

February 28, 2023

**MOTION BY SUPERVISOR LINDSEY P. HORVATH**

**Support for Assembly Bill (AB) 1090: Codifying Sheriff Removal Powers and Alternative**

**Juvenile Hall Management**

Last July, the Los Angeles County Board of Supervisors (Board) put the issue of Sheriff accountability before the voters. In a 4-1 vote, the Board approved the motion entitled “Promoting Accountability and Community Safety Through Checks and Balances of the Los Angeles County Sheriff” which authorized a special election for the purpose of voting on an amendment to the County Charter to grant the Board authority to remove the Sheriff, for cause, by a four-fifths vote. Measure “A” (Providing Authority to Remove an Elected Sheriff for Cause) was approved by an astounding 71.84% of Los Angeles County voters.

The Board has also taken bold steps to address lack of accountability in the juvenile justice system by adopting a “Youth Justice Reimagined” model with the goal of moving all juvenile justice functions and duties into the Department of Youth Development. The main impediment to the Board’s “Youth Justice Reimagined” vision are current laws that place juvenile justice almost entirely within the Probation Department’s control. Until State law changes, the Board must adhere to laws and regulations that place primary responsibility for young people in the justice system with the Probation Department. Among other things, current law places juvenile halls under the management and control of the county probation officer including, the authority to

MOTION

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appoint the superintendent and other employees of the juvenile halls.

The County's juvenile halls, historically and presently, have posed significant challenges for the Board. The California Department of Justice has conducted civil rights investigations that resulted in consent decrees on more than one occasion. Just recently, the Board of State and Community Corrections (BSCC) found both County juvenile halls out of compliance with state regulations that provide for the safety and security of staff and young people who live and work in the halls. The BSCC has worked with the Probation Department for more than a year to bring the juvenile halls into compliance without success.

California State AB 1090 (Jones-Sawyer) would authorize the Board to remove a sheriff from office, for cause, by a four-fifths vote. The safeguards and procedural rights set forth in AB 1090 are largely consistent with the charter amendment approved by the Board and the voters, including:

- Written notice to the Sheriff of the allegations giving rise to the removal action
- A reasonable opportunity for the Sheriff to be heard in the way of an explanation or defense
- No effect on the independent and constitutionally designated functions of the Sheriff

AB 1090 would also authorize the Board to appoint an executive officer to manage and control the juvenile halls. Such an appointment, made by a resolution of the Board, would encompass all duties and responsibilities currently placed with the Chief Probation Officer. In addition to challenges in the juvenile halls, the County has had difficulty finding consistent and

effective leadership for the Probation Department. Given the persistent and increasingly disturbing challenges in the juvenile halls, the options provided for in AB 1090 would give the Board an additional tool to manage what is quickly becoming an unmanageable situation.

**I, THEREFORE, MOVE** that the Board of Supervisors direct the Chief Executive Office's Legislative Affairs and Intergovernmental Relations branch (CEO-LAIR) to advocate in support of AB 1090 (Jones-Sawyer), legislation that would authorize board of supervisors to remove a sheriff from office for cause and to also authorize board of supervisors to appoint an executive officer to manage juvenile halls, and other similar measures that give the Board of Supervisors greater direct control over the statutory duties of the Chief Probation Officer. Additionally, direct CEO-LAIR to work with the author to amend the bill, if necessary, to resolve any potential conflicts with Government Code Sections 27771 and 27773.