



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



poc.lacounty.gov

WEDNESDAY, NOVEMBER 16, 2022, 12:00 P.M.

VIDEO FILE FOR THE ENTIRE MEETING

Attachment: [Video](#)

I. ADMINISTRATIVE MATTERS

1. Call to Order and Roll Call.

Chair Carrillo called the meeting to order at 12:02 p.m. Ms. Wendelyn Julien, Executive Director conducted the roll call:

Present: Commissioner Danielle M. Dupuy, Commissioner Samuel Lewis, Commissioner Donald D. Meredith, Secretary Dolores Canales, Vice Chair Esché L. Jackson, and Chair Franky Carrillo

Absent: Commissioner Sean Garcia-Leys and Commissioner Dominique D. Nong

2. Sharing of the Probation Oversight Commission's Annual Report for Fiscal Year 2021-2022.

Ms. Julien explained that the fiscal year is between July 1st to June 30th of each year and encouraged everyone to view the annual report by clicking [here](#).

II. DISCUSSIONS

3. Discuss and take appropriate action on the selection process for upcoming Commissioner vacancies.

- Wendelyn Julien, Executive Director, Los Angeles Probation Oversight Commission

Ms. Julien announced that the Los Angeles County Probation Oversight Commission (POC) will have two at-large Commissioner vacancies. She explained the recruitment process including posting the bulletin, reviewing applications, and voting on final candidates to recommend to the Board of Supervisors (Board) for appointment.

Thomas Bell and Mel Bailey addressed the POC.

In response to Commissioner Meredith's inquiry, Ms. Julien distinguished the at-large Commissioner recruitment from the Board appointed Commissioners.

Commissioner Lewis joined the meeting at 12:18 p.m.

Commissioner Jackson proposed a motion, seconded by Chair Carrillo, to finalize the selection process and to create an ad hoc committee for the selection process. Chair Carrillo recommended that the ad hoc committee be created first, and members identified thereafter.

On motion of Commissioner Jackson, seconded by Chair Carrillo, and unanimously carried (Commissioner Sean Garcia-Leys and Commissioner Dominique D. Nong being absent), the POC approved the creation of a Commissioner Selection Ad Hoc Committee:

Ayes: **6 –** Commissioner Danielle M. Dupuy, Commissioner Samuel Lewis, Commissioner Donald D. Meredith, Secretary Dolores Canales, Vice Chair Esché L. Jackson, and Chair Franky Carrillo

Absent: **2 –** Commissioner Sean Garcia-Leys and Commissioner Dominique D. Nong

Commissioner Dupuy inquired about ability to be part of the ad hoc committee. Ms. Julien mentioned that the selection process may extend beyond December 2022.

Commissioners Jackson and Canales concurred that having resigning Commissioners assist in the selection process would be beneficial.

Commissioner Meredith encouraged the POC to continue interviewing each candidate with two Commissioners on the panel.

Chair Carrillo expressed his support to have the ad hoc committee members confer with resigning Commissioners and staff prior to voting for recommended candidates.

Commissioner Jackson emphasized the importance of resigning Commissioners supporting newly selected Commissioners with the position. Ms. Julien stated that staff will proceed with an initial review of applications as they are received, and next steps in the selection process will be streamlined.

Attachments: Supporting Document
 Public Comment/Correspondence

4. Discuss and take appropriate action on the Los Angeles County Office of Inspector General's report back on the Los Angeles County Probation Department's proposed taser policy and movement of youth from Central Juvenile Hall (CJH) to Barry J. Nidorf Juvenile Hall (BJNJH).
 - Eric Bates, Assistant Inspector General, Los Angeles County Office of Inspector General
 - Dara Williams, Chief Deputy, Los Angeles County Office of Inspector General

Mr. Max Huntsman, Inspector General for the Office of Inspector General, announced that funding was not granted for OIG's oversight function, therefore in-depth investigations are limited due to an obligation for monitoring the Department of Justice (DOJ) Settlement.

Mr. Huntsman and Mr. Bates highlighted their feedback outlined in the report back, which included a recommendation to clearly define and refine terms such as replacing "less lethal force" with "avoiding deadly force." Mr. Bates elaborated on the remaining recommendations.

No members of the public addressed the POC on this item.

In response to Commissioner Meredith's inquiries, Mr. Huntsman stated that OIG reviewed the Sheriff Department's Taser Policy several times over the years. He added that the

Board approved OIG to have an oversight team of eight, but the Chief Executive Office approved four of those positions.

In response to Commission Dupuy's inquiry about the impact that the POC and OIG has on changing the taser policy, Mr. Huntsman explained the POC's advisory capacity.

Commissioner Canales expressed her sentiments on the purchasing of tasers and emphasized the importance of using the tools to make society feel safe.

Mr. Huntsman clarified Commissioner Jackson's inquiry about OIG's ability to provide oversight by reiterating that a staff of eight is needed to perform effective oversight, but OIG has been approved for four positions prior to OIG monitoring the DOJ Settlement and soon Prison Rape Elimination Act (PREA) investigations as well.

Mr. Huntsman clarified that the current draft of the taser policy is inappropriate and should be corrected to protect against the inappropriate use of tasers and consider best practices on their use. Mr. Bates added that the OIG report was sent to the Board on November 7, 2022, therefore, the Probation Department has a minimum of 30 days before purchasing the tasers.

Ms. Julien provided a recap of the last meeting by explaining the Board motion. She explained that the taser policy was still in draft form awaiting approval from Probation's Policy Unit and labor partners.

Commissioner Meredith shared his prior opposition to the taser policy due to requesting the addition of age limitations and encouraged more research on the best taser policy in existence to model best practices.

Commissioner Jackson proposed a motion, seconded by Chair Carrillo, to have Chief Gonzales make policy revisions to the taser policy, to provide greater protections to those against whom it is used, and to incorporate the feedback of the OIG and POC, reporting back 30 days before any purchased.

Commissioner Meredith recommended adding language requesting the policy conform to the best practices with a due date of 30 days before purchasing.

On motion by Vice Chair Jackson, seconded by Chair Carrillo, and unanimously carried (Commissioners Garcia-Leys and Nong being absent), the POC agreed to instruct Chief Probation Officer Adolfo Gonzales to revise the taser policy to provide the greatest protections when tasers are used, and consider the feedback from the Office of Inspector General, the Probation Oversight Commission, and industry best practices with a report back within 30 days before being purchased.

Ayes: 6 – Commissioner Danielle M. Dupuy, Commissioner Samuel Lewis, Commissioner Donald D. Meredith, Secretary Dolores Canales, Vice Chair Esché L. Jackson, and Chair Franky Carrillo

Absent: 2 – Commissioner Sean Garcia-Leys and Commissioner Dominique D. Nong

Attachments: [OIG's Report Back](#)
Public Comment/Correspondence

5. Discuss and take appropriate action on a summary of the Los Angeles County Probation Department's progress towards eliminating the use of Oleoresin Capsicum (OC) Spray in juvenile camps and halls.
- Wendelyn Julien, Executive Director, Los Angeles Probation Oversight Commission
 - Dr. Sarah Gongora, Psy.D., Project Director, Los Angeles Probation Oversight Commission
 - Adam Bettino, Chief Deputy, Los Angeles County Probation Department
 - Karen Fletcher, Chief Deputy, Los Angeles County Probation Department

Ms. Julien shared that the Board approved a motion in 2019 instructing the Probation Department to phase out OC Spray at juvenile halls. She emphasized the POC's core value of transparency and providing factual information to the public supported by research.

Dr. Gongora gave a presentation summarizing the OC Spray deployment data.

Ms. Fletcher mentioned that staffing shortages directly correlate to increased OC Spray deployments when managing youth. She reported significant decreases in OC Spray deployment recently due to increased staffing levels, decreased staff deployments, and staffing consistency.

Mr. Bettino emphasized that there has been a concerted effort to provide additional training to staff but pulling staff into training was paused to accommodate staff deployments to juvenile halls. He mentioned that the two priorities are internal staffing and providing additional clinical support to clients.

Aditi Sherikar, Damon Ayala, Thomas Bell, and Natasha Khamashta addressed the POC.

Commissioner Meredith raised concerns about OC Spray being deployed for disruptive behavior, asked what constitutes disruptive behavior, and noted the significant deployment distinction at Barry J. Nidorf Juvenile Hall (BJNJH) and Central Juvenile Hall (CJH).

Mr. Bettino explained that the spike in September was attributed to a significant staffing shortage at CJH and attributed low weekend deployment rates to field staff (who do not carry OC Spray) being deployed to the halls on the weekend.

Ms. Janice Jones, Senior Probation Director (Superintendent) for the Los Angeles County Probation Department, highlighted that there was a significant shortage of supervisors at BJNJH and CJH. She expressed that OC Spray is the tool that Probation Officers have at the facilities.

Mr. John Baima, Senior Probation Director (Superintendent) for the Los Angeles County Probation Department, explained that most OC Spray deployments is to mitigate youth on youth violence when other de-escalation techniques were not working. He added that many OC Spray deployments were due to increased summer intake, staff on leave, and irregular staffing of facility.

Ms. Valerie Van Kirk, Bureau Chief for the Los Angeles County Probation Department, stated that the Probation Department is offering incentives to supervisors to obtain appropriate staffing levels that are consistent, and stressed the importance of safety for staff and clients.

Commissioner Meredith shared his sentiments on the lack of supervisors in the facilities and differences in communication skills when staff are interacting with people.

Commissioner Lewis emphasized the importance of staff knowing the clients' demographics and affiliations prior to mixing populations. He mentioned that low OC Spray deployment rates on the weekends are attributed to youth anticipating family visits for the day.

Commissioner Jackson requested that the Probation Department acknowledge the recommendations and provide more information to the POC. Ms. Fletcher stated that the Probation Department is reviewing the recommendations and will be providing the information requested in the report.

Commissioner Lewis left the meeting at 1:56 p.m.

In response to Commissioner Jackson's inquiry about measuring training effectiveness, Mr. Bettino mentioned that evaluations are conducted at the end of training sessions but have not been broadened to evaluate specific outcomes over a longer period of time.

Commissioner Jackson requested to view video footage during select time periods to observe interactions between youth and staff leading up to OC Spray deployments. Ms. Fletcher clarified that the OC Spray incidents are reviewed and the Accountability Bureau aid in the early intervention system.

Mr. Bettino responded to Commissioner Jackson's inquiry about how strategy is activated and what prevention looks like by explaining the ideal intervention process for the supervisors and managers including coaching and training. He stated that the early intervention system, that will be a regular reporting system, is being prepared to launch in the coming months.

In response to Commissioner Jackson's inquiry about addressing staffing shortages, Ms. Fletcher explained that there will be an academy graduation in the coming months. She mentioned that the Probation Department is working with the CEO's Office to ensure that there are appropriate staffing levels for safety, security, recreation, services, and programming. Ms. Fletcher stated that with more staffing, the Probation Department can be more effective.

Commissioner Jackson inquired about how communication between staff is conducted when switching shifts. Ms. Jones mentioned that there is a handoff at the end/beginning of each shift, but this has been a challenge because staff have been trying to keep youth out of their rooms and engaged in school during these shift changes. She acknowledged the importance of staff communicating and debriefing between shifts to make sure pertinent information is being relayed to staff.

Commissioner Jackson requested that information preceding the OC Spray deployment incident be included in the future OC Spray deployment reports. Ms. Van Kirk mentioned that this information can be available but will take some time to generate due to the manual retrieval, but a formal request must be made to Ms. Fletcher.

Attachments: [PowerPoint Presentation](#)
[POC's Summary of OC Spray Deployments](#)
[Daily Population Stats](#)
[OC Spray Deployment Reports](#)
Public Comment/Correspondence

III. MISCELLANEOUS

MATTERS NOT POSTED

6. 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.

There were no matters to be placed on a future agenda.

PUBLIC COMMENT

7. 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. one business day before the scheduled meeting to be included on the agenda. Please include the Agenda Item(s) and meeting date in your correspondence. Correspondence received by 5:00 p.m. the same day of the meeting shall become part of the official record.

Thomas Bell addressed the POC.

Attachments: Public Comment/Correspondence

IV. ADJOURNMENT

8. Adjournment for the special meeting of November 16, 2022.

Chair Carrillo adjourned the meeting at 2:16 p.m.