

Probation Oversight Commission
Oleoresin Capsicum (OC) Spray Deployment Summary
June 1, 2022-September 30, 2022

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, the Los Angeles County Probation Department (“Probation” or the “Department”) published a detailed plan to eliminate chemical agents in the juvenile facilities by “the end of 2020”¹ which intended to bring about “a paradigm shift in juvenile detention services ... based on a move toward implementing alternative approaches to supervision, rehabilitation and behavior management that address the underlying cultural and programmatic issues that lead to use of physical interventions.”² Three years later, Probation’s stalled phase out and ongoing use of the chemical agent in their juvenile halls has resulted in the continued spraying of youth and has repeatedly drawn frustration and outrage from the public and media outlets³ as a result of non-compliance with the Board’s motion.

In response, the Probation Oversight Commission (POC) has requested regular data updates from Probation to track progress toward a phase out and to monitor any new incidents involving the deployment of OC spray. Probation’s weekly OC Deployment Reports provide a variety of tracking points including the facility each event occurred in, unit(s) involved, identification of reported events that resulted in deployment, numbers of youth injured by the event that preceded an OC deployment, and number of youth injuries caused by the spray. The POC analyzes these reports beside other supportive documents provided by Probation to understand the events and any salient contexts that can piece together the story of continued OC spray use. As concerning as the results of this analysis are, the POC must preface this report with the disclosure that the Department has provided varying and inconsistent data about which youth are housed in which unit, thus the POC is not able to make definitive conclusions about who precisely has been sprayed during the four-month period. The POC received documents from Probation that provided conflicting information about where youth were housed and conversations with the Department and in person visits and inspections conducted by POC commissioners and staff resulted in observations that youth have been repeatedly moved between housing units during the reporting period. Given these data gaps, the POC provided an advanced copy of this report to the Department and obtained clarifying information about the units, which is reflected in the analysis here. These discrepancies, however, mean that the POC can only make educated guesses about which groups of detained youth have been repeatedly exposed to OC spray in this report, thus we opted to present the scope of possibilities gathered from what has been provided. The POC looks forward to further clarification and verification of the information herein by Probation.

While the Board and the POC have made clear that no child should be sprayed with OC Spray inside Probation’s juvenile halls, examination of recent OC Spray Deployment Reports indicates a troubling pattern of increasing deployments rather than the anticipated decrease. In addition, the reports generate serious concern that some populations within the halls that may be disproportionately subjected to OC Spray. The recent data appears to demonstrate that the youth being sprayed belong to particularly vulnerable demographics and are overwhelmingly

¹ [PROBATION PRESENTS PLAN ELIMINATING CHEMICAL SPRAY FROM JUVENILE HALL BY END OF 2020 – Probation \(lacounty.gov\)](#)

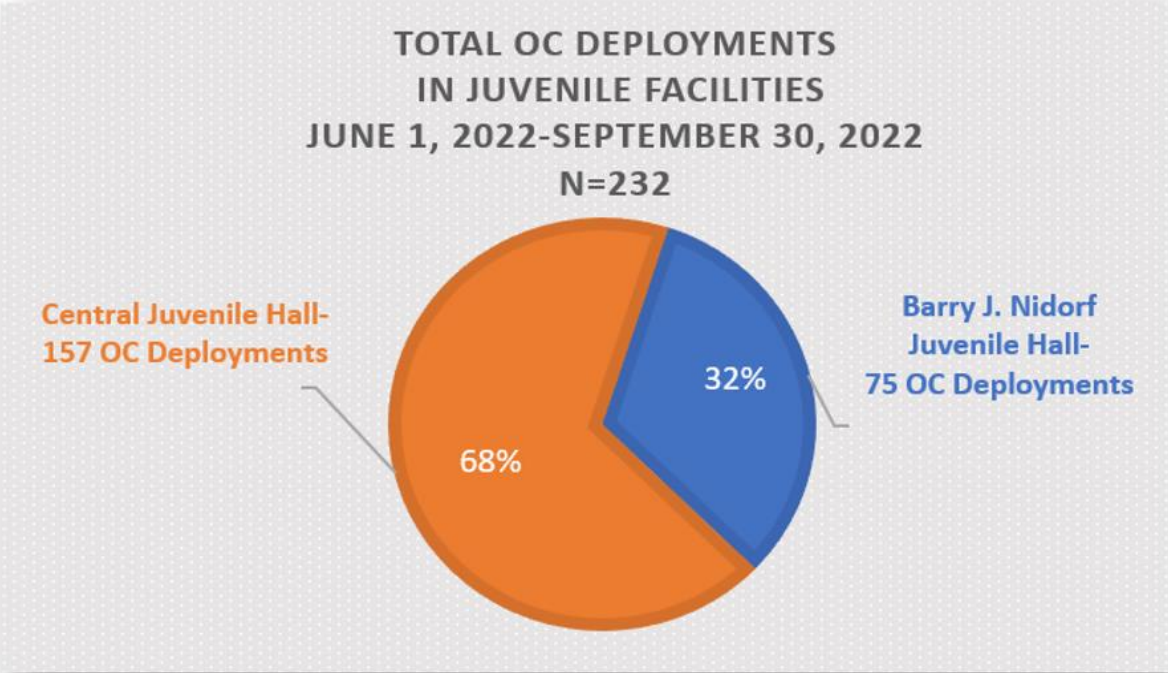
² [1057687_FinalOCPhase-OutandEliminationReportwithAttachments.pdf \(lacounty.gov\)](#)

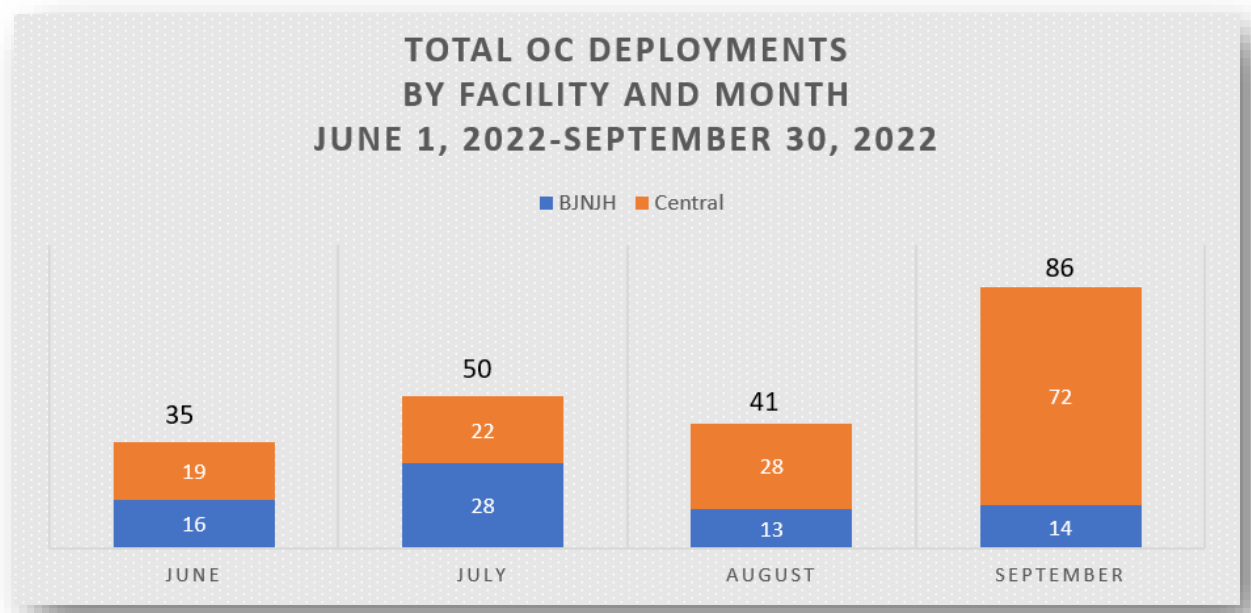
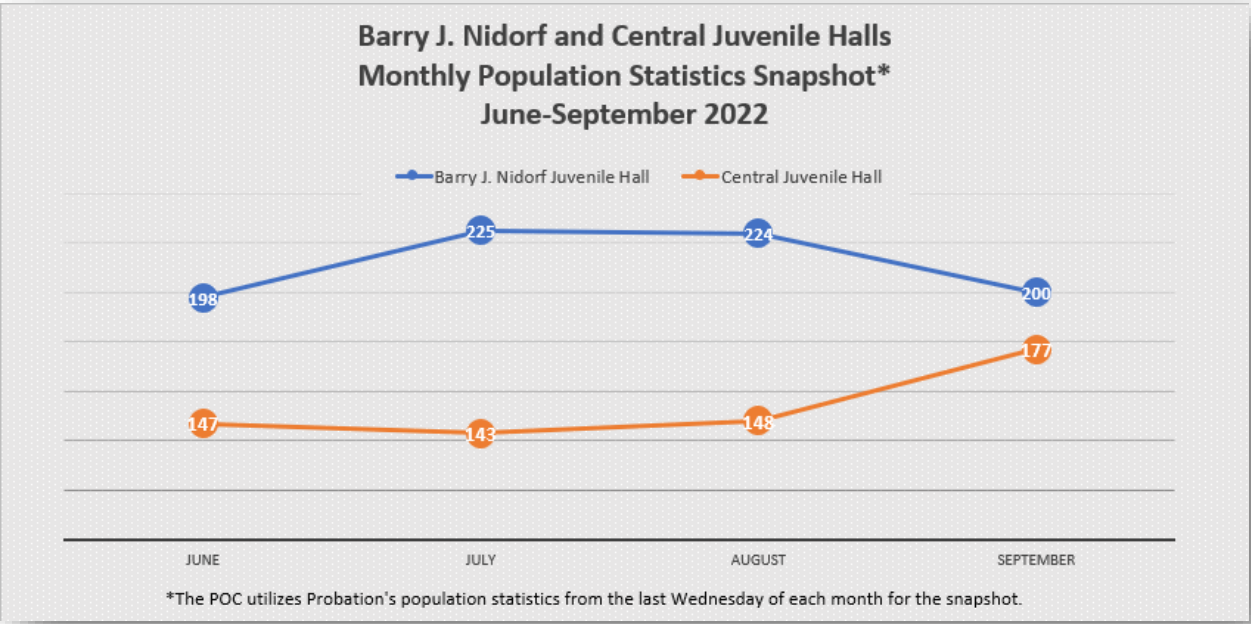
³ [Why Are LA Probation Officers Still Pepper Spraying Kids? | LAist](#)

concentrated in certain units at Central Juvenile Hall. Specifically, the POC would include youth who are identified by the Department as “Developmentally Disabled,” youth who have open cases with the Department of Children and Family Services (sometimes referred to as DCFS, 241.1 youth, or crossover youth, and youth identified as victims of commercial sexual exploitation in the category of higher vulnerability. According to the analysis of the OC spray data, those populations appear to be heavily represented in the units with some of the highest rates of OC spray deployment. Repeated exposure to violence in the juvenile halls that leads to additional compounded and complex trauma for girls, boys, gender expansive youth, young people with serious mental health concerns, and those with developmental disabilities, must end.

This report represents a renewed call to end the use of OC spray in juvenile facilities, and an opportunity for Probation and the County to think critically about the training, interventions, and support that must be implemented for staff to be able to maintain a safe environment without it.

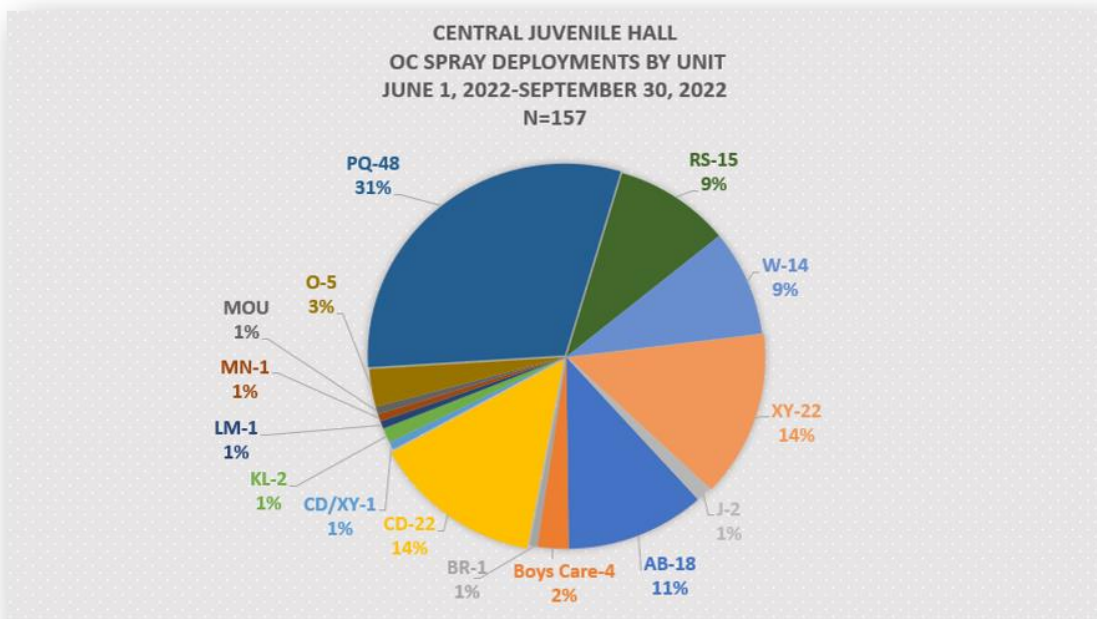
From June 1, 2022-September 30, 2022, a total of 122 days, there were a combined total of 232 OC spray deployments at Barry J. Nidorf Juvenile Hall (BJNJH) and Central Juvenile Hall (Central). In total and in every month except July, Central had more deployments of OC spray than BJNJH despite consistently housing a lower population of youth. The difference between the facilities was alarming, in that Central had more than double the number of OC deployments than BJNJH.



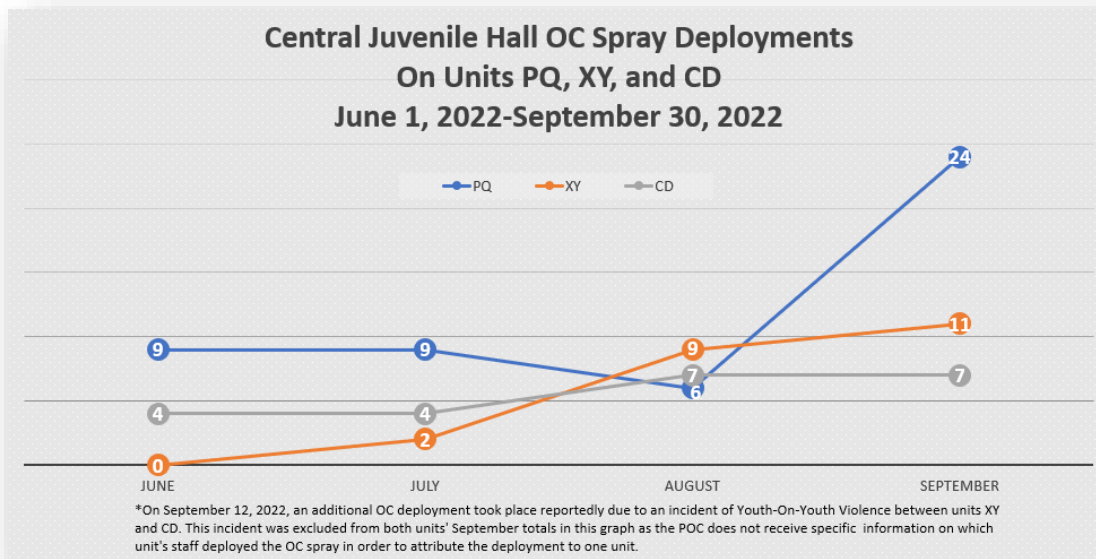


Central Juvenile Hall

In looking at the distribution of deployments across units at Central Juvenile Hall, observation of disproportionate use of OC spray is apparent in certain units:



A total of 93 OC spray deployments, 60% of all deployments at Central Juvenile Hall, occurred involving just three of the 13 units housing youth during the time period: PQ, CD, and XY. Unit PQ alone was responsible for 31% of OC spray deployments at the facility.



In the above graph, increases in use are observed for these three units with the most drastic change happening in unit PQ, while the uptick observed in CD and XY is still concerning but more gradual.

Due to the outlier data for unit PQ, further exploration was made to try to understand any patterns in deployments. Probation reports OC deployment data by building, meaning that any incident pertaining to unit P or unit Q is described in the report as "PQ." Therefore, we are unable to

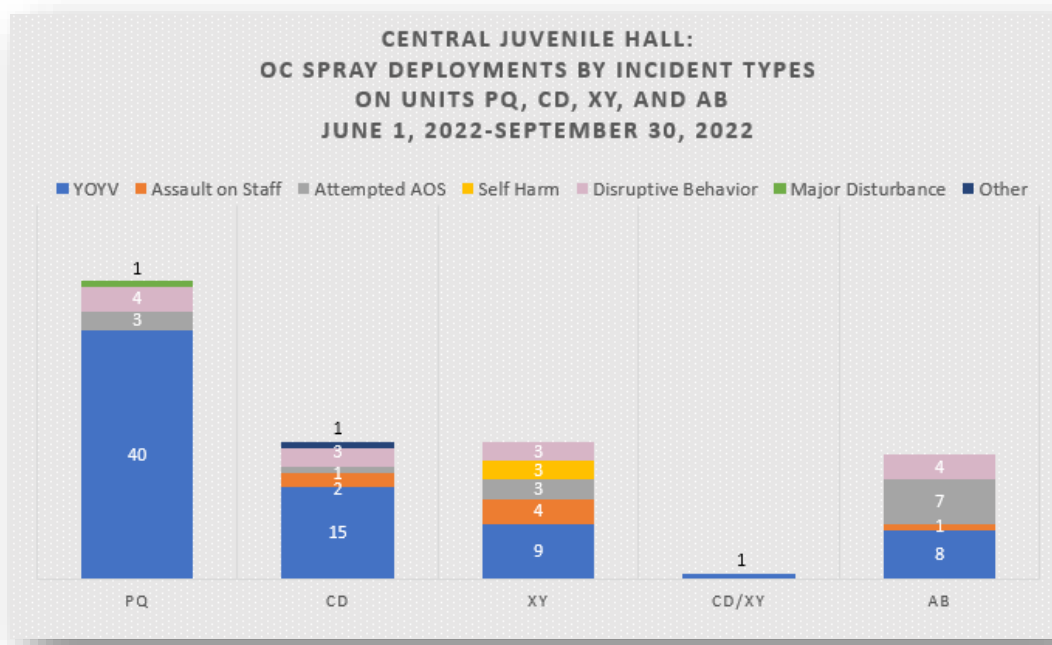
determine the exact number of exposures to OC spray one side of a unit may have experienced. What is clear is that in the month of September, there were multiple days where there were multiple deployments of OC spray in unit PQ, and those deployments were concentrated during weekdays, with zero deployments occurring on Saturdays or Sundays, according to the reports.

Central Juvenile Hall OC Deployment- Unit PQ							September 2022	
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday		
					1	2		3
						2 deployments		
4	5	6	7	8	9	10		
			2 deployments		1 deployment			
11	12	13	14	15	16	17		
	1 deployment	1 deployment	2 deployments	1 deployment				
18	19	20	21	22	23	24		
	1 deployment	2 deployments	3 deployments	1 deployment				
25	26	27	28	29	30			
		1 deployment	1 deployment	4 deployments	1 deployment			

The data as currently provided to the POC does not make it possible to determine whether certain youth have been repeatedly sprayed, and feedback from the department has informed us that this information is not readily available to be shared. The POC is also concerned about effects this heightened level of OC spray use may have on the ability of staff to build rapport with youth in the aftermath and for outcomes for youth living in the unit who are not involved in incidents and are subject to secondary effects of OC spray deployment in their living quarters on an almost daily basis. According to Probation, unit PQ and others have lacked consistent staff for quite some time, which they acknowledge may have an impact on the number of OC deployments that occur in those units Probation specifically cites the lack of consistency in staffing contributing to low staff awareness of existing tensions. Another significant issue that Probation believes is contributing to OC use is inadequate staffing. During incidents when verbal de-escalation tactics are ineffective, staff may be “outsized or outnumbered” or “dangerous to physically separate them without proper back up support” because “staffing numbers affect our ability to intervene”.⁴

In further examination of the data provided for Central, a breakdown of incident details shows a consistent pattern across units that the most common incident type preceding an OC deployment is Youth on Youth Violence (YOYV):

⁴ Quotes derived from an email from Deputy Chief Karen Fletcher in a response to a set of questions generated in the creation of this summary.



While the use of OC spray is of overwhelming concern, the number of YOYV incidents that could not be de-escalated is also of grave concern. Effectiveness of current department training courses and protocols related to de-escalation of youth must be questioned given the sheer number of incidents that required this level of force to interrupt. The data closely aligns with information the POC has repeatedly heard from Probation staff in their expressed need for additional support from the department in the form of quality training, coaching, and on-the-job mentorship. Probation reported that nearly three years ago, since the start of the COVID-19 Pandemic, staff have no longer received training once provided through Regional Center and that “several years ago” a training was provided to staff regarding the housing requirements of youth with developmental disabilities.

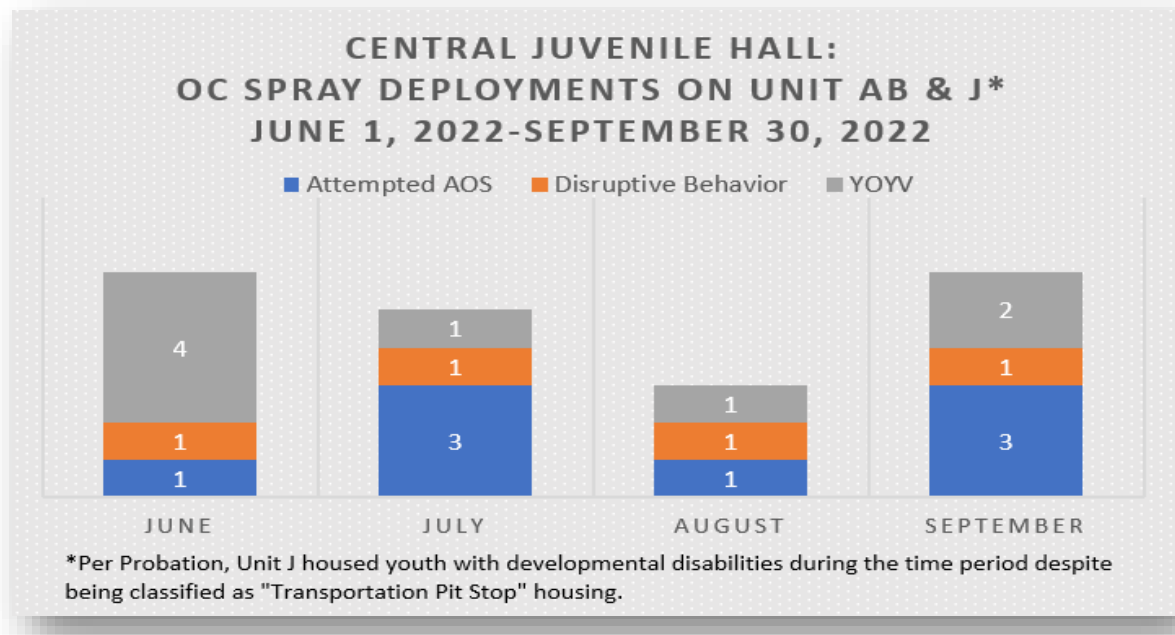
Further cause for close examination of deployment data is directly related to the vulnerability of youth who are detained in units with the most OC deployments. On October 26, 2022, the POC received a unit classification which was reportedly retroactive to June 2022 and described the demographics of youth housed on these units as follows⁵:

- Units P and Q house 15–17-year-old boys, pre-disposition, camp ordered overflow, county jail deferred, and court ordered drug program.
- Unit XY is the Girls Enhanced Supervision and Girls Care units. Girls ESU is for level 3 youth, pre-disposition, Regional Center clients, and Dorothy Kirby Center placements while Girls Care is a short-term stabilization unit for emotionally challenged girls.
- Units C and D are both girls’ high risk offender units that also house Regional Center clients awaiting transfer, girls with Specialized Supervision Plans, and girls pending disposition for charges that could result in SYTF placement.
- Unit AB houses boys who have been previously identified as developmentally disabled or Regional Center clients.

According to Probation, reorganization of unit assignments reportedly occurred sometime in late June 2022, and ongoing construction in various units at Central have caused multiple long and

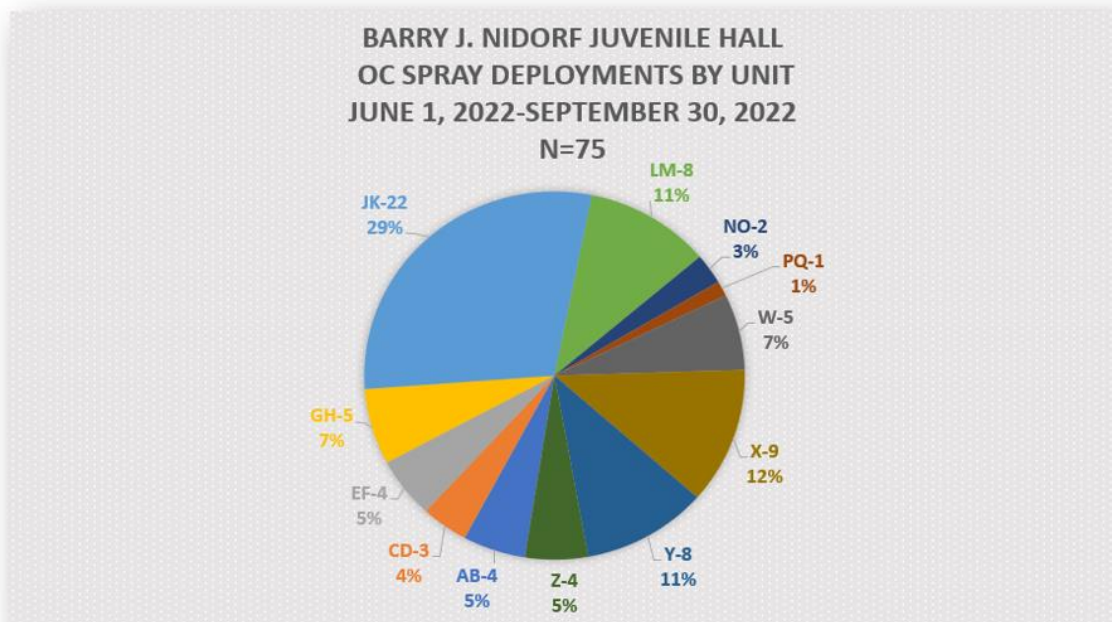
⁵ See Appendix for Unit Classification document received on 10/26/22.

short-term changes to housing assignments for youth. This movement and inconsistent tracking make it impossible for the POC to identify the extent to which OC spray is being deployed upon youth who have been identified as especially vulnerable in detention settings. Probation has confirmed that while they do not readily have statistical data prepared to share, it is imminently likely that youth with CSEC history, DCFS involvement, and developmental disabilities have been involved in and affected by deployments of OC spray at Central.

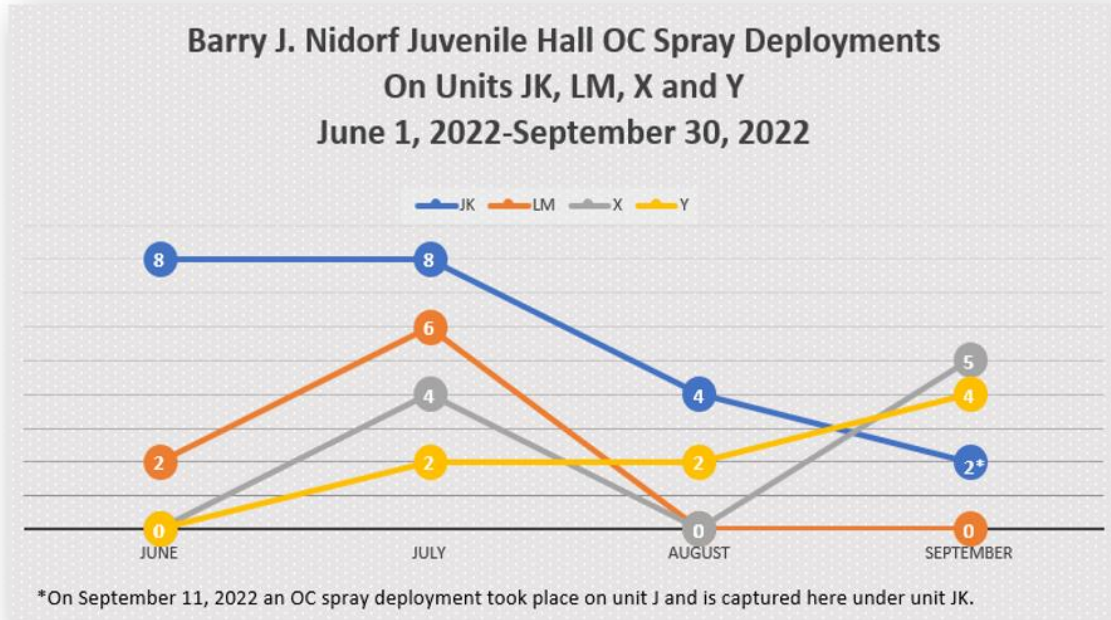


Barry J. Nidorf Juvenile Hall

Although OC spray deployments occurred less frequently at Barry J. Nidorf Juvenile Hall, one unit is an outlier compared to the rest of the facility. The number of deployments in unit JK were more than double any other unit's deployments in the facility:

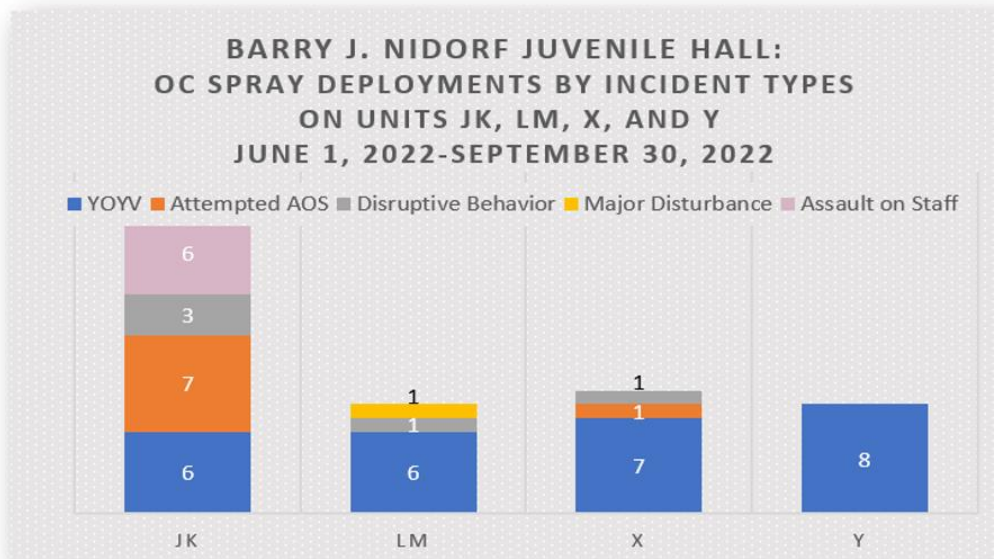


The disproportionately high number of OC deployments in unit JK in comparison to the other units at BJNJH makes it an obvious outlier and deserves immediate attention to understand the circumstances of the last months. Graphing the monthly deployments in the highest OC utilizing units, JK, LM, X, and Y, tells a more complex story of a decreasing pattern of use:



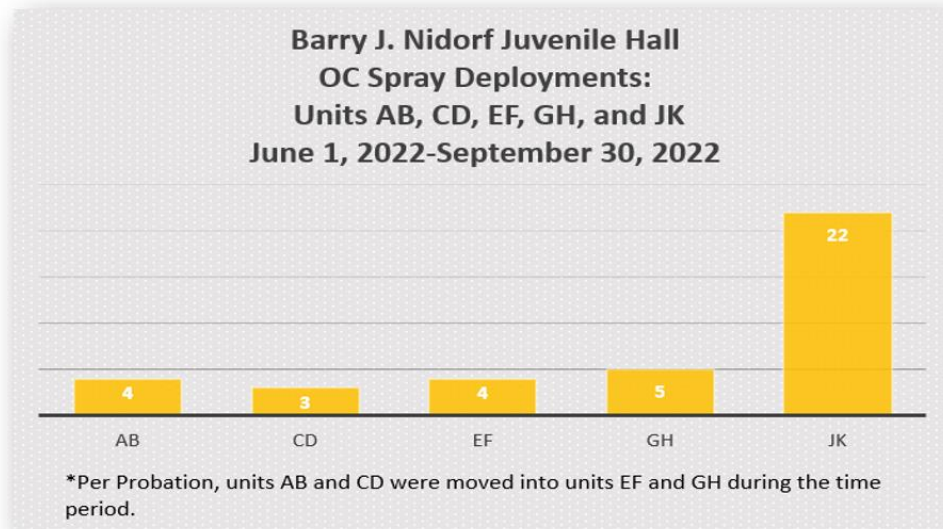
It is notable that unit LM had zero deployments in both August and September, unit X had two non-consecutive months of zero deployments. Unit JK saw decreases in August and September, hinting at a regression to lower OC deployment numbers typical on other units. While circumstances of any practice changes in these units that led to the decreases in OC deployment remain unclear, any months of zero or decreasing deployments should be closely studied by Probation for the possibility of standardization of successful practices and replication.

The following graph provides further breakdown of the incident types the OC deployments on these four units have been attributed to:



Unlike the YOYV trend at Central Juvenile Hall, which was highly variable, the YOYV distribution across the four highest OC utilizing units at BJNJH is more consistently distributed. According to the breakdown of OC spray deployments by unit type, what separates unit JK from the other units' usage is found in the number of deployments that were preceded by an Assault On Staff (AOS) and Attempted Assault on Staff, which calls awareness to the quality of relationships fostered between staff and youth on the unit.

It is also notable that at BJNJH, units AB, CD, EF, and GH reportedly also house the same population of 14–18-year-old males as unit JK, and those units had considerably fewer deployments of OC spray during the same time period:



According to Probation's feedback about the moves from AB and CD to EF and GH, the combined use of OC was still considerably lower than that of unit JK. Since populations on these units were actually the same as those on unit JK, as reported in the unit classifications and confirmed by the Department, further exploration into practice is warranted to better understand circumstances what led to so many deployments in JK and how staff maintained lower rates of deployment in the other units.

It is currently unconfirmed if there are units housing youth that had no OC deployments during the period, as those units are not specifically identified in weekly OC Deployment Reports (since they had none), and unit reclassification and movement is not uncommon and such movement sometimes leaves units empty during certain time periods. From the data provided, it is possible that there were no OC deployments on units RS and TV at BJNJH during the four-month period. There may also be notable data when comparing OC deployment data for units housing similar demographics of youth across facilities during the same time periods. An outstanding example of this is to examine units PQ at BJNJH and Central if they both actually housed developmentally delayed youth during the same time periods. While one facility had 48 OC deployments, the other had just one. Access to better data could confirm these hypotheses and potentially identify practice examples for replication across other units serving youth with extensive service needs.

Recommendations

To make OC deployment data more meaningful and provide the Board and the POC with a true picture of the extent of the issues and the possible solutions, Probation should provide the following data on a regular basis in addition to what is already provided via weekly OC Deployment Reports:

- A complete listing of units housing youth that includes a brief qualitative description of who is housed in the unit (i.e. 14-16 year old males, Quarantine Unit, Developmentally Disabled Youth, Females, etc.) for both juvenile halls. This list should be updated and shared every time a unit is reclassified to house a different population, a unit is vacated and no longer used, or a previously empty unit is occupied
- Notation of involvement of Developmentally Disabled youth in an OC spray incident regardless of unit
- Notation of involvement of gender expansive youth
- Notation of involvement of any youth identified as CSEC
- Notation of involvement of any youth with DCFS involvement
- Unit assignment of youth and staff involved and actual location of the deployment (school, day room, etc.)
- Weekly average number of youth housed on a given unit
- Shift in which the deployment occurred-AM, PM, Overnight
- Information regarding any protocols and training specifically aimed at serving youth with developmental disabilities

Transparent inclusion of the data points listed above in current OC Deployment Reports would allow the POC to further identify trends in OC spray deployment that can be utilized by Probation and the Board of Supervisors to inform change. The continued use of OC spray, while troubling in its own right, strongly signals the of likelihood of absent and/or ineffective preventative de-escalation interventions that could otherwise obviate a deployment of the chemical agent. Immediate exploration and implementation of preventative measures must be prioritized by Probation if the department intends to comply with the Board's motion and phase out use of OC spray in juvenile facilities.

Appendix

1. Probation Unit Classification dated 9/27/22

Barry J. Nidorf Juvenile Hall
UNIT CLASSIFICATION

Age	Unit	Description of Housing Criteria
14-18	A/B	Male youth, Pre-Disposition, New or Returning to Camp and Placement. Youth for medical appointments or court. No Unfit or Proposition 57.
14-18	C/D	Male youth, Pre-Disposition, New or Returning to Camp and Placement. Youth for medical appointments or court. No Unfit or Proposition 57.
14-18	E/F	Male youth, Pre-Disposition, New or Returning to Camp and Placement. Youth for medical appointments or court. No Unfit or Proposition 57.
14-18	G/H	Male youth, Pre-Disposition, New or Returning to Camp and Placement. Youth for medical appointments or court. No Unfit or Proposition 57.
14-18	J/K	Male youth, Pre-Disposition, New or Returning to Camp and Placement. Youth for medical appointments or court. No Unfit or Proposition 57.
Any	L	Newly admitted male youth.
Any	M	Male youth intake unit for new admits transferring from other facilities.
Any	N/O	Healing, Opportunities and Positive Engagement (HOPE) Center: Temporary housing and de-escalation area for youth housed in other units.
Any	P	Special Supervision (SSP) and Regional Center Clients: Male youth awaiting transfer to Central Juvenile Hall for proper housing. Youth on an extended stay in Hope Center require an SSP. Youth with developmental disabilities are Regional Clients whom are provided with a comprehensive plan that includes all treatment and training/educational program experiences at Central.
Any	Q	Overflow youth from Hope Center.
14-18	R/S	Male youth awaiting movement to camp
14-18	T/V	Female youth with special housing needs under a specialized supervision plan; youth with developmental disabilities whom are provided with a comprehensive plan that includes all treatment and training/educational program experiences.
14-18	W	Male youth, actively going through Fitness/Transfer setting proceedings. Youth pending criminal court (adult).
14-18	X	Healing, Opportunities and Positive Engagement (HOPE) Center: Temporary housing and De-escalation area for youth who are assigned to the Compound unit.
14-18	Y	Male youth who are actively going through Fitness/Transfer Setting proceedings in criminal court (adult), youth who have been re-certified back to juvenile court from a Direct Filing adult case (Proposition 57).
14-18	Z	Male youth who are actively going through Fitness/Transfer Setting proceedings in criminal court (adult), youth who received a Direct Filing from adult court and have been certified back to juvenile court in accordance with Proposition 57.
Any	MOU	All youth with medical needs or special orders.

2. Probation Unit Classification dated 10/26/22⁶

The Central Juvenile Hall
HOUSING PROTOCOLS

Revised 10/14/22

Division	Unit	Gender		Age Range	Capacity	Description of Unit Housing Criteria
1	Receiving	MALE/ FEMALE				Vacant for repair
	A	MALE	DD	14-18	14	Regional Center Clients (High Needs): Male youth who are currently listed as Developmentally Disabled (DEV/DIS), Level 3, youth
	B	MALE	DD	14-18+	14	Regional Center Clients (High Needs): Male youth who are currently listed as Developmentally Disabled (DEV/DIS), Level 3, youth
	BOYS CARE	MALE	CARE	14-18	12	C.A.R.E. Unit: Short-term stabilization unit for emotionally challenged youth. No Level 3, SYTF, DJJ, or UNFIT youth. NOTE - Population shall not exceed 12 youth.
	C	FEMALE		14-18+	12	High Risk Offender (HRO): Female youth actively going through Fitness/Transfer setting proceedings in juvenile court, MH Level 3, DJJ, SYTF, and UNFIT. Level 3 female youth (specialized supervision plan), NODSP, CAMPN, CAMPM, fitness/trial setting, or regional center clients awaiting transfer, SYTF, and UNFIT housing.
	D	FEMALE		17-18+	15	High Risk Offender (HRO): Female youth actively going through Fitness/Transfer setting proceedings in juvenile court, MH Level 3, DJJ, SYTF, and UNFIT. Level 3 female youth (specialized supervision plan), NODSP, CAMPN, CAMPM, fitness/trial setting, or regional center clients awaiting transfer, SYTF, and UNFIT housing.
	E	MALE				Vacant for repair
	F	MALE				Vacant for repair
	G	N/A				Vacant for repair
	H	N/A				Vacant for repair
	J	MALE/ FEMALE		14-18	12	Transportation Pit Stop
	O	MALE	DD	14-18	12	Enhanced Supervision Unit: Level 3 male youth, NODSP, and DKC Placements. No SYTF, DJJ, or UNFIT youth.
	K	MALE		15-17	20	Level 3 male youth, NODSP, camp ordered overflow, county jail deferred, and court ordered drug program. No Proposition 57, DJJ, or UNFIT youth. (overflow for PQ)
	L	MALE		17-18+	20	Level 3 male youth, NODSP, camp ordered overflow, county jail deferred, and court ordered drug program. No Proposition 57, DJJ, or UNFIT youth. (overflow for R/S)
	M	MALE		17-18+	20	Level 3 male youth, NODSP, camp ordered overflow, county jail deferred, and court ordered drug program. No Proposition 57, DJJ, or UNFIT youth.
	N	MALE		17-18+	20	Level 3 male youth, NODSP, camp ordered overflow, county jail deferred, and court ordered drug program. No Proposition 57, DJJ, or UNFIT youth.
	P	MALE		15-17	14	Level 3 male youth, NODSP, camp ordered overflow, county jail deferred, and court ordered drug program. No Proposition 57, DJJ, or UNFIT youth.
	Q	MALE		15-17	13	Level 3 male youth, NODSP, camp ordered overflow, county jail deferred, and court ordered drug program. No Proposition 57, DJJ, or UNFIT youth.
	R	MALE		17-18+	14	Vacant for repair
	S	MALE		17-18+	14	Vacant for repair
	T	MALE				Permanently Closed
	V	MALE				Permanently Closed
	W1	MALE	BESU	14-18	20	ISOLATION Unit - for youth positive with Covid 19 who must be isolated in the facility.
	W2	MALE/ FEMALE		15-18	20	Receiving - Intake
	XIY	FEMALE	GESU/ GCARE	12-18+	14	ESU-Enhanced Supervision Unit: Level 3 female youth, NODSP, Regional Center Clients, and DKC Placements. No SYTF, DJJ, or UNFIT youth. C.A.R.E. Unit: Short-term stabilization unit for emotionally challenged youth. No Level 3, SYTF, DJJ, or UNFIT youth. NOTE - Population shall not exceed 12 youth.
	MOJ	UNISEX		ALL	8	All youth with medical needs or special orders and youth who are administratively assigned. NOTE: Youth found positive for COVID 19 will be housed here until cleared by JCJS

⁶ In the process of compiling this report, the POC received two different sets of unit classifications for Central Juvenile Hall. After multiple discussions with leadership, we have accepted the version dated 10/26/22 retroactive to June 2022 as a correction to earlier versions, which demonstrates delayed and sporadic tracking of youth detained in juvenile facilities and the validity of data shared by Probation.