





2021-2022

## Letter from Chair Franky Carrilo

## Dear Members of the Board of Supervisors and the Los Angeles Community,

It has been my pleasure to serve as the inaugural Chair of the Probation Oversight Commission and to work with the extraordinary people serving with me as commissioners and staff.

The first full year of existence of the Probation Oversight Commission (the "POC") is an accomplishment worthy of celebration itself. The result of years of planning and community input through the Probation Reform Implementation Team (the "PRIT"), the POC is the first body of its kind in the nation charged with civilian oversight of the Los Angeles County Probation Department, a department with a budget of over \$1 billion and close to 5,000 employees. No one expected it to be easy, but oversight during 2021-2022 presented unexpected challenges that proved just how important oversight is when the lives and liberties of thousands of youth and adults are at stake.

These unexpected challenges and opportunities included:

- The State of California's decision to close the Department of
  Juvenile Justice and start a phased return of all youth currently in
  state juvenile facilities back to L.A. County, which will nearly triple
  the population of post-disposition youth incarcerated in the county.
- Multiple findings of unsuitability and noncompliance by the Board of State and Community Corrections at the county's juvenile halls.
- The temporary closure of Central Juvenile Hall and crises that followed including multiple assaults resulting in injured youth and staff, cancelled visitation, and other issues.
- An unprecedented staffing crisis caused by leaves and callouts that led to youth missing school, programs, and recreation in the juvenile halls, and necessitating the regular deployment of staff from the field and the Special Enforcement Operations (SEO) unit.
- Transition of Campus Kilpatrick from a juvenile camp to the new Secure Youth Treatment Facility (SYTF) and lingering questions about where the rest of the expected 180 SYTF youth will be housed and how those programs will be run and staffed.
- Questions and concerns about the continued use of Oleosin Capsicum (OC) Spray in juvenile halls and the purchase of tasers for SEO officers.
- The creation of the County's Department of Youth Development (DYD) and the Justice, Care and Opportunities Department (JCOD), giant steps forward toward the goals of Youth Justice Reimagined and Care First, Jails Last.

The POC addressed all these issues, bringing much-needed transparency and public accountability to the process and advising the Board after conducting in-depth research and listening to thousands of voices. In addition, the POC refined the PRIT's 93 reform priorities into four categories, working directly on 9 goals in the first year and impacting dozens of the priorities. With a staff of six plus nine commissioners, the POC developed researched reports on the state of education in the halls and camps, the 56-hour work week, and completed detailed inspections of all open juvenile facilities.

What I am most proud of, however, is not our detailed reports or resolutions to the Board. I am most proud of our outreach and engagement to stakeholders. The POC has been a hotbed of democracy in action. We have hundreds of attendees at every public meeting and town hall and have met privately with countless number of employees, advocates, labor leaders, attorneys, and youth.

We created a public comment procedure for our meetings and town halls that has been lauded by people on all sides of the issues. We have created space for safe, respectful dialogue that includes youth, families, probation employees, advocates, and critics. We have educated each other and found common ground on many issues. While the POC and the Probation Department and its employees have sometimes been at odds at how to go forward, the lines of communication have remained open and optimism for collaborative reform remains.

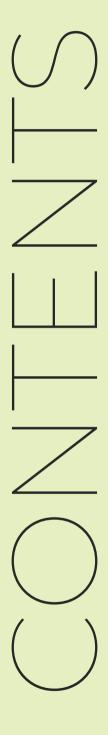
The POC looks forward to continuing our work toward reform. Led by people with lived experience, and people who are dedicated to the principles of Youth Justice Reimagined and Care First, Jails Last, the POC takes its responsibility seriously and will continue to serve as a liaison between the Board of Supervisors, the Department, and the Community to ensure that we are serving our mission: helping the Probation Department achieve accountability, transparency, and healing of the people served by and working for the L.A. County Probation Department.

Sincerely,

Franky Carrillo

**Chair of the Probation Oversight Commission** 

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## Roster

Mr. Franky Carrillo, Commission Chair, First Supervisorial District

Mr. Cyn Yamashiro, Commissioner, Second Supervisorial District

Mr. Samuel Lewis (December 2022-present), Commissioner, Third Supervisorial District

Mr. Robert Saltzman (through November 2021), Former Commissioner, Third

#### **Supervisorial District**

Ms. Dolores Canales, Commission Secretary, Fourth Supervisorial District

Lt. Donald D. Meredith, Commissioner, Fifth Supervisorial District

Ms. Esche Jackson, Commission Vice Chair

Dr. Danielle Dupuy, Commissioner

Mr. Sean Garcia-Leys, Commissioner

Ms. Dominique D. Nong, Commissioner

Wendelyn Julien, Executive Director





### **Mission Statement**

The mission of the Probation Oversight Commission is to re-imagine probation services in the County of Los Angeles to achieve accountability, transparency, and healing of the people served by and working for the Probation Department. The POC creates pathways for community engagement to foster trust between the community and the Probation Department. The POC ensures adherence to the highest ethics and the proper stewardship of public funds to support Probation in achieving the best outcomes for youth and adults on Probation.

In 2019, the Los Angeles County Board of Supervisors (Board) created the Los Angeles Probation Oversight Commission (Commission) pursuant to Welfare and Institutions Code section 240 to serve in an advisory capacity to the Board and the Chief Probation Officer. The mission and goals for the Commission were developed through a multi-year process by the Probation Reform Implementation Team (PRIT) that created a list of <u>93 reform priorities</u> for the Commission.



## **Ordinance**



**ADVISE** - "Advise the Board of Supervisors and the Chief Probation Officer regarding the Probation Department's operations, policies, and the expenditure of funds allocated to the Department; the Department's progress in implementing Board of Supervisors priorities; and other issues deemed material by a majority of the Commission. This includes the authority to review and analyze all necessary information, as permitted by law, solicit appropriate input, and make recommendations to the Board of Supervisors and the Chief Probation Officer on the Probation Department's operational policies, procedures, and practices that affect adult and juvenile probationers and, when appropriate, request a response from the Probation Department on such matters."



**INSPECT** - "As permitted by law, and subject to contractual limitations, conduct unannounced inspections of any facility, and its non-confidential records, where any juvenile probationer can be held or where probationers receive services."



**ADDRESS COMPLAINTS** - "Subject to review and approval by the Board of Supervisors, propose an independent process for receiving and addressing complaints."



**INVESTIGATE** - "Conduct investigations through the OIG, analyze, solicit input, and make recommendations to the Board of Supervisors and the Chief Probation Officer on Probation-related issues or complaints. The Commission will direct and, consistent with County Code Section 6.44.190, evaluate any OIG investigation initiated by the Commission."



**ACCESS INFORMATION** - "Access Probation Department information, documents and testimony necessary to the Commission's oversight function as set forth in this ordinance. The Commission, in compliance with all laws and confidentiality protections, may compel production of such information by directing the OIG to issue a subpoena on the Commission's behalf when deemed necessary by a majority of the Commission. The requirements and procedures for access to, and review and redaction of, confidential information received by the OIG are set forth in subsection J of County Code Section 6.44.190."



**ENGAGE WITH COMMUNITY**- "Establish a community engagement process in compliance with all laws and confidentiality protections."

## **Core Values**

#### **Inclusive Collaboration**

We see each stakeholder as the expert of their experiences and believe the engagement and understanding of many voices can bring a clear direction for the changes that are needed. In practice we:

- Engage all stakeholders and the public
- Value all voices
- Hold space for voices of various viewpoints

#### **Social Justice**

We believe valuing people who have been marginalized and denied voice is imperative to reform work. We promote inclusion, equity, and access to systems and services. In practice we:

- Value inclusion equity and access of all stakeholders
- Represent the interests of the most vulnerable and least represented individuals
- Acknowledge and work to dismantle disparities in the systems in which we work

#### **Transparency**

We believe robust and positive engagement with stakeholders and partners will ensure that changes are long-lasting, equitable, and applicable and that transparency builds trust. In practice we:

- Foster positive interactions and relationships
- Share information widely
- Keep lines of communication open and honest

#### Integrity

We believe operating with authenticity is necessary to inspire others to perform transformational work. In practice we:

- Fact check and Fact share
- Communicate honestly and conduct our work thoroughly.

#### Compassion

We believe in compassion for all people.

Compassion informs our work, validates and supports everyone involved, and remembers that everyone wants to be treated with kindness and respect. We acknowledge injustice and validate and understand the human experience. In practice we:

- Work to understand others' point of view
- Engage everyone with respect
- Understand trauma and its consequences
- Assume best intentions
- · Act out of empathy and understanding

#### Knowledge

We believe knowledge leads to better decisions and reduces bias. Many people have lived and studied the work we are charged to do, and we want to efficiently incorporate ideas already shown to work. We can and must continually strive to learn, improve, and grow. In practice we:

- Are lifelong learners
- Constantly hone our skills and are open to new ideas
- Actively listen

#### Humility

We believe in staying grounded to the truths of injustice. Humility breeds accountability, keeps us objective, and allows for inclusive collaboration. In practice we:

- Prioritize the needs of the constituents we serve
- Practice humility and respect
- Share credit for wins and losses



# POC's Staffing and Budget

The Board appointed the original nine commissioners in late 2020 and hired the first Executive Director, Wendelyn Julien, on February 1, 2021. The inaugural meeting of the Commission was held on February 22, 2021. By July of 2021, the Commission had four staff members. By early 2022, the Commission added a second Program Director and a Community Information Officer, bringing to the Commission's staff to six. The PRIT emphasized in its recommendations the need for full staffing (19 staff positions) of the Commission to successfully conduct oversight of such a complicated department.

The POC operated well within its expense budget due to delays in hiring and to significant savings resulting from the continued use of virtual meetings to protect the public from COVID-19.

MARKET !

**Probation Facilities, Conditions, and Closures** 

#### **INSPECTIONS**

#### **OVERVIEW:**

The Welfare and Institutions Code (WIC), Section 240, requires the Commission to perform documented inspections and evaluations of the buildings and grounds at the County's open juvenile facilities on an annual basis. The Commission has a direct relationship with the Board of State and Community Corrections (BSCC), a statutory agency that inspects for compliance of standards of detention facilities in California. Annual inspection reports are to be submitted to the office of the BSCC Field Liaison annually before December 31st of each year.

#### **OUR IMPACT:**

The Commission's **2021 Annual Facility Inspection Report** elevated concerns related to facilities and created a communication channel of accountability. The Board reviewed the report in detail, calling both the Executive Director of the Commission and the Chief Probation Officer before the Board to discuss the issues elevated in the report. As a result, Probation made several operational changes to address the concerns. The Board also asked the Commission to change the inspection process by communicating health and welfare concerns immediately to the Probation Department, reporting with more frequency to the Board, and requiring the Probation Department to address issues brought up in writing to the Board and the Commission. The immediate reporting of concerns discovered during inspections has enhanced accountability within the Probation Department.

The Commission began the 2022 cycle of inspections in the spring with <u>pre-inspections</u> of Central Juvenile Hall during the temporary closure of that facility and at Campus Kilpatrick in preparation for the transition to becoming a secure youth treatment facility (SYTF). All operating halls and camps will be inspected by December 31, 2022 with detailed reports provided to the Board and the Probation Department.



#### MAINTAIN REDUCED POPULATION IN HALLS AND CAMPS

#### **OVERVIEW**

The PRIT recommendations charge the Commission with seeking ways to shut down older juvenile facilities and replace them with small, home-like, therapeutic environments focused on education and rehabilitation. Additionally, in 2020 the Board unanimously supported Youth Justice Reimagined, a plan to create a "new system" that is "meaningfully different in operations and outcomes from the current system including ... strategies to reduce incarceration and increase diversion and alternatives to detention programs." Later in 2020, the Board passed a **motion** to ensure that the population of incarcerated youth in Los Angeles County continued to decrease. These actions led to the Commission's priority to maintain the low census and continue to find ways to decrease Probation's footprint in the juvenile justice landscape.

Between July 2021 and June 2022, the juvenile population (as shown below) varied some with post-disposition numbers declining in the camps and increasing in the halls, in particular the number of pre-disposition youth due to increased filings, for serious charges, and the new group of youth dispositioned to the "secure track" (often referred to as "SYTF").



#### **OUR IMPACT**

The Commission's impact in maintaining the low census has focused on (1) analyzing data and sharing information with the public; (2) requiring accountability in areas where population numbers have increased; and (3) supporting specific decarceration efforts for girls and gender expansive youth.

The Commission receives daily population statistic reports and in January 2022 began sharing a **monthly report** of population charts. The Commission has inquired about discrepancies and changes in these daily population reports, met with Probation's leadership and other partners to discuss better data collection methods, in particular for gender-expansive youth, and tracked the actual populations at SYTF locations.

The increases in population of pre-disposition youth and SYTF youth are concerning because of the impact on the juvenile halls that are undergoing an unprecedented staffing crisis exacerbated by the decision to temporarily close Central Juvenile Hall in March 2022. In addition, the lack of progress in determining a permanent site for SYTF when the closure of the State's Department of Juvenile Justice (DJJ) is closing in quickly has resulted in significant attention from the Commission. Commissioners and staff have studied and visited sites, reported regularly to the public and the Board regarding concerns, made recommendations for potential sites, and publicly and privately asked questions about the causes in the increased population in these categories including concerns about agencies over-relying on incarceration when alternatives may be available.

In June 2021, the Commission formed a workgroup to examine efforts to decarcerate girls and gender-expansive youth in the County and in November 2021, the Board passed a **motion** to launch the decarceration effort, enlisting the Commission's support in ensuring the project's progress. Since that time, the Commission has played a pivotal role in the Youth Justice Workgroup for decarceration of gender-expansive youth and tracked the Los Angeles County Public Defender Office's success in launching the Transitional Multi-Disciplinary Teams (TMDT) meetings to seek alternatives for girls and gender-expansive youth who are incarcerated. The importance of this work came into a new light when, during the middle of 2022, it was reported that 70 young women are suing the County based on sexual misconduct allegations by Probation employees.

Maintaining the low census will certainly remain a major goal of the Commission in 2023 and is perhaps the area of the Commission's work most directly related to the goals of Youth Justice Reimagined (YJR).

#### **ELIMINATE OC SPRAY IN JUVENILE HALLS**

#### **OVERVIEW**

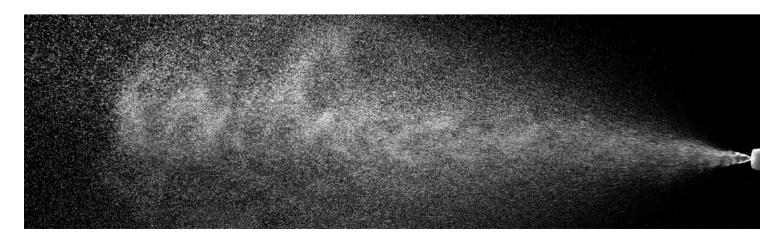
In February 2019, the Board of Supervisors unanimously approved a motion to **phase out the use** of Oleoresin Capsicum (OC) spray in county juvenile facilities. In June 2019, Probation announced a plan to phase out OC spray by the end of 2020. Now three years later, Probation's stalled phase out has resulted in the continued spraying of youth and has repeatedly drawn frustration and outrage from the public and media outlets as a result of non-compliance with the Board's motion.

#### **OUR IMPACT**

The Commission has addressed this issue since by:

- 1. discussing it at dozens of public Commission meetings
- 2. listening to and uplifting the voices of youth and young adults who have experienced being sprayed
- 3. attending and reporting on the desescalation and phase-out training at the Probation training center; and most importantly
- 4. by requesting regular data from Probation to track progress toward a phase out and to monitor any new incidents involving the deployment of OC spray.

The Commission has diligently studied Probation's weekly OC Deployment Reports and published the reports as they are received with the Commission's agenda and on the Commission's website. (OC Spray Deployment and Training Reports) The reports provide a variety of tracking points including the facility and unit each event occurred in, the reported events that resulted in deployment, the number of youth injured by the event that preceded an OC deployment, and number of youth injured by the spray. In Fiscal Year 2022-23 the Commission will share a public—facing data dashboard with this information and a number of reports analyzing the deployment data to encourage the Probation Department to commit to the phase out of OC spray that has been required by the Board and called for by the community.



**Programs and Services** 



#### **OVERVIEW**

While the Commission has followed the Board, the Probation Department and the community in placing significant attention on the present and future of juvenile facilities, the Commission realized early on that the most important element of the Probation Department's success with clients in facilities and in the field relates to the programs and services they are able to provide themselves and through their partners. Guided by the PRIT recommendations, the Department of Justice (DOJ) Settlement (2019), and then Chair of the Board Supervisor Hilda Solis' request related to reviewing educational services in the halls and camps, the POC has spent significant time learning about, reviewing, inspecting, and making recommendations about the Department's programs and services. Probation's programs and services include education, mental and physical healthcare, job readiness, support with accessing services, recreation, the arts, restorative justice, and so many more.

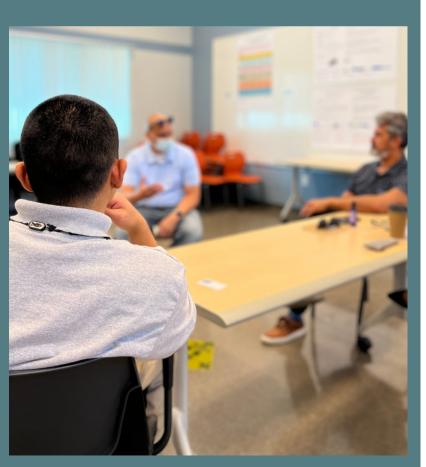
The Department provides daily programs and services for the approximately 475 youth who are incarcerated and also for approximately 150 youth at home on the Community Detention program and tens of thousands of youth and adults on field probation every year. The quality of these programs and correlation with the Board's Care First, Jails Last vision will define the future success of the Department.



#### **OUR IMPACT**

The POC has worked diligently to promote and uplift inter-agency partnership and partnerships with community-based programs to provide relevant programs and services through the following POC initiatives:

- Programs and Services Inventory: The Commission has reviewed contracts, program provider lists, and programming schedules for Probation services in the field and in juvenile facilities.
   The detailed information provided for the facilities is incorporated into each facility inspection to ensure that programs are being provided as presented and planned.
- Education and Programming at Facilities: The Commission researched and inspected
  education programming at juvenile facilities, publishing the findings in its <u>Education report</u>
  and holding multiple meetings to uplift the issues and recommendations of the report. The
  Commission continues to work with the Education Law Collaborative and LACOE to ensure
  continuous positive improvement, compliance with the DOJ settlement and state law, and a
  positive environment for leaning in the classroom in Probation's facilities.



### REPORT ON EDUCATIONAL OPPORTUNITIES FOR STUDENTS IN JUVENILE HALLS AND CAMPS



#### RECOMMENDATIONS

Empower effective principals, teachers, and youth to collaborate with each other and the public to lead site-specific improvement efforts

Encourage students to bring their authentic selves to their academic work.









Integrate arts, cooperative learning, project-based learning, and cultural relevance into classroom instruction.

The Probation Department must give more weight to educational needs when balancing education and safety.









Lesson planning must take better advantage of low staff-to-student ratios

Ensure that the new secure track facility begins with the best possible educational program.





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Probation Department and LACOE's agreement with the California Department of Justice.

Read full Education report at: poc.lacounty.gov/Reports

- Grievances and Complaints: The commission surveyed the Department's Grievance and Complaint policies and practices and made recommendations for improvement in its
   Procedural Report on Grievances and Complaints. During annual inspections, the POC reviews grievances, operability of grievance mechanisms, reviews trends, and informs the Department and the BOS of concerning grievances and trends.
- **Policy review**: The commission has reviewed and has or will make recommendations on the Department's taser, PREA, and use of force policies.
- Citation Diversion Program: Beginning in March 2021, the Commission created a platform for community advocates, youth, families, Probation staff, and members of the public to discuss the benefits and challenges of Probation's Citation Diversion Program including what the program was, how Probation processes the cases, and next steps for transferring oversight authority of the cases. The Commission heard from youth and their advocates who described years of limbo with unknown court dates, fines and fees, and restricted drivers' licenses, all of which impacted their ability to find work, housing, and transportation. In October 2021, the CEO's office recommended moving diversion and prevention programs out of the Probation Department, including Probation's Citation Diversion Program and in November 2021 the Commission approved a resolution to the Board and the Courts asking for an end of the the Citation Diversion Program, waiver of existing citations, and allocation of county funding for the Citation Diversion Program to the Department of Health Services, Office of Diversion and Reentry's Youth Diversion and Development division (YDD) as permitted by law. In February 2022, the Presiding Judge of Juvenile Court issued a standing order to allow the Probation Department to vacate and terminate any outstanding orders and recall and quash any outstanding warrants/holds for Juvenile matters referred to the Citation Diversion Program and ended the program as of April 2022. In May 2022, the Commission obtained updates on progress made on closing citation cases, transferring cases to YDD, and lifting driver license holds.



**Probation Training and Personnel Management** 

#### **OVERVIEW**

While the identified strategic planning topic of Training and Personnel Management has the longest list of PRIT recommendations associated with it, the Commission has only begun in its first year to address these complicated cultural and human resources challenges. This is due to a lack of staff capacity to address this topic and the fact that the Probation Department has spent the year addressing myriad crises related to an unprecedented staffing crisis, BSCC and DOJ compliance, and other issues that have impacted the ability to move forward with cultural changes and training needs.

However, the POC was able to address some individual goals within this area by engaging deeply with Probation employees through regular conversations with labor leaders, a virtual employee town hall, a detailed research project about the 56-hour work week, and the launch of work with the Office of the Inspector General (OIG) to review the Department's discipline process and address concerns about grievances and complaints. Going forward, this will be a major emphasis for the Commission to work toward cultural change in the Department.



#### **OUR IMPACT**

#### 56 Hour Work Week:

POC staff conducted an <u>in-depth study</u> of the history and implications of the use of a 56-hour work schedule currently used to staff Probation's camp facilities. Feedback was provided to Probation and stakeholders regarding the strengths and challenges of continued utilization of the schedule, with emphasis on compatibility with the L.A. Model. Within the study, contact was made with 33 other Probation jurisdictions nationwide which established a lack of popularity and precedence of the schedule's continued use. Interviewing Probation staff and co-located staff employed by other departments illuminated systemic issues for further consideration.

#### **Training**

Currently, there is not a dedicated POC staff resource assigned to tracking Probation Training and Personnel Management, therefore efforts were coordinated between POC staff and Commissioners to:

- Attend live, in-person Probation training modules, and provide qualitative feedback to leadership and trainers;
- Track training aimed at discontinued use of OC spray through monthly reports;
- Apply information shared by more than 50 Probation employees regarding their perceptions
  of workforce training and requests for additional training support during the interview
  process for the <u>56-Hour Work Week Study</u>.

#### REPORT ON THE 56 HOUR WORKWEEK

#### **METHODS:**



**73 Interviews** with current and retired probation line staff, supervisors, admin, DMH, Juvenile Court Health Services staff, L.A. County Office of Education staff, community-based advocates, and youth with lived experience.



Contacted 33 separate Probation jurisdictions outside of L.A. County to capture info on schedules used in states and counties that shared similarities, including county land area size, population, and landscape.





**Over 50 hours** of virtual and in person interviews in and out of L.A. County.



"The study of the 56-hour work week gives us the opportunity to consider its impacts on youth, staff, and reform implementation within the Los Angeles County Probation Department."

Read full report at: poc.lacounty.gov/Reports

## REPORT ON 56-HOUR WORK WEEK RECOMMENDATIONS







A clear set of Departmental goals including a vision for the future of services should be communicated to staff.



A comprehensive training and coaching program with continuous quality improvement process.







Expectations of SDPOS to model and measure practice behaviors must be clarified and standardized.



Formalized shift exchanges are needed at the beginning/end of the 56 hour work week to ensure standardized transfers of information.





A standardized training and protocol for any employee that may be tasked with setting the schedule for staff duties and breaks on the 56-hour work week schedule.



CONTINUED



**Probation Data and Research** 

## IMPROVEMENTS IN DATA TRANSPARENCY

Throughout the year, the POC published monthly juvenile detention population snapshots and quarterly PROBSTAT reports detailing juvenile and adult operations and administrative data. To encourage the regular exchange of data, a Memorandum of Understanding (MOU) was agreed upon to memorialize monthly, quarterly, and annual data updates. The POC continued assessment of Probation's progress toward a functioning data dashboard through regular meetings. While Probation's dashboard launch timeline remains unclear, the POC moved forward in partnership with Information Resource Management (IRM) to envision a POC dashboard to serve as a bridge, publishing data provided by Probation, until the time that the department is able to do so.



**Community Engagement** 





Monday, June 6th 6PM to 7:30PM



- Jarad Nava · State Capital staff member and full-time student
- Youth advocate and juvenile justice activist
- · Story featured in awardwinning documentary, "They Call Us Monsters'



Brittianna Robinson

- Art and culinary creator,

· LAC Youth Commissioner



 LAC Youth Commissioner • Community-based organizer · Youth advocate and mentor

#### SPECIAL GUESTS







WITH LIVED EXPERIENCE

Ezekiel Nishiyama

Nola Brantley, Advocate

Please join us using the link: bit.ly/poctownhall with password POC123

#### **PUBLIC MEETINGS**

Commission meetings are the principal channel through which information regarding crucial topics within the Commission's scope is shared with commissioners, the Probation Department, the community, and other stakeholders.

Seventeen public virtual meetings were held during the reporting period with an average of 124 attendees.

#### HIGH ENGAGEMENT

During this time period, the POC grew its email subscriber list from 3,000 to **over 12,000** people and obtained over 50,000 social media impressions.

### **GET INVOLVED**

## **FOLLOW US** @LACountyPOC









### **SIGN UP FOR EMAIL UPDATES AT:**

poc.lacounty.gov



## ATTEND OUR MEETINGS poc.lacounty.gov/meetings

### 3 WAYS TO ATTEND



Participate: Register for our meetings at poc.lacounty.gov and join via computer or smart phone. Enter the requested information and the event password, which will be emailed to you once your registration is confirmed. Please Note: Comments can only be made by attendees who join via Webex or Zoom.



Watch: Tune into the Facebook Livestream at: facebook.com/LACountyPOC



**Listen**: Call the telephone number on the registration email and enter the corresponding access/meeting code for the town hall you would like to attend.