

MOTION BY SUPERVISOR JANICE HAHN

AGN. NO.
October 22, 2024

Appointing a Compliance Officer to Oversee Probation’s BSCC and DOJ Compliance at Probation’s Juvenile Hall

On August 12, 2024, the Board of State and Community Corrections (BSCC) issued a notice of noncompliance that the Los Angeles County Probation Department’s (Probation) Los Padrinos Juvenile Hall (Los Padrinos) was out of compliance with section 1321, Staffing, of Title 15 of the California Code of Regulations. Probation had until October 11, 2024, to submit a corrective action plan (CAP) that would then be reviewed and either approved or denied by the BSCC. The BSCC has historically provided technical assistance to Probation to help the Department develop a CAP that would be approved, but Probation failed to request and receive this assistance during the months leading up to the due date. Probation submitted their CAP to the BSCC on October 11, 2024, and that same day, received notice from the BSCC that the CAP was denied. According to the BSCC letter, the CAP was not approved, “in part, because we determined that the CAP did not adequately outline how the Department plans to correct the issue of noncompliance, nor did it provide reasonable timeframes for resolution of the staffing deficiencies.” Subsequently, on October 14, 2024, the BSCC sent a formal notice of unsuitability stating that Los Padrinos was not suitable for the confinement of juveniles.

MOTION

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MITCHELL	_____
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BARGER	_____
HORVATH	_____

This is not the first time the BSCC has found a Probation CAP insufficient, and a Probation facility unsuitable for the confinement of youth. In May 2023, the BSCC ordered Probation's two functioning juvenile halls, Barry J Nidorf Juvenile Hall and Central Juvenile Hall, to be closed, as they were out of compliance with a number of State requirements and deemed unsuitable for the confinement of youth. As a result, Los Padrinos, the Department's sole remaining unused juvenile hall, reopened in July 2023, as the only operational facility to house pre-disposition youth. Since then, Probation has received notices of noncompliance with BSCC regulations related to programming and staffing at Los Padrinos. After more than one year of Los Padrinos being reopened, it is clear that the Probation Department continues to struggle to maintain compliance with BSCC regulations or gain compliance with the DOJ settlement agreement.

The Los Angeles Sheriff's Department (LASD) has faced similar challenges with gaining and maintaining compliance with consent decrees, and as a result, Los Angeles County appointed a Compliance Officer within the Chief Executive Office to oversee all matters related to compliance, particularly with the Federal Department of Justice consent decree and the Rutherford settlement agreement. While LASD continues to face challenges at Men's Central Jail, the Compliance Officer has undoubtedly helped the County make significant progress towards compliance with these settlement agreements. It is time that the Probation Department have their own Compliance Officer to help the Department gain and sustain compliance with the BSCC regulations and the California DOJ settlement agreement at Probation's juvenile hall facilities.

I, THEREFORE, MOVE that the Board of Supervisors direct the Chief Executive Officer, in consultation with County Counsel and the Chief Probation Officer, to identify

and appoint an internal Compliance Officer to oversee the Board of State and Community Corrections (BSCC) and California Department of Justice (DOJ) compliance at the Los Angeles County Probation Department's juvenile hall(s). The Compliance Officer should be appointed within 30 days and will be responsible for overseeing and monitoring efforts related to obtaining and maintaining compliance with the BSCC regulations and the California DOJ settlement agreement in the County's juvenile halls. Under the CEO's supervision and authority, the Compliance Officer shall have the powers delegated to the CEO under County Code to coordinate the administration of the involved departments, including Probation, Department of Health Services, Department of Mental Health, Department of Youth Development, and LACOE, with respect to those involved departments' operations at the County's juvenile halls.

I, FURTHER, MOVE that the Board of Supervisors direct the Chief Probation Officer to submit all current and future corrective action plan (CAP) drafts and any related documents supporting the CAP to the Compliance Officer and County Counsel sufficiently in advance of the CAP's due date (no later than 20 days prior to the due date for future CAPs), to allow them to provide meaningful input, and to work collaboratively with them to obtain and maintain compliance.

I, FURTHER, MOVE that the Chief Compliance Officer position will sunset when the County reaches full compliance with the California DOJ Settlement Agreement.

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JH:kc/cc