motion approved: 7 "yes" votes (Jones, Seaver, Hollopeter, Caster, Kaplan, Butler, Levine) 3 "no" votes (Mitchell, Gardner, Shutan) and one abstention (Meredith).

DISCUSS LETTER TO BOARD OF SUPERVISORS, WORKING GROUP (cont.)

Commissioner Kaplan suggested to add the word 'independent' under the Recommendations, third bullet.

Commissioner Shutan requested language that relates to the opinion of the Legislative Counsel of the State of California dated August 16, 2006 be included. He read the last paragraph of the opinion provided for Hon. Karen Bass and included a footnote:

Section 243: The probation commission shall function in an advisory capacity to the chief probation officer; however, unlike section 229 and 229.5 which sets the duties and powers of juvenile justice commissions, the provision relating to the probation commission do not specifically prescribe the duties of the probation commission. Because Section 225 requires a juvenile justice commission in each county and because section 240 provides that the probation commission is appointed in lieu of a juvenile justice commission, in the absence of any statute specifically setting forth the duties and powers of the probation commission, we think that a court would conclude that the probation commission has all the duties and powers of the juvenile justice commission.

Therefore, we conclude that the probation commission in Los Angeles County is required to inspect publicly administered juvenile facilities located in the county.

And in the footnote 4, "This is consistent with the information contained in the legislative history of Section 240. For example, in regard to proposed legislation changing the name of the Los Angeles "probation committee" to the "probation commission," a committee report stated that the Legislature had merely permitted Los Angeles County to "retain the name of their preexisting committee with the same duties" as those of the juvenile justice commission (SEN. Com. on Judiciary. Rep. on A.B. 1287 (1987-1988 reg. Sess.) as amended May 28, 1987 p.2)

Commissioner Shutan concludes that the State intends for the probation commission serve as the juvenile justice commission. He surfaced the conflict between the State interpretation and that of County Counsel.

Commissioner Levine requested that the phrase "commensurate with the juvenile justice commission" be added to the end of the last sentence of the opinion.

Commissioner Kaplan offered the following amendment: "To receive all audits, reports and studies from the Department Of Justice, academic institutions, and all other governmental or non-governmental agencies regarding Juvenile related issues in the Probation Department." And further to receive the Department's response promptly to these reports.

It is stated that every county has a juvenile justice commission, except LA County. LA County is the only county with a Probation Commission.

Commissioner Caster asked to include a request receive agenda and minutes of all Juvenile Justice Council meetings chaired by the Chief Probation Officer.

Commissioner Gardner will incorporate amendments and circulate the document one more time for review and a vote.

V. JUVENILE SOLITARY CONFINEMENT RESOLUTION LETTER

With respect to final draft stage of the Resolution, Commissioner Gardner shared the Juvenile Solitary Confinement Resolution with Chief Cal Remington who did not express any did objection.

Commissioner Mitchell expressed support for document, recommends change of word to “support” instead of “direct” and shares that the Chief is expected to act with respect to solitary confinement.

Commissioner Kaplan expressed urgency to act on the Resolution since the Commission has been discussing the Resolution since January.

Commissioner Seaver expressed the view that the department is more progressive.

Commissioner Caster calls for a vote, seconded by Commissioner Kaplan. Motion passes 11 yes (Butler, Jones, Caster, Kaplan, Shutan, Gardner, Levine, Seaver, Hollopeter) 2 no (Meredith, Mitchell).

Resolution will be signed and sent forward.

VI. FUTURE AGENDA ITEMS OR PRESENTATIONS

Commissioner Caster requests two updates: 1) a report on the Ombudsman line transition to the helpline and 2) Implementation of the new nutritional standards & how that is proceeding.

Commissioner Levine requests a list of all outstanding requests dating back to December 9, 2015. She requested progress reports in 30 days for paragraphs 6, 7, 8.

Item 6 –Commissioner Levine requested to know how many 18 year olds are in each camp that have graduated from high school. What are the services for these youth? If the Department is in the planning stage: what are the plans and timelines for implementation?

Item 7 – Commissioner Seaver requested a full count on how many 18 year olds are in the program.

Item 8 – Commissioner Yamashiro requested to know how many 18 year olds are in camps and halls that have earned a diploma and do not have programing in the school day.

Commissioner Levin expressed concerned about young people having nothing to do each day, especially in halls. She is also concerned about requests for information that go unanswered.

FUTURE AGENDA ITEMS OR PRESENTATIONS (cont.)

Bureau Chief Dominguez suggested that responses that have been given need to be tracked.

Commissioner Levin expressed concern that youth at Nidorf, youth in the compound needs more access to job training. Commissioners shared programs that they had knowledge of. Commissioner Mitchell shared an overview about P3 grant opportunity for cross jurisdictional work with LA City, LAUSD and LA County focusing on education, workforce readiness. P3 (Partnership 3) is about work-related programs for foster and probation youth.

Commissioner Seaver raised issue re clarifying role and function of the Probation Commission. Discussion around timing and process of this item given the Oversight Commission – working group.

Commissioner Meredith shared that the Oversight Committee –working group is doing extensive work to review what work is being done.

President Gardner requested to calendar the report back from timeline and plan for availability of improved personal items.

Commissioner Kaplan would like to know what the Department is currently doing to assist families in visiting their children.

Commissioner Seaver would like know what the Department is doing to assist youth in obtaining their documents (Birth Certificates, CA identification, Driver's License, Social Security Cards etc.)

Commissioner Seaver asks if the reimbursement policy has been suspended, changed or amended. (Youth reimbursing for their stay in camp)

VII. ANNOUNCEMENTS/ Public Comment

Natasha Kamashian had a question from the audience regarding funding for work force programs and if there are other funds in probation to be used for that program.

Natasha Kamashian had a question re hygiene personals & timelines.

Carlos Leon – AFSCME Local 695. Desires a recommendation from the Board Of Supervisors to the MTA to add bus routes to each Juvenile Hall since many families are transit-dependent. Commissioner Kaplan wonders if appropriate place of action is the Probation Commission.

VIII. COMMISSION/ COMMITTEE INSPECTION REPORTS

Commissioner Hollopeter reports that in conversation with procurement staff he was told that new items have been ordered: underwear is now cloth instead of paper, Polo shirts for girls, and trousers for boys.

With respect to transportation, Commissioner Hollopeter related opportunities for public transportation and challenges in providing transportation for families. He commented on how limited transportation is to the remote camps.

IX. FOLLOW UP INSPECTION REPORTS

Commissioners Hollopeter & Jones visited Challenger. Ms. Hollopeter had a "remarkable visit" & saw "significant changes": two camps can come together in town halls & intermural sports; converting one dormitory into a youth space for activity and workforce skill building. Only one boy was in Special Handling Unit and was released when they were there. Encourages visits to Challenger.

Commissioner Jones noted cultural changes with staff and students. Encourages greater workforce readiness.

Commissioner Seaver recognizes Bureau Chief Dominguez' leadership has supported changes at Challenger. Bureau Chief Dominguez informs the Commission that they will continue to see changes in Bureau.

XI. ADJOURNMENT

Commissioner Gardner reminds Commissioner to send him any work they have done on behalf of the Commission for the monthly summary.

Commissioners are also reminded to visit their camps as assigned as inspections are required.

Commissioner by Commissioners Jones moved to adjourn the meeting. His motion was seconded by Commissioner Meredith the motion was approved and the meeting was adjourned at 11:49 a.m.