



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



**KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, ROOM 374
LOS ANGELES, CALIFORNIA 90012**

poc.lacounty.gov

THURSDAY, MAY 25, 2023, 12:00 P.M.

AUDIO/VIDEO FILE FOR THE ENTIRE MEETING

Attachment: [Video](#)

I. ADMINISTRATIVE MATTERS

1. Call to Order and Roll Call.

Vice Chair Kakani called the meeting to order at 12:07 p.m. Ms. Wendelyn Julien, Executive Director, conducted the roll call:

Present: Commissioner Dolores Canales, Commissioner Franky Carrillo, Commissioner Samuel Lewis, Commissioner Donald D. Meredith, Commissioner Eduardo Mundo, Commissioner Diane Terry, Secretary Sean Garcia-Leys, Vice-Chair Milinda Kakani, and Chair Esché L. Jackson

2. Approval of the May 11, 2023, meeting minutes.

No members of the public commented on this item.

On motion of Commissioner Kakani, seconded by Commissioner Garcia-Leys, unanimously carried, the Los Angeles Probation Oversight Commission (POC approved the May 11, 2023, regular meeting minutes:

Ayes: 9 – Commissioner Dolores Canales, Commissioner Franky Carrillo, Commissioner Samuel Lewis, Commissioner Donald D. Meredith, Commissioner Eduardo Mundo, Commissioner Diane Terry, Secretary Sean Garcia-Leys, Vice-Chair Milinda Kakani, and Chair Esché L. Jackson

By Common Consent, there being no objection, the order of the remaining agenda items was changed. Agenda 3 was partially discussed first, followed by agenda items 4, 3, 5, 6, 7, and 8.

Attachments: [Approved May 11, 2023, Minutes](#)
Public Comment/Correspondence

II. DISCUSSIONS

3. Discuss and take appropriate action on the Los Angeles County Probation Department's progress on reaching compliance for areas of noncompliance with Title 15 and Title 24 according to recent California Board of State and Community Corrections (BSCC) inspections.

- Guillermo Viera Rosa, Interim Chief, Los Angeles County Probation Department

Mr. Viera Rosa explained that the BSCC found Barry J. Nidorf Juvenile Hall (BJNJH) and Central Juvenile Hall (CJH) unsuitable for the housing of youth and that the pre-adjudication youth leave the halls by July 23, 2023. He stated that the Probation Department will be re-opening Los Padrinos Juvenile Hall (LP) for the current juvenile hall population and continue to house youth dispositioned to secure youth treatment facilities (SYTF) at BJNJH. Mr. Viera Rosa mentioned that the Probation Department has been engaging with county stakeholders to ensure services move with the youth, and that the families are contacted and informed about the staggered transfer of youth.

Ms. Erin Palacios, Attorney for the Youth Law Center, shared her sentiments on the BSCC's findings of unsuitability, emphasized the BSCC's legal obligations, and explained the need for oversight of SYTF. She explained her interpretation of the law as indicates that the SYTF facility needs its own approval including completion of a needs assessment, an operational plan, and a list of improvement areas needs to be outlined so the SYTF can meet compliance standards and operate as a standalone. Ms. Palacios expressed concerns surrounding LP meeting BSCC compliance standards and questioning which standards would be used to approve the reopening of LP. In conclusion, she mentioned that the Probation Department can use additional resources such as its remaining complex care dollars (about 1.98 million dollars), California Advancing and Innovating Medi-Cal (CalAIM), the Catalyst Center, and the State of California to develop plans on addressing child specific needs.

Mr. Viera Rosa concurred that the process is difficult and involves many moving parts, and reiterated that closing BJNJH and CJH as juvenile halls has been a priority since before the BSCC hearing. He mentioned that the timing to execute the plan was not certain until the BSCC hearing, which he reiterated is now within 60 days. He disagreed with Ms. Palacios' interpretation about the need for a separate ruling by the BSCC about the SYTF facility. Mr. Viera Rosa stressed that moving forward, a permanent change in the department is focusing on opportunities for the least restrictive placement alternative every time a youth goes through Probation's intake process.

Rogelio Posada, Arnold Sacks, Aditi Sherikar, and Shirin Senegal addressed the POC.

Commissioner Garcia-Leys expressed appreciation for Mr. Viera Rosa's presentation to the BSCC and asked for clarification on the Probation Department's plans to move the SYTF youth out of BJNJH. Mr. Viera Rosa highlighted that the Probation Department is tracking legislation and motions, acknowledging that BSCC filings have referenced juvenile halls and SYTF population separately, and that the department is working towards addressing the challenges with meeting the BSCC's minimum standards. He added that many things in the plan moving forwards are to exceed minimum standards.

Commissioner Meredith commended Mr. Viera Rosa for striving towards accountability in his plan, which includes a departmental reset by having Probation staff (regardless of rank or position) work a shift in the juvenile hall. In response, Mr. Viera Rosa stressed the importance of having policies aligned with practice.

Commissioner Kakani inquired about the standards being used to ensure LP is compliant with Title 15 and Title 24. Mr. Viera Rosa clarified that the BSCC will identify items that need improvement or changes and he will report back to the POC once those items have been identified.

In response to Commissioner Kakani's inquiry about what the Probation Department is doing to address non-compliant issues, Mr. Viera Rosa stated that the goal is to equip staff with the resources that they need to do the work they need to do, thoroughly reviewing policies, and increasing security to ensure youth and staff feel safe.

Commissioner Kakani inquired about how the plan or vision is being implemented. Mr. Viera Rosa explained that most of the items in the plan take time to implement, but the Probation Department has made significant policy changes so far. He will report back on more specific changes in the coming weeks to the POC.

Commissioner Canales inquired about how the Probation Department is addressing the promotional structure, past issues, and helping staff feel supported. Mr. Viera Rosa emphasized that this is an opportunity to make sure that staff have the right skillsets, directions, policies, accountability, and tools to perform their duties.

Commissioner Carrillo requested insight into the process of leadership selection at LP. Mr. Viera Rosa stated that the new leadership of LP has not been made, but moving forwards, the selections will be made using a multi-disciplinary approach and consultation with the Union on structure will take place.

Commissioner Carrillo inquired about the Interim Chief's approach and sensitivity to the relocation of support staff (clerical, contractors, cooks, landscapers, etc.) who may not have union representation. Mr. Viera Rosa acknowledged that all staff, even those who are not represented by a union, will be part of the change model and part of the larger team.

Chair Jackson expressed the importance of having a performance evaluation system in place so management can make sure that the most equipped people are selected for vacant positions.

Commissioner Terry inquired about how the Probation Department is engaging families and regulating youth during this transition period and clarifying the role of community-based organizations. In response, Mr. Viera Rosa emphasized the need to engage the voices of the youth, their families, and the stakeholders in this transition process, and not just focus on providing information on the transition process.

Commissioner Lewis inquired about consolidating staff from the east camps, improving food quality, and workload of the case workers (concerns around minimized preparation time for multi-disciplinary teams due to working in SYTF). Mr. Viera Rosa explained that all locations are being looked at, there will not be staff reductions, but the workload and assignments of the caseworkers and other staff may change/increase based on the dire needs of the department.

Agenda item 4 was discussed next.

Commissioner Garcia-Leys highlighted the contents of the attached motion, proposed the motion, and Chair Jackson seconded the motion.

Commissioner Lewis requested clarification on the possibility of moving youth out of Los Angeles County and the consideration of SYTF population. Commissioner Garcia-Leys stated that moving youth out of Los Angeles County has been eliminated from the motion on the table, and the SYTF population is specifically carved out of the motion.

Commissioner Lewis inquired about the establishment of a new culture at LP and implementation of enhanced effective practices. Commissioner Garcia-Leys clarified that that elements of the plan are being placed in the Interim Chief's hands to identify.

Commissioner Meredith inquired about the timeline for the motion. Commissioner Garcia-Leys mentioned that there is no timeline in this motion because the Interim Chief is new and may not have a team together yet.

Commissioner Canales inquired if the points related to collaborating with judges to both revise the detention orders and collaborating with law enforcement agencies would add to the stress or mitigate the stress of the justice partners. Commissioner Garcia-Leys stated that the motion recognizes those as opportunities that need to be considered by the Interim Chief while making his plan and publicizing that plan.

On motion of Commissioner Garcia-Leys, seconded by Chair Jackson, carried by the following vote, the POC agreed to formally request the Interim Chief Probation Officer, Mr. Guillermo Viera Rosa, to consider contents outlined in the attached motion in his departmental planning:

Ayes:	5 –	Commissioner Donald D. Meredith, Commissioner Diane Terry, Secretary Sean Garcia-Leys, Vice-Chair Milinda Kakani, and Chair Esché L. Jackson
Noes:	2 –	Commissioner Franky Carrillo and Commissioner Samuel Lewis
Abstain:	2 –	Commissioner Dolores Canales and Commissioner Eduardo Mundo

Agenda item 5 was discussed after agenda item 3.

Attachments:

[Probation's Summary Plan](#)
[POC Motion](#)
[Media/Article](#)
[Public Comment/Correspondence](#)

4. Discuss and take appropriate action on a report on Structured Release, Girls' Decarceration, and the POC's related requests for information to support swiftly reducing the juvenile populations.
 - Wendelyn Julien, Executive Director, Los Angeles County Probation Oversight Commission
 - Felicia Cotton, Acting Chief Deputy, Los Angeles County Probation Department
 - Luis Rodriguez, Division Chief, Los Angeles County Public Defender's Office
 - Erik Rodstrom, Assistant Director, Los Angeles County Bar Association
 - Samuel Abrahamian, Head Deputy, Los Angeles County Alternate Public Defender's Office
 - Lisa Macaluso, Founder & Lead Consultant, Macaluso & Associates, LLC

Ms. Sharon Harada, Bureau Chief at the Los Angeles County Probation Department, provided an overview of the department's structured release process and its progress on

ensuring the least restrictive placements for young people in Probation's custody as outlined in the Board of Supervisors' (Board) March 21, 2023, motion. She reported that the department is in its seventh week of team meetings and has conducted a total of 25 meetings to date, and there is discussion on how to gather all the data. Ms. Harada concluded by discussing strategies that have been used to reduce the population of youth in Probation's facilities.

Ms. Macaluso shared that her focus is to reduce the over reliance on security detention, and explained an alternative to incarceration that was developed for Camden, New Jersey. She highlighted the benefits of a safety valve, its elements, and its effects on decreasing detention populations.

Ms. Julien highlighted key points from Ms. Macaluso's verbal report including a reminder that the referenced document is attached to the agenda, stressed the importance of gathering data on who the young people are, and the need to involve more than just the Probation Department, but all partners.

In response to Commissioner Terry's inquiry about long-term studies to see how the young people are doing now, Ms. Macaluso mentioned that there is an 85% success rate in Camden, NJ meaning the young person came back to court and didn't get rearrested during the pendency of their case and ranges between 75% to 95% in jurisdictions like Kentucky and Florida.

Commissioner Mundo inquired about the number of youths who have been released and the number of youths detained on house arrest since April 13, 2023. Ms. Harada stated that that specific data is being collected and finalized but will soon report back on this data soon as the numbers are received.

Mr. Rodriguez stated that the process recently started, and that once the proposal is prepared, the justice partners must calendar it in court, wait for the court to set a court date to decide whether the judge is going to agree with the release or not, and provide the next court date. He shared that internally, the defense team has had at least four court hearings on structured release, three of which have been approved by the court, and one that has been denied by the court.

Commissioner Mundo highlighted that the Probation Department has 180 intakes per month and four to five intake per day. He inquired about holding meetings within the first 48 hours of intake before the first detention hearing.

In response to Commissioner Kakani's inquiry about the average weekly number of structured release meetings, Ms. Harada confirmed that the average is three to four meetings per week depending on the availability of the partner agencies and attorneys.

Commissioner Kakani inquired about the number of incarcerated youth who had non-Welfare and Institutions Code (WIC) 707(b) felonies, technical violations, and misdemeanors. Ms. Harada confirmed that there were 54 in the first group, and subsequently other young people were detained.

Commissioner Kakani asked for clarification on the issues that have been raised related to the structured release effort and what is being done to address those issues. Ms. Harada explained that distinctions had to be made with the courts and internally about the role of the higher-level team meetings, which is intentionally different than multi-disciplinary team

meetings or transitional multi-disciplinary team meetings.

In response to Commissioner Kakani's inquiry about additional barriers for youth upon release, Ms. Harada stated that the youths need additional support or housing options because of complex care needs.

Commissioner Kakani inquired about the use of the complex care dollars that are dedicated to the complex care needs of young people. Ms. Harada mentioned that she will check which funding that is, and who has access (Probation Department and/or Department of Children and Family Services) to those funds for utilization and referrals.

Commissioner Lewis inquired about a weekly report that includes non-707(b) offenses, misdemeanors, and technical violations from the Probation Department. Ms. Julien explained that a monthly intake log has been requested from the Probation Department but has not been provided.

In response to Commissioner Meredith's inquiry about the intake data requests, Ms. Julien explained the frequency of the intake data requests, and an update on the request.

Ms. Harada mentioned that the Probation Department is gathering intake data as requested by June 10, 2023, and monthly thereafter.

Commissioner Kakani considered modifying the intake data request from monthly to more frequently so the POC can take a closer look at the trends and monitor progress.

Commissioner Mundo inquired about how the intake data in response to the POC's motion is being collected. Ms. Harada stated that the intake data is being collected through the system electronically, not manually, and will include elements that were included in the log.

Commissioner Kakani proposed a motion, seconded by Chair Jackson, to change the frequency of intake data report back from monthly to bi-weekly.

Mr. Dominguez highlighted that more effort, attention, time, and resources should be allocated to the youth's first point of contact with the system, which is where the youth get arrested. He cautioned about duplicative efforts and involving partners who are not supportive and invested in the release of youth. Mr. Rodriguez stated that the court is the ultimate decision maker, so it is imperative that the bench is involved. Lastly, he expressed that partnerships across Los Angeles County departments have been strong, and shared May 2023 statistics from the Los Angeles County Public Defender's Office.

Mr. Abrahamian stressed the importance of having the same mindset of keeping youth out of custody, providing them with resources to get help, and ensuring the youth is on a path of rehabilitation and addressing things that can be done while the youth is the pending process or is pre-dispositioned.

Mr. Rodstrom shared 2023 statistics from the Los Angeles County Bar Association, and shared updates on their progress with assisting their clients seek release. He also acknowledged the improvement from the Probation Department in their interactions and communications once clients are identified.

Commissioner Garcia-Leys inquired about there being hope of decreasing the pre-

disposition population in half within eight weeks. Mr. Rodriguez shared that this is possible, but everyone on the panel must agree and be invested in the process.

In response to Commissioner Mundo's inquiry about tracking when the Probation Department recommends release or house arrest, but the bench goes another way, Mr. Rodriguez, Mr. Abrahamian, and Mr. Rodstrom collectively concurred that it was a great idea that will be taken back to bench for consideration.

Arnold Sachs addressed the POC.

Commissioner Kakani restated a motion, seconded by Chair Jackson, to amend the report back frequency of intake data that was previously passed by the POC approximately eight months ago from the Probation Department connected to who is incarcerated and why they are incarcerated from a monthly report back to a bi-weekly report back.

On motion of Commissioner Kakani, seconded by Chair Jackson, unanimously carried (Commissioner Carrillo being absent), the POC agreed to accept the new report back frequency for the Probation Department to send the POC its intake data log every two weeks:

Ayes: 8 – Commissioner Dolores Canales, Commissioner Samuel Lewis, Commissioner Donald D. Meredith, Commissioner Eduardo Mundo, Commissioner Diane Terry, Secretary Sean Garcia-Leys, Vice-Chair Milinda Kakani, and Chair Esché L. Jackson

Absent: 1 – Commissioner Franky Carrillo

Discussion on agenda item 3 ensued after agenda item 4.

Attachments: Supporting Documents
 [Framework for Camden, NJ](#)
 Public Comment/Correspondence

III. REPORTS

5. Report and possible action from the Los Angeles County Probation Oversight Commission on Oleoresin Capsicum (OC) Spray updates and reminder to watch the Survivor Services Dialogue.
 - Wendelyn Julien, Executive Director, Los Angeles County Probation Oversight Commission

Ms. Julien expressed appreciation to Tanishia Wright from the Los Angeles County District Attorney's Office's Bureau of Victim Services and encouraged everyone to view the recording and attached resources. She added that the Sexual Misconduct Ad Hoc Committee is focused on creating healing dialogues and working with the Probation Department around learning more about practices and policies as they relate to preventing sexual misconduct and investigating cases.

Several attachments related to OC spray are attached to the agenda, and Ms. Julien reported that the POC will continue to collect data and report back on OC spray updates through the phase of out at both facilities.

Ms. Julien concluded her report by commending Commissioners who have conducted

inspections so far as the POC looks forward to completing the 2023 inspection cycle.

No members of the public commented on this item.

Attachments: Supporting Documents
[OC Spray Deployment Reports](#)
[OC Spray Deployment Summary - Updates Through April 30, 2023](#)
[OC Spray Elimination Progress Report](#)
[Resources from 05/22/23 Listening Session](#)
[Public Comment/Correspondence](#)

IV. **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.

(Not on agenda)

Commissioner Meredith commended the reserve probation officers who have volunteered their time and expertise to the Los Angeles County Probation Department and would like to agendize a report back to the POC in August 2023 to encapsulate the service hours and skill sets they have donated to the county.

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, James Maddox, and Mel Bailey addressed the POC.

Attachments: Public Comment/Correspondence

V. **ADJOURNMENT**

8. Adjournment for the regular meeting of May 25, 2023.

On motion by Commissioner Garcia-Leys, seconded by Commissioner Kakani, unanimously carried, the POC adjourned the meeting at 3:01 p.m.