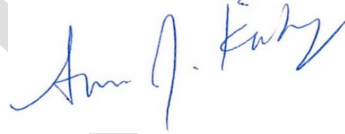


ORDINANCE

ANALYSIS

This ordinance amends Title 3 – Advisory Commissions and Committees of the Los Angeles County Code, relating to the Probation Oversight Commission ("Commission") by amending Chapter 3.80 to authorize the Commission to receive and refer to Los Angeles County Sheriff's Department ("LASD") complaints related to school law enforcement services provided by the LASD, including services provided by School Resource Deputies, and report on concerns and trends related to the complaints.

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By
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AK:jm

Requested: 3/5/2024
Revised: 6/26/2024

ORDINANCE NO. _____

An ordinance amending Title 3 – Advisory Commissions and Committees of the Los Angeles County Code, relating to the Probation Oversight Commission ("Commission") to authorize the Commission to receive and refer to the Los Angeles County Sheriff's Department ("LASD"), complaints related to school law enforcement services provided by LASD, including services provided by School Resource Deputies, and report on concerns and trends related to those complaints.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 3.80.020 is hereby amended to read as follows:

3.80.020 Purpose.

The purpose of the Commission is to advise the Board of Supervisors and the Chief Probation Officer and oversee and monitor the Probation Department ("Probation Department" or "Department") to address matters that affect the well-being of youth and adults under the Department's supervision and Department staff. The purpose of the Commission is to also advise the Board of Supervisors and the Sheriff relating to law enforcement services provided for a school within Los Angeles County ("County"). The Commission will evaluate and support key reform efforts, promote transparency and accountability, and maintain public trust in the Department by advising on policies and operations, conducting inspections and investigations, and establishing meaningful opportunities for community engagement. Commission staff may also act as the liaison between the Los Angeles County Sheriff's Department ("LASD") and the community for the purpose of receiving and referring complaints relating to law enforcement services provided by LASD, including, but not limited to, services provided by School Resource

Deputies ("SRDs") and any other LASD personnel performing law enforcement functions for a school within the County. When acting as the liaison between LASD and the community, the Commission shall not obstruct the investigative function of the Sheriff.

SECTION 2. Section 3.80.030 is hereby amended to read as follows:

3.80.030 Definitions.

As used in this section, the following definitions apply:

- A. Audit: A formal process following professional guidelines to answer specific questions regarding specific operations.
- B. Complaint: Any statement of concern about the Probation Department, an employee of the Probation Department, any law enforcement service for a school provided by LASD, including, but not limited to, services by SRDs and any other LASD personnel performing law enforcement functions for a school within the County, or any other entity or service provider regarding the subject matter of this ordinance by members of the public, probationers (including those received from juvenile halls or camps currently referred to as 'grievances'), probationers' families, and Department and LASD staff. As used in this section, a complaint does not include or satisfy the requirements of a California Tort Claims Act (Gov. Code, sections 810-996.6) complaint, complaints filed with the Los Angeles County Equity Oversight Panel, formal labor complaints or grievances filed on behalf of or by represented employees, or any other ~~matter~~ complaint that is governed by ~~employment and labor laws.~~
- C. Grievance: As used herein, Grievance shall have the same meaning as Complaint.

D. Investigation: A gathering of information conducted on behalf of the Commission through the Office of Inspector General ("OIG") and targeted at producing actionable information regarding the Probation Department or LASD, an employee of the Probation Department or LASD, or any other entity or service provider regarding the subject matter of this ordinance. Investigations shall be conducted in compliance with County Code Section 6.44.190.

E. Monitoring: A gathering of information regarding facilities and operations, including by direct observation, discussions with staff and the public, and review of records, in order to identify problem areas or to ensure compliance with existing laws, policies, and other obligations.

F. Probationer: A youth or adult who is subject to Probation Department supervision including, but not limited to, those who are held in custody pending trial or adjudication, are under informal supervision by agreement or otherwise, are on post-release community supervision, or are on formal supervision with conditions imposed by a criminal or juvenile court.

SECTION 3. Section 3.80.040 is hereby amended to read as follows:

3.80.040 Authority.

Pursuant to Welfare and Institutions Code section 240, and in compliance with all laws and confidentiality protections, the Commission shall serve in an advisory capacity to the Board of Supervisors and the Chief Probation Officer. In addition, the Commission shall serve in an advisory capacity to the Board of Supervisors and the Sheriff relating to law enforcement services provided for a school within the County. The Commission shall support the Board of Supervisors, ~~and~~ the Chief Probation

Officer, and the Sheriff, but will not direct the activities of County employees or impose discipline. A majority vote of the Commission is required to take any action under this ordinance. The Commission shall support has the authority, on its own or at the request of the Board of Supervisors, and the Chief Probation Officer but will not direct the activities of County employees or impose discipline. A majority vote of the Commission is required to take any action under this ordinance. The Commission shall have the authority, on its own at the request of the Board of Supervisors or the Chief Probation Officer, or the Sheriff, with respect to school law enforcement services only, to:

A. Advise.

1. 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.

2. Advise the Board of Supervisors and the Sheriff regarding law enforcement services provided for schools within the County.

B. 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.

1. Facilities subject to inspection include the following:

(a) Juvenile halls, camps, and juvenile courthouse lockups;

(b) Community placements;

(c) Any County field office or Reporting Center where probationers are required to report and/or receive services;

(d) Any third-party service provider contracted by the County where probationers receive services, and/or are housed for any period of time; and

(e) Any third-party service provider where a Los Angeles County Superior or juvenile court has ordered a probationer to be housed to receive services as a condition of probation.

2. Detention facilities, including jails, operated by or within the jurisdiction of the County, that house adult probationers shall be referred to the Sheriff's Civilian Oversight Commission.

C. Address Complaints. Staff of the Commission may develop procedures and guidelines~~Subject to review and approval by the Board of Supervisors, propose for~~ an independent process for receiving and ~~addressing~~ referring complaints- to the Probation Department, LASD, and school districts, as appropriate:

1. Complaints concerning Probation employees and any matters affecting the well-being of youth and adults under the Department's supervision; and

2. Complaints relating to school law enforcement services provided by LASD, including, but not limited to, services provided by SRDs and any other LASD personnel performing any law enforcement functions for a school or school district that contracts with LASD for law enforcement services.

D. 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 and to the Sheriff on LASD-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.

E. 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.

F. Engage with the Community. Establish a community engagement process in compliance with all laws and confidentiality protections.

SECTION 4. Section 3.80.050 is hereby amended to read as follows:

3.80.050 Reports.

In its advisory capacity to the Board of Supervisors, ~~and the Chief Probation Officer, and the Sheriff,~~ and in compliance with all laws and confidentiality protections, the Commission shall prepare the following reports:

A. Inspection Reports. The Commission will prepare reports on its inspection findings. The Commission shall make such reports public after providing the Probation Department an opportunity to review and comment on such reports.

B. Reform Efforts Reports. The Commission will prepare periodic reports regarding the status of Probation Department reform efforts. The Commission shall make such reports public after providing the Probation Department an opportunity to review and comment on such reports.

C. Annual Report. The Commission shall prepare and submit to the Board of Supervisors and make available to the public an annual report of the previous fiscal year. The annual report will be prepared and submitted no later than August 1 of each year. The annual report shall contain background information about the Commission, identify the Commission members and senior staff members, detail the activities of the Commission during the previous year and provide contact information. The annual report will also detail Probation Department policies, procedures or practices, if any, that were eliminated, modified or created due to the Commission's work. Budget requests for each fiscal year must be made within the normal budget cycle followed by all County departments.

D. Complaint and Grievance Reports. The Commission shall prepare periodic reports regarding concerns and trends related to complaints received and referred under this ordinance. The Commission shall make such reports public after providing the Probation Department, or LASD in the case of reports relating to LASD school law enforcement services, an opportunity to review and comment on such reports, as applicable.

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