

REVISED MOTION BY SUPERVISORS HOLLY J. MITCHELL
AND HILDA L. SOLIS

June 28, 2022

Improving School Climate and Safety

All students have the right to learn in a safe and supportive school environment. To foster a positive school climate that accounts for implicit biases, protects students from harm and trauma, and allows all students to ~~be~~ feel safe and supported, the Board of Supervisors (Board) approved a motion on June 8, 2021 requesting a report back from the Youth Diversion and Development Division (YDDD) of the Office of Diversion and Re-entry (ODR) with recommendations on how to achieve this. Key recommendations included: providing training opportunities to enhance intervention strategies and school districts’ capacities to respond to conflicts; increasing direct diversion and service referral pathways from schools to YDDD and community-based providers; creating school partnerships to strengthen supports and service coordination; and creating Youth Empowerment Support Teams to timely respond to harms originating in schools in a restorative and developmentally appropriate manner.

Schools throughout the country contract with – and some have their own – law enforcement agencies for on campus services to improve school safety, and many use law enforcement strategies specifically to prevent school shootings. Unfortunately, researchers find little to no evidence that armed guards and law enforcement in schools prevents on campus shootings. Studies show that law enforcement services have, at best, a limited impact and are not enough on their own to adequately make schools safe.

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In addition, researchers have found [evidence](#) that a law enforcement presence on school campuses can have a [negative impact](#) on students. The [risk](#) of over-criminalization cannot be taken lightly: the probability of negative outcomes for a young person [increases](#), even with a *first-time* arrest, including a decrease in the likelihood of staying in high school, among other concerning indications of educational [achievement](#), [health](#) and well-being. In addition, a recent [analysis](#) found troubling evidence of bias and disproportionate criminalization of Black students resulting from contacts with the Sheriff Department's School Resource Deputies (SRDs) in schools in Los Angeles County (County).

There is sufficient reason to be concerned about the adverse impacts of the SRD program and the County must closely monitor it. More oversight of data collection and reporting is needed to promote transparency and to address the issues identified by researchers as well as school stakeholders. In addition, given the [higher](#) than usual pandemic-era incidents of trauma and anxiety, additional information and data are needed to ensure that students receive the services they need. The County has a broader array of services to offer schools to meet students' needs that are not within the Sheriff's Department's purview.

In recent years, some school districts have developed a robust approach to improving school safety using strategies that address root causes. The Lynwood Unified School District (LUSD) [surveyed](#) students who attend schools in their district on their experience with SRDs, relationships with teachers and staff, and school climate. After identifying problems with school culture, including students reporting feeling unwelcome, overly criminalized, and lacking a sense of belonging, LUSD developed the "Safe Schools Collaborative," which created a set of response protocols for identifying and addressing threats to student safety. This inclusive process, which involved district officials, unions, parents, teachers, law enforcement, and staff, led to a set of action measures and defined roles for all personnel for responding to a range of scenarios, including low-level conflicts and high-level emergencies. Complementing the protocol, LUSD also hired a Public Information Officer and purchased software to identify potential threats or conflicts

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communicated within the school community. The County has an opportunity to support such efforts to develop comprehensive local approaches to school safety.

A growing body of [research](#) finds that services and programs provided in the community can equitably enhance public safety and reduce justice system involvement. [Researchers](#) find that school mental health services improve behavior and school climate and reduce disciplinary referrals. In addition, a review of studies involving participants of restorative justice programs finds that participation leads to a [decrease](#) in exclusionary discipline and harmful behavior, as well as improved school climates. Restorative practices can help students reflect on their actions, develop empathy, and positively impact future decisions. In partnership with YDDD, community-based providers offer a range of diversion services to youth that schools can use to support efforts to improve school climate and safety and equitably reduce reliance on punitive practices, including citation and arrest.

Efforts are underway in the County to expand these services. On November 24, 2020, the Board approved a [motion](#) adopting the [values, vision, and recommendations](#) of Youth Justice Reimagined; committing to transitioning the County's youth justice system to the Care-First model by 2025; and to continue planning and operationalizing this model, including creating a Department of Youth Development (DYD). YDDD provides existing County infrastructure and alternative strategies that can meaningfully improve safety and well-being on school campuses. YDDD's evidence-informed model of pre-booking diversion provides community-based supports and care coordination services to youth. YDDD will soon establish referral partnerships with school districts in the County, and provide learning sessions for school administration, teachers, staff, and students to introduce its provider organizations and broader YDDD services, helping school communities to access providers as a resource for school-based referrals. Additionally, YDDD is preparing to launch supplemental youth development services to begin scaling up for the launch of DYD.

As school communities continue to identify best practices for fostering a safe environment for all students to learn while recovering from the tremendously adverse impacts of the COVID-19 pandemic, the County, in partnership with community

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stakeholders, has an opportunity to implement evidence-based solutions that strengthen school climate and safety that are aligned with the County's Care First vision. The County has the power to take an intentional approach towards supporting schools in their efforts to fulfill its responsibility to provide students with a safe and supportive learning environment.

IWE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

Approve the Los Angeles County (County) Sheriff's Department's (Sheriff) Board Letter dated June 14, 2022 entitled, "Approval of School Law Enforcement Services Agreement for School Resource Deputy Program," (Letter 1) and the Sheriff Board Letter dated June 14, 2022 entitled, "Approval of School Supplemental Law Enforcement Services Agreement for Special Events," (Letter 2) with the following revisions to the Recommended Actions of each Board letter:

(Letter 1) APPROVAL OF SCHOOL LAW ENFORCEMENT SERVICES AGREEMENT FOR SCHOOL RESOURCE DEPUTY PROGRAM

1. Approve the attached boilerplate School Agreement for the period from July 1, 2022, through June 30, 2024~~7~~, unless sooner terminated ~~or extended~~, for the provision of full-time law enforcement services on school campuses through the Department's School Resource Deputy Program (School Program).
2. Delegate authority to the Sheriff to execute School Agreements, substantially similar to the attached School Agreement, with school districts in the County requesting full-time law enforcement services, effective July 1, 2022, or upon execution by the Sheriff, whichever is later, through June 30, 2024~~7~~, unless sooner terminated ~~or extended~~.
3. Delegate authority to the Sheriff to execute any and all amendments to the School Agreements, ensuring any negative fiscal impact to the County is avoided.

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(Letter 2) APPROVAL OF SCHOOL SUPPLEMENTAL LAW ENFORCEMENT SERVICES AGREEMENT FOR SPECIAL EVENTS

1. Approve the attached boilerplate School Supplemental Agreement for the period from July 1, 2022, through June 30, 2024~~7~~, unless sooner terminated ~~or extended~~, for the provision of as-needed supplemental law enforcement services during special events on or near school campuses.
2. Delegate authority to the Sheriff to execute School Supplemental Agreements substantially similar to the attached School Supplemental Agreement, with schools and school districts in the County requesting such as-needed supplemental law enforcement services, effective July 1, 2022, or upon execution by the Sheriff, whichever is later, through June 30, 2024~~7~~, unless sooner terminated ~~or extended~~.
3. Delegate authority to the Sheriff to execute any and all amendments to the School Supplemental Agreements, ensuring any negative fiscal impact to the County is avoided.

IWE FURTHER MOVE THAT THE BOARD OF SUPERVISORS:

1. Instruct the Los Angeles County Sheriff's Department, working in consultation with the Office of Inspector General (OIG), to implement the following recommendations as identified in the OIG report entitled, "Allegations of Racial Disparities in Contacts with High School Students by the Sheriff's Department's Lancaster Station," and provide a report back, in writing, on its progress, in 120 days.
 - a. To reduce the potential racial disparities in the process of referring incidents to School Resource Deputies (SRDs), the Sheriff's Department should work with its County partners and community-based organization stakeholders to formulate standardized referral guidelines with school administrators.

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- i. SRDs should not administer formal school discipline such as detentions, suspensions, or expulsions. These decisions are the sole responsibility of the school administrators and personnel.
- ii. The responsibility and decision to arrest lies solely with the SRD, respective to the federal and state constitutions, state law, County ordinances, and the Sheriff's Department's policies and procedures. Collaboration with school personnel and the SRDs' understanding of each student's needs may impact the decision to arrest but the responsibility is that of the SRD alone.
 1. It is recommended that all SRD contracts clearly define the roles of the school administrators and SRDs to ensure that all district policies, department policies, local laws, state laws, and federal laws are followed and to implement new policies to better define each parties roles and procedures, if necessary.
- iii. SRDs should be specially trained in school-based policing, as their duties and responsibilities are inherently different than those of general patrol deputies. These trainings should be conducted in collaboration with County and community-based service providers who have explicit knowledge in restorative and justice practices for youth.
 1. SRDs should have a working knowledge of: Constitutional and state law, restorative justice practices, cultural competency, youth de-escalation strategies, adolescent mental health issues, crisis planning, crime prevention and mitigation, active threat response, juvenile interview and investigations, crime prevention, patrol operations, advocacy within the juvenile justice system, and mandatory reporting.
 2. SRDs should also be properly trained in empowering youth, promoting resiliency, overall wellness, adolescent brain

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- development, youth social emotional development, recognizing and supporting diversity, improving youth decision-making skills, and youth trauma-informed practices.
3. It is recommended that the school administrator and personnel who will be partnering with the SRD attend the SRD training program.
 4. The Sheriff's Department should work with its County partners and community-based organizations to expand its training curriculum to educate all patrol-related deputies on their opportunity to act as gateways for at-risk youth to non-criminal County services. This training should be refreshed on a regular basis.
 5. Instruct the Sheriff's Department to require all deputies serving as SRDs to undergo additional training consistent with best practices, including, but not limited to, training on Mental Evaluation Team standards, tactics, and practices, to reduce instances of uses of force and the over-criminalization of student behavior while reducing justice system involvement and protecting the constitutional rights of students.
- b. The Sheriff's Department should comply with Government Code section 25303.7 and Penal Code section 13510.8(8) and provide unimpeded access to government records and personnel to permit the OIG to discharge its monitoring and investigative duties.
 - c. The Sheriff's Department should conduct a quarterly comprehensive audit of data points, with review and oversight by the OIG, relating to SRD contacts with youth in the Computer Aided Dispatch System and reconcile those totals with the data reflected in the Sheriff's Automated Contact Reporting System (SACR) system to verify accuracy.
 - i. SRD contacts with students precipitated by a request for service from school staff that require an entry into the SACR system (regardless

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of the manner of how the assistance was requested) should be identified as a “call for service.”

- d. The Sheriff’s Department should provide the OIG with viewing access to all body-worn camera videos and amend its audit policy to provide the OIG with unrestricted viewing access^[1].
2. Instruct the OIG, in consultation with the Sheriff, County Counsel, and other relevant County departments, to analyze SRD contacts for all school districts contracting with the Sheriff’s Department for the 2021-2022 school year to determine if similar disparities in contacts, arrests, suspensions, and expulsions exist outside of Lancaster, and report back in writing in 270 days on their findings. The information should be shared publicly, as allowed by law, with the school districts, administrators, and with the public through the Sheriff Civilian Oversight Commission, within no less than 30 days of the issuance of the report back.
3. Instruct the Sheriff’s Department to provide OIG with accurate data, reflecting all SRD contacts, on a quarterly basis, including all data points identified in the Board’s June 8, 2021, motion titled “Strengthening Oversight of School Law Enforcement Services^[2].”

I FURTHER MOVE THAT THE BOARD OF SUPERVISORS:

1. ~~Instruct the Sheriff to report to the Inspector General (IG), Sheriff COC, and the Board of Supervisors (Board), on a quarterly basis, data on the number of student contacts with sworn personnel providing services under these Agreements, broken down by racial, sexual orientation, gender identity, gender expression, and other demographic categories; arrests and other contact types; and types of incidents where the Los Angeles County Sheriff’s Department’s response and services are requested, including, but not limited~~

^[1]https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/13d916da-eb46-47f2-9d85-aeeb9f3bd8de/2019-00366BWC4thReportBack_Final.pdf

^[2] <http://file.lacounty.gov/SDSInter/bos/supdocs/158962.pdf>

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- to, “willful defiance,” “classroom disruption,” “prohibited item,” “fights,” and “assaults.” This data shall be made available on the County’s Open Data Portal in a reasonably timely manner.
- ~~a. Instruct the County’s Chief Information Officer to report back in writing in 90 days with recommendations on how to ensure the reporting of this data aligns with other County efforts to publicly share justice related data, with the goal of making this information publicly accessible.~~
- ~~2. Pursuant to Government Code 25303 and County Code section 6.44.190, instruct the Sheriff to provide body worn camera footage, as well as the name of the deputy or deputies responding to an incident or request for service, in addition to other requests by the IG and COC for the purpose of performing oversight duties, to the IG and COC within 10 days upon their request, excluding requests from the COC for records that cannot be legally shared with the COC because they are confidential.~~
- ~~3. Require the Sheriff to return to the Board for approval of new future agreements with each school district for school law enforcement services no later than 90 days in advance of the effective date of each agreement.~~
- ~~4. Instruct the Executive Director of the Sheriff COC and County Counsel, in consultation with the Superintendent of the Los Angeles County Office of Education, ; Interim Director of the Office of Diversion and Re-entry, the IG, and then the Director of the Department of Youth Development (DYD) once their tenure begins; they are hired, the IG; Director of the Office of Violence Prevention, ; Sheriff, ; impacted school districts, ; and other relevant County and community stakeholders, to report back to the Board in writing in 180 days with language to amend the Agreements under Letter 1 and Letter 2 revising the “Scope of Services” section, to be incorporated into the extension option amendment, that:~~
- ~~a. More clearly describes the duties of sworn personnel assigned to the School Resource Deputy program, with consideration for the developmental needs of students and how sworn personnel can avoid responding to situations or~~

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~~requests for service in situations that do not require a law enforcement response, including situations involving forms of minor misbehavior or other situations risking unnecessary escalation or criminalization of students. In addition, this language should address the qualifications and experience that a Deputy needs to serve as a School Resource Deputy; clearly explain any disqualifying factors; and address the need for developmentally appropriate, trauma-informed training.~~

- ~~b. Ensures a more accessible, trauma-informed, user-friendly, and developmentally appropriate process for students to make complaints or commendations, with consideration for the need to keep the identity of a student submitting a complaint or commendation confidential unless otherwise required by law or Court order; various issues should be considered, including mistrust of the complaint system, that could deter young people from filing a complaint; the need for a policy and practice for processing verbal complaints as well as complaints shared or submitted on a student's behalf; and the need to protect students and those who submit complaints on their behalf from possible targeting or retaliation, including in instances where a complaint is not initially submitted through a formal process.~~

IWE FURTHER MOVE THAT THE BOARD OF SUPERVISORS:

1. Instruct the Interim Director of ODR, and then the Director of DYD as their tenure begins within 90 days of the beginning of their tenure, to work with school districts located within the Second Supervisorial District that contract for the law enforcement services provided under Letter 1 and Letter 2₂ to do the following:
 - a. Discuss the possibility of the Youth Diversion and Development Division (YDDD) of the ODR providing diversion services through its contracted providers for students ages 12 and older, and negotiate and draft a

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Memorandum of Understanding between the YDDD, which will become the new DYD once it is established, each respective school district, and other relevant parties, for such services unless deemed not appropriate by the Interim Director of the ODR, or the soon-to-be-hired Director of the DYD as their employment begins and the DYD is established.

- b. Discuss the possibility of the YDDD providing youth development services once launched through its contracted providers and negotiate and draft a Memorandum of Understanding for the provision of youth development services between the YDDD, which will become the new DYD, once it is established, each respective school district, and other relevant parties, to be entered into as soon as the Youth Development Network of services is established for that region.
- c. Discuss the possibility of YDDD providing trainings, through a contracted provider, to school staff in restorative practices to expand on the methods for harm prevention and in-house conflict intervention skills as an internal resource and alternative to engaging SRDs; and negotiate and draft any written agreements needed to provide these trainings, to be funded by Second District Discretionary funding. Additionally, these trainings should support the implementation of the diversion and youth development services provided under the Memoranda of Understanding referenced in Directives 1a and 1b.
- d. Further instruct the Director of the DYD, as their employment begins, or any assigned interim proxy, to report back in writing in ~~420~~180 days with the draft Memoranda of Understanding and any other written agreements needed to provide the services referenced in Directives 1a, 1b, and 1c and to notify the Board as to whether the school districts in the Second Supervisorial District that contract for the law enforcement services provided under Letter 1 and Letter 2 have signed these agreements.

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