

Exploring Best Practice Models in Probation

The Los Angeles County Probation Department (Department) was formed in 1903 – over a century ago – with adult and juvenile services housed in one department overseen by a single Chief Probation Officer. Currently, it is the country’s largest probation department, with an annual budget of \$840 million, 6,600 employees, and over 70,000 youth and adults monitored or served. By comparison, the next largest probation department in California, the San Diego County Probation Department, has a budget and staff only one-fourth the size of the Department. Responsibilities of the Department are vast, and include implementation of adult realignment, operation of fourteen probation camps and three juvenile halls, management of multiple grant programs, and supervision of youth and adults in the community.

Substantial changes in the fields of juvenile justice and criminal justice have occurred since the creation of the Department, particularly in the last decade. This, along with the sheer size of the Department, has raised questions of whether the current structure permits the optimal service-delivery model for serving its clients.

First, the Department has struggled over the years to fulfill its responsibilities. The Department of Justice investigated and monitored Los Angeles County’s (County) juvenile justice facilities from 2006-2015 in response to documented abuse and failure to provide rehabilitative services; an audit conducted by the Auditor-Controller (A-C) found that despite improvements, problems persist. A 2010 lawsuit over failure to provide education to youth in the probation system led to a multi-year settlement

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MOTION BY SUPERVISORS MARK RIDLEY-THOMAS AND SHEILA KUEHL
February 16, 2016
Page 2

agreement. A 2011 analysis by former interim Probation Chief Calvin Remington, titled "Back to Basics" detailed serious issues with finances, management, hiring, and staff conduct. Most recently, audits revealed unspent grant dollars, including \$140.5 million in unspent SB 678 funds and over \$20 million in unspent Juvenile Justice and Crime Prevention Act funds that could have gone to programs in critical need. Collectively, these problems have led to costly litigation, low morale, and inadequate treatment of youth and adults.

Second, there have been several significant policy changes impacting the scope, purpose and future of the Department. As a result of the implementation of AB 109, the adult probationer population has changed and grown considerably since 2011. This has demanded substantial attention and flexibility from the Department. With the creation of the Office of Diversion and Reentry, the Department is now tasked with changing probationary supervision to meet the mental health, housing, educational, and vocational needs of adult clients. This is no easy task.

Simultaneously, there have been profound changes on the juvenile justice side. Well-regarded research on adolescent brain development, positive youth development, and trauma has demonstrated the ways youth are fundamentally different from adults and require different interventions. There is consensus that juvenile justice systems must move away from punitive approaches, which have been shown to be harmful and ineffective, to rehabilitative models centered on healing and growth.

The County has notably reduced the number of probation system-involved youth, down from almost 17,000 in 2011 to just 9,000 in 2015, and focused on serving more youth in the community. The County is currently trying to overhaul its camp system by creating the therapeutic LA Model at the former Camp Kilpatrick, with plans to expand system-wide. Success on the juvenile justice side is contingent upon creating a best practices, holistic culture of treatment and care, consistent with public safety, while rethinking the role of probation officers and leaving behind the law enforcement-only mentality that has permeated the Department. Though the number of youth on probation has decreased, those under supervision represent a higher risk group with

MOTION BY SUPERVISORS MARK RIDLEY-THOMAS AND SHEILA KUEHL
February 16, 2016
Page 3

more serious trauma and needs. Intensive and tailored staffing, resources and attention are needed to effectively serve these youth.

The Department is currently required to serve two dramatically different populations, and it is unclear whether it is set up to successfully implement its various mandates as currently operated. Other jurisdictions have pursued different structures. For example, more than two decades ago San Francisco County split its probation department into adult and juvenile departments with separate chiefs. Other jurisdictions such as Missouri have put at least parts, if not all, of juvenile justice in a child-serving department separate from adult operations.

As the County identifies new leadership for the Department and explores reforms like oversight (on February 2, 2016, the Board voted unanimously to analyze current and future oversight for the Department), there is an opportunity to simultaneously examine the Department's structure, including whether one leader should be tasked with managing it all. Additionally, it is timely for the Board to consider best practice models that may position the Department to achieve its mission of promoting public safety and rehabilitation, which is a critical part of reform and preparing the next probation leader(s) for success.

WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

1. ~~2.~~ Direct the CEO, in consultation with the Interim Chief Probation Officer, to report back to the Board in writing within ~~60~~ 30 days with a draft scope of work for the consultant that includes:
 - a. Working with the A-C, in collaboration with the Interim Chief Probation Officer and the CEO and in consultation with the working group established in the February 2, 2016 Kuehl – Ridley-Thomas Probation Oversight motion, to analyze the logistics of changing the Probation Department's (Department) structure, including dividing the Department between juvenile and adult clients. This includes an assessment of the strengths and weaknesses of the current structure and an analysis of budgets, funding sources, staffing, and operations.

MOTION BY SUPERVISORS MARK RIDLEY-THOMAS AND SHEILA KUEHL
February 16, 2016
Page 4

The analysis should include assessing the total annual federal and state revenues allocated for either adult or juvenile populations and those that are flexible or otherwise discretionary and assessing the fiscal impacts attributable to dividing the Department.

- b. A study of national models and best practices in criminal justice reform (for both juveniles and adults) assessing different exemplars in promoting rehabilitation and public safety.
2. ~~1.~~ Authorize the Chief Executive Officer (CEO), in consultation with the Executive Director of the Countywide Criminal Justice Coordination Committee (CCJCC), Interim Chief Probation Officer, and Auditor-Controller (A-C) to engage a consultant with expertise in probation system reform efforts, criminal and juvenile justice matters, and youth development within the next ~~30~~ 60 days.
3. A finalized written analysis of this research that includes recommendations to the Board on the Probation Governance Model, including the impact on adult and youth clients as well as existing staff, due to the Board in writing within 120 days.

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