



COUNTY OF LOS ANGELES
PROBATION OVERSIGHT COMMISSION
STATEMENT OF PROCEEDINGS FOR THE VIRTUAL
REGULAR MEETING



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MONDAY, DECEMBER 20, 2021, 12:00 P.M.

VIDEO FILE FOR THE ENTIRE MEETING

Attachment: [Video](#)

I. ADMINISTRATIVE MATTERS

1. Call to Order and Roll Call.

Vice Chair Esché L. Jackson called the meeting to order at 12:00 p.m. Wendelyn Julien, Executive Director conducted the roll call:

Present: Commissioner Danielle M. Dupuy, Commissioner Sean Garcia-Leys,
 Commissioner Samuel Lewis, Commissioner Dominique D. Nong, Commissioner
 Cyn Yamashiro, Secretary Dolores Canales, Vice Chair Esché L. Jackson

Absent: Commissioner Donald D. Meredith and Chair Franky Carrillo

2. Approval of the November 15, 2021 meeting minutes.

No members of the public commented on this item.

On motion of Commissioner Canales, seconded by Commissioner Garcia-Leys, and unanimously carried (Commissioner Donald D. Meredith and Chair Franky Carrillo being absent), the Los Angeles Probation Oversight Commission approved the November 15, 2021 minutes:

Ayes: 7 – Commissioner Danielle M. Dupuy, Commissioner Sean Garcia-Leys, Commissioner Samuel Lewis, Commissioner Dominique D. Nong, Commissioner Cyn Yamashiro, Secretary Dolores Canales, Vice Chair Esché L. Jackson

Absent: 2 – Commissioner Donald D. Meredith and Chair Franky Carrillo

Attachments: [Supporting Document](#)
 [Public Comment/Correspondence](#)

II. REPORTS

3. Report from the Los Angeles County Probation Department on the findings and recommendations made by the California Board of State Community Corrections (BSCC) regarding the identified health and safety compliance issues and the Probation Department's progress on these issues.

- Adolfo Gonzales, Chief, Los Angeles County Probation Department
 - Adam Bettino, Chief Deputy, Los Angeles County Probation Department
 - Karen Fletcher, Chief Deputy, Los Angeles County Probation Department
-

Commissioner Dupuy joined the meeting at 12:06 p.m.

Ms. Fletcher provided an overview of the BSCC findings of suitability and the Probation Department's response to those November 2021 findings. She stated that the BSCC representative found two additional areas of concern, room confinement and safety check concerns, but confirmed that the Probation Department took immediate action to address those concerns while the BSCC representative was on site. Ms. Fletcher mentioned that moving forward, the Probation Department will be proactive about addressing outstanding items, and ensure remedied issues are sustained in the long-term.

No members of the public commented on this item.

Commissioner Nong requested to see the instructional room confinement memorandum from the BSCC and inquired about the progress on translating the BSCC recommendations into policies and procedures at the Probation Department. In response, Ms. Fletcher mentioned that she will follow-up with County Counsel regarding the requirements for releasing the internal memorandum. However, she shared that the room confinement issue was related to various transitional time periods. Ms. Fletcher further added that the specific room confinement time periods will be clearly defined and incorporated into the revised policies and procedures.

Mr. Bettino and Ms. Fletcher responded to Commissioner Jackson's inquiry by confirming that a compliance team has been assembled to ensure that the Probation Department is continuously maintaining compliance with Title 15 of the BSCC requirements moving forward. Ms. Fletcher stated that ongoing quality assurance and documentation in the institutions are performed by Probation Department managers, the compliance team, and BSCC experts.

Commissioner Yamashiro inquired about members of the compliance team and how the team was composed. Ms. Fletcher shared that the current compliance team is a cross section of individuals who were initially part of the DOJ compliance team. She added that there are site specific BSCC experts for Barry J. Nidorf and Central Juvenile Hall, but BSCC experts visit other juvenile hall sites to conduct training and provide oversight. Ms. Fletcher mentioned that the onsite managers provide 24-hour monitoring.

By Common Consent, there being no objection (Commissioner Donald D. Meredith and Chair Franky Carrillo being absent), the POC accepted Ms. Fletcher's verbal report.

Attachments: [Supporting Document](#)
[Public Comment/Correspondence](#)

4. Report on updates from the Los Angeles County Probation Department on the implementation of the plan to phase out the use of Oleoresin Capsicum (OC) Spray.
 - Adolfo Gonzales, Chief, Los Angeles County Probation Department
 - Adam Bettino, Chief Deputy, Los Angeles County Probation Department
 - Karen Fletcher, Chief Deputy, Los Angeles County Probation Department

Mr. Bettino reported that about 150 Probation Department staff have been trained, with the newest cohort being new recruits. He mentioned that the feedback from staff and Commissioners have been positive and valuable, and trainings will continue to be provided on a rolling basis with the goal of having all staff in the Detention Services

Bureau trained by June 2022. A comprehensive report on the use of OC spray was provided with the agenda. To avoid speculations, Mr. Bettino emphasized that specific data points on OC spray usage incidents are still being gathered but shared that most of the incidents are in the day rooms. Although OC spray has not been removed from any units, he stated that an increase in daily quality programming is needed as well as deeper internal discussions between the Probation Department and labor partners.

No members of the public commented on this item.

Commissioner Dupuy inquired about the processes for increasing the number, frequency, and types of programs. Mr. Bettino mentioned that this is a question that the Probation Department is researching now. He shared that the Probation Department would like to build a comprehensive foundational approach to the offered programs so that all the youth in every facility are receiving similar services from staff, county partners, and the community. Ms. Fletcher added that this evidenced-based approach in incorporating a structured programming schedule would allow staff and the youth to know what to expect. She highlighted that it is important to have a structured set of programs in the institutions so that if providers are unable to fulfill a slot of training or programming as scheduled, staff can engage the youth with appropriate programming to avoid defaulting to games or television. The members of the POC's Programs and Services Ad Hoc Committee asked to be involved and kept abreast of these evolving programming changes.

Mr. Bettino responded to Commissioner Garcia-Leys' request by confirming that the OC Spray data can be further disaggregated to identify incidents by people who have been trained, started the training, and those who have not been trained.

Commissioner Canales inquired about the Probation Department's volunteer committee and the volunteer clearance form. Mr. Bettino stated that he will look further into what the actual volunteer process is.

Commissioner Nong expressed appreciation for the implementation of the course evaluations and asked if the OC Spray data can be broken down by location also. Mr. Bettino clarified her concern about the types of collected evaluations by stating that evaluations are broken down by module as required by the state. He added that a before and after analysis has not been developed. In response to Commissioner Nong's inquiry about the "Other" category on the OC spray report, Mr. Bettino said he would have to look at individual incidents to provide examples of incidents in that category to see if OC Spray is being used in individual cells.

Mr. Bettino clarified Commissioner Yamashiro's inquiry by stating that the OC Spray statistical data is from June 1, 2021-December 12, 2021. Commissioner Yamashiro inquired about the amount of chemical used during each deployment and the number of youth impacted by each deployment. Mr. Bettino confirmed that there is existing data on the number of youth impacted by each deployment, but he will gain clarity on how that data is being captured. Lastly, Commissioner Yamashiro inquired about the processes and policies for staff bringing their own OC Spray into the facilities. Mr. Bettino said that that are various check-in and check-out processes for the OC Spray and is not aware of any incidents of staff bringing their own OC spray, but he will seek further clarification.

Ms. Julien shared that the Programs and Services Ad Hoc Committee has requested an inventory of the programs and services being offered by the Probation Department. She strongly encouraged Commissioners to attend the Probation trainings. In response to Ms.

Julien's inquiry, Mr. Bettino stated that discussions about voluntarily surrendering OC Spray and not equipping new recruits with OC Spray are underway with labor partners.

Commissioner Garcia-Leys suggested that the next report verify if bringing in personal OC Spray is considered contraband, and if it can be confiscated.

By Common Consent, there being no objection (Commissioner Donald D. Meredith and Chair Franky Carrillo being absent), the POC accepted Mr. Bettino's verbal report.

Attachments: [Supporting Document](#)
[Public Comment/Correspondence](#)

5. Report on progress the Los Angeles County Probation Department has made towards implementing the *L.A. Model* at Campus Kilpatrick pursuant to the September 21, 2021 Board of Supervisors' motion regarding reaffirming and expanding the *L.A. Model*.

Ms. Julien provided an overview of the motion and shared some of the items that require reports from the Probation Department. She highlighted the overlapping goal areas between the motion and POC's operational goals such as education in the halls and camps, collaboration between county and community stakeholders, and accountability via comprehensive staff training. Ms. Julien discussed relevant parts of the discussion in the report about implementing a charter school. She requested further clarification on how the Probation Department envisions bringing Campus Kilpatrick to its specific capacity of 45 non-secure youth considering the impacts of moving the current 14 dispositioned secure track youth, and an explanation on how the *L.A. Model* will be implemented despite the staffing challenges at Campus Kilpatrick. Ms. Julien reiterated that the POC's role is to ensure that premises of the motion are being fulfilled.

Mr. Bettino shared several roadblocks that the Probation Department has faced with implementing the *L.A. Model* such as Campus Kilpatrick's school-rated capacity (number of heads and beds according to BSCC requirements) being 45, precautions with mixing populations of secure track and non-secure track youth, providing adequate educational services based on the various educational levels of the secure track and non-secure youth, and feasible housing remedies and alternatives for employees who work 56-hour shifts. Despite these roadblocks, Mr. Bettino shared the proposed renovation projects to accommodate the preferences of the increased youth and staff populations at Campus Kilpatrick. He emphasized that interagency stakeholder approvals (including labor) must be obtained prior to any changes being implemented.

Mr. Bettino stated that the Campus Kilpatrick staff and partners will begin their interagency *L.A. Model* training by February on dialectical behavior therapy (DBT) and other therapeutic approaches to growth and development. He shared that the Youth Development Division (YDD) manages the Credible Messenger Program, which the Probation Department will be implementing into its programs and services. Ms. Fletcher added that there have been shifts in assignments in hopes of infusing the *L.A. Model* to all the Camps and Halls.

No members of the public commented on this item.

Mr. Bettino responded to questions from Commissioner Nong posed regarding staffing at Campus Kilpatrick. Mr. Bettino informed everyone that there are currently 18 youth and an average of 25 staff at Campus Kilpatrick. He highlighted several factors causing delays in

secure track youth transferring to Campus Kilpatrick which include assessing each youth's readiness to engage and participate in programming at an alternate site, creating an environment that feels safe for the secure track youth and staff, and partnering with labor to negotiate bonuses for staff assigned to work with the secure track population. Mr. Bettino explained the different levels of staff, specifically the Deputy Probation Officers (DPOs), and how level three DPOs with treatment and counseling experience are being reintroduced. He suggested that the smaller staffing model at the Dorothy Kirby Center is ideal so that secure track youth have a complement of supervision and clinical staff working with them.

Commissioner Nong raised a concern about proposed volunteer hours in the facilities being decreased from eight hours per day to four hours per week. Mr. Bettino mentioned that he will look further into identifying any obstacles to this initial proposal.

Mr. Bettino mentioned that there are currently no agreed-upon alternatives to the 56-hour work week. In response to Commissioner Nong's recommendation that the POC support the Probation Department on this issue, Ms. Julien introduced the POC's new Project Director, Sarah Gongora, and confirmed that the POC will begin preparing a research-oriented proposal around the 56-hour work week and its alternatives.

Commissioner Lewis shared how implementing new programming at the facilities has been challenging due to the daily time allotments for youth such as meals, recreation time, education, and visitations. Despite the COVID-19 limitations and vaccination requirements, he emphasized the importance of community organizations sharing space to have as much positive impact on the youth as possible.

Commissioner Garcia-Leys shared that a charter school can be implemented with proper support from partners or legislation. He further expressed how a recent visit at Campus Kilpatrick revealed how daunting moving over 14 secure track youth could be if not carried out effectively. Mr. Bettino reassured Commissioner Garcia-Leys that despite the hurdles that have risen, the Probation Department is in constant communication with labor and other stakeholders to identify the safest alternative in the and shortest time frame possible. He reiterated that secure track youth are currently being offered services and programming at Barry J. Nidorf.

Ms. Julien stated that multiple Commissioners have suggested inviting labor to discuss their perspective at the next meeting and will extend the invitation.

By Common Consent, there being no objection (Commissioner Donald D. Meredith and Chair Franky Carrillo being absent), the POC accepted Ms. Julien's verbal report.

Attachments: [Supporting Document](#)
[Public Comment/Correspondence](#)

By Common Consent, there being no objection (Commissioner Donald D. Meredith and Chair Franky Carrillo being absent), the POC recessed at 1:28 p.m.

The meeting reconvened at 1:40 p.m.

III. DISCUSSIONS

6. Discuss and take appropriate action on the 2021 annual inspection updates of the Los Angeles County Probation Juvenile Halls and Camps.

- Erica Reynoso, Project Director, Probation Oversight Commission

Dr. Reynoso explained the findings from the attached 2021 annual inspection report. She highlighted the purpose of the report, how the data was collected, and expectations for next year's inspection report.

Ms. Julien emphasized that the POC is required by law to conduct these annual inspections and report the Commissioners' observations to the BSCC. Ms. Julien expressed how this report serves as the baseline for subsequent reports to share any progress, trends, and concerns with the BSCC, the Board of Supervisors, and the public.

Having conducting several inspections, Commissioner Jackson emphasized the incongruence between policy and practice.

Commissioner Canales lifted up the importance of showing the youth they are being heard and the POC and Probation Department collectively have a vested interest in their well-being. Mr. Bettino added that the Probation Department is looking to immediately address the clothing and nutrition issues.

Commissioner Lewis raised a few concerns surrounding implementing immediate change and family connection. He emphasized how quickly practices can be adjusted followed by policy change by partnering with the supervisors and superintendents at the facilities. Commissioner Lewis stressed the importance of youth being able to visit with their families, and teen parents frequently visiting with their children. Mr. Bettino clarified the Probation Department's policy on family visits and mentioned that they are addressing the disparities between policy and practice.

Krista Newble and Mae Ackerman-Brimberg addressed the POC.

Dr. Reynoso explained how the staff ratios were calculated in the report.

Commissioner Jackson asked that the POC inspection report and the BSCC suitability findings be clearly defined. Dr. Reynoso concurred that the two reports are parallel, and the POC will be closely partnering with the BSCC representative on overlapping subject areas. Ms. Julien highlighted that the POC is not the oversight body that inspects for suitability for youth. She emphasized that the POC inspects facilities from a layperson's perspective on a regular basis to get to know the staff, the young people, and encourage the Probation Department to exceed the BSCC's minimum Title 15 standards. Commissioner Jackson asked for clarity on what happens with the reports that are submitted to the BSCC and how much weight do they carry.

Commissioner Dupuy uplifted that COVID should simultaneously be considered when revising visitation policies, not an afterthought. Ms. Julien concurred and emphasized the importance of balancing the COVID health priorities while still offering adequate programming and services to the youth.

Commissioner Nong expressed concern with the number of reported staff. She suggested that the POC propose BSCC regulation recommendations using feedback and observations during the POC facility inspections. – Juvenile title regulations,

Commissioner Jackson proposed a motion to submit the 2021 POC Inspection Report to

the BSCC. Commissioner Canales seconded the motion. Commissioners Dupuy and Nong made friendly amendments to the motion.

On motion of Commissioner Jackson, seconded by Commissioner Canales, and unanimously carried (Commissioner Donald D. Meredith and Chair Franky Carrillo being absent), the Los Angeles Probation Oversight Commission approved the submission of the 2021 POC Inspection Report:

Ayes: 6 – Commissioner Danielle M. Dupuy, Commissioner Sean Garcia-Leys, Commissioner Dominique D. Nong, Commissioner Cyn Yamashiro, Secretary Dolores Canales, Vice Chair Esché L. Jackson

Absent: 3 – Commissioner Samuel Lewis, Commissioner Donald D. Meredith, and Chair Franky Carrillo

Attachments: [Supporting Document](#)
 [Public Comment/Correspondence](#)

7. Discuss and take appropriate action on the POC's role in the December 1, 2021 motion by the Board of Supervisors on Decarceration of Girls in Los Angeles County.
 - Wendelyn Julien, Executive Director, Probation Oversight Commission
 - Erica Reynoso, Project Director, Probation Oversight Commission

Ms. Julien explained the details of the Decarceration of Girls' motion and the POC's role in ensuring this motion is carried out successfully. She clarified why the motion focuses on girls and how the Probation Department separates the population into two discreet groups (girls and boys) with the understanding that there are non-binary and trans youth in both groups. Ms. Julien emphasized that the POC will work to eliminate obstacles by ensuring that alternatives to incarceration are being considered by the multi-disciplinary teams working with the youth. She expressed the importance of sharing data, and concluded with reading a statement from Supervisor Hilda Solis, First Supervisorial District.

Mae Ackerman-Brimberg, Oscar Canales, and Mel Bailey addressed the POC.

Ms. Julien shared that although the decarceration of all youth is a priority, addressing a smaller group (35 girls) is the first step in segueing into a department-wide decarceration movement because the Probation Department has already categorized this population. Furthermore, she stated that the decarceration movement falls under the umbrella of Youth Justice Reimagined (YJR) to maintain the low population census of youth.

Commissioner Lewis emphasized that decarceration should begin with the smallest group first to ensure the process is successful, and then enhance and enlarge it to address other defined groups.

Commissioner Jackson shared her sentiments from conversations she has had with youth during her inspections. She expressed how the youth are eager for change, and excited to be change agents within their own lives.

Attachments: [Supporting Document](#)
 [Public Comment/Correspondence](#)

IV. MISCELLANEOUS

MATTERS NOT POSTED

8. Matters not posted on the agenda, to be discussed and (if requested), placed on the agenda for action at a future meeting of the authority, of matters requiring immediate action because of an emergency situation or where the need to take action arose subsequent to the posting of the agenda.

(Not on agenda)

Ms. Julien encouraged everyone to subscribe to the POC mailing list and reminded everyone that the town hall to discuss Secure Youth Treatment Facilities (SYTF) that was scheduled for Tuesday, December 21, 2021 was postponed to Wednesday, January 5, 2022. She also mentioned that the next POC meeting is Thursday, January 13, 2022 and confirmed that a general update on the Probation Department's priorities and immediate next steps to remedy the identified issues can be agendized at a future meeting.

PUBLIC COMMENT

9. Opportunity for members of the public to address the Los Angeles Probation Oversight Commission (POC) on items of interest that are within the subject matter jurisdiction of the POC.

You may submit public comment by e-mail to info@poc.lacounty.gov.

Written public comment or documentation must be submitted no later than 5:00 p.m. the day before the scheduled meeting. Please include the Agenda Item and meeting date in your correspondence. Correspondence received shall become part of the official record.

Oscar Canales, Mel Bailey, and Krista Newble addressed the POC.

Attachments: [Public Comment/Correspondence](#)

V. ADJOURNMENT

10. Adjournment for the regular meeting of December 20, 2021.

Vice Chair Jackson adjourned the meeting at 3:17 p.m.