

**MOTION BY SUPERVISOR HOLLY J. MITCHELL**

December 19, 2023

**Creating an Independent Process for Complaints Related to School Law Enforcement Services**

Every young Angeleno has a right to an education. A quality education, provided in a safe and supportive school environment, has the power to help our youth find a life of dignity and purpose, enabling them to become contributing members of society. Punitive systems, however, can not only create adverse outcomes over the long-term, but effectively deprive youth from marginalized and oppressed communities of this right and the life-changing benefits it affords.

Recognition of the injustice and inherent racism of the “school-to-prison pipeline” has grown over many years. Punishing students through suspensions and expulsions used to be rare, with the suspension rate being less than 4% in 1973.<sup>1</sup> While the national suspension rate has come down from a high of 7% in 2010, not all students were impacted the same: compared with the 5% overall rate in 2018, 12% of Black students faced suspension that same year, along with 7% of Native American students; 9% of students with disabilities; and 27% of Black students with disabilities in secondary

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<sup>1</sup> Losen, Daniel, and Skiba, Russell, “Suspended Education: Urban Middle Schools in Crisis.”

Link: [https://www.splcenter.org/sites/default/files/Suspended\\_Education.pdf](https://www.splcenter.org/sites/default/files/Suspended_Education.pdf)

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MOTION

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schools.<sup>2</sup> Further compounding these disparities, students of color and those with disabilities — especially Black students with disabilities — are much more likely to be arrested.<sup>3 4</sup>

When educational, health, developmental, safety, and other needs of youth go unmet, it reflects a failure to address the root causes of disengagement, truancy, dropouts, and justice system-involvement.<sup>5</sup> Suspensions and expulsions often leave young people unsupported and unsupervised, without positive alternatives to keep them engaged, very often causing them to fall behind academically.<sup>6</sup> The harm can be further compounded for students, as well as family members, who are undocumented, with “zero tolerance” policies and the presence of school law enforcement reinforcing the “school-to-deportation” pipeline.<sup>7 8</sup>

The harms of the school-to-prison pipeline can be exacerbated for young people who are incarcerated in the Los Angeles County (County) Probation Department’s (Department’s) facilities. The Board of Supervisors (Board) has taken significant steps to

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<sup>2</sup> Leung-Gagne, Melanie; McCombs, Jennifer; Scott, Caitlin; and Losen, Daniel. “Pushed Out: Trends and Disparities in Out-of-School Suspension”.

Link: <https://learningpolicyinstitute.org/product/crdc-school-suspension-report>

<sup>3</sup> Skiba, Russell; Michael, Robert; Nardo, Abra Carroll; and Peterson, Reece. “The Color of Discipline: Sources of Racial and Gender Disproportionality in School Punishment.”

Link: <https://link.springer.com/article/10.1023/A:1021320817372>

<sup>4</sup> Losen, Daniel; Orfield, Gary. “Racial Inequity in Special Education Undefined.”

Link: <https://eric.ed.gov/?id=ED568855>

<sup>5</sup> Lamont, Jeffrey; Devore, Cynthia; Allison, Mandy; Ancona, Richard; Barnett, Stephan; et al. “Out-of-School Suspension and Expulsion.”

Link: <https://publications.aap.org/pediatrics/article/131/3/e1000/30944/Out-of-School-Suspension-and-Expulsion?autologincheck=redirected>

<sup>6</sup> Ibid

<sup>7</sup> Dillard, Coshandra. “The School-to-Deportation Pipeline.”

Link: <https://www.learningforjustice.org/magazine/fall-2018/the-school-to-deportation-pipeline>

<sup>8</sup> Tynan, Emma; Kim Pak, Sarah; Rodriguez, Ignacia; Warren, Mark. “Caught in an Educational Dragnet: How the School-to-Deportation Pipeline Harms Immigrant Youth and Youth of Color.”

Link: <https://www.nilc.org/2022/05/19/caught-in-an-educational-dragnet-how-the-school-to-deportation-pipeline-harms-immigrant-youth-and-youth-of-color-the-torch/>

depopulate the camps and halls, including, among other strategies, an initiative to decarcerate girls and gender expansive youth and the creation of a system of structured release.<sup>9</sup> <sup>10</sup> While these strategies are important for dismantling the pipeline, the work of reducing youth incarceration needs to begin well before young people come into the Department's jurisdiction, including at the school level.

Through the newly established Department of Youth Development, the Board has invested in a range of "upstream" strategies that support and align with efforts to reduce youth incarceration, including the development of diversion and youth development networks. Additionally, the Office of Violence Prevention recently began supporting districts' efforts to improve school climate and safety by creating the School Safety Innovation Pilot program.<sup>11</sup> While the Board continues to invest in rehabilitative, developmentally appropriate alternatives, it has also identified a need to more closely regulate and provide stronger oversight for school law enforcement services.

Researchers have found evidence that a law enforcement presence on school campuses can exacerbate the risks of over-criminalization and unconstitutional policing

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<sup>9</sup> Motion by Supervisors Hilda L. Solis and Janice Hahn. "Decarceration of Girls and Young Women: Addressing the Incarcerated Youth in the Los Angeles County Camps and Halls."

Item #8 on the November 30, 2021 Board agenda. Link: <https://file.lacounty.gov/SDSInter/bos/supdocs/164026.pdf>

<sup>10</sup> Motion by Supervisors Holly J. Mitchell and Lindsey P. Horvath. "Ensuring the Use of Least Restrictive Placements for Young People in the Probation Department's Care and Custody."

Item #2 of the March 21, 2023 Board agenda. Link: <https://file.lacounty.gov/SDSInter/bos/supdocs/178944.pdf>

<sup>11</sup> Motion by Supervisors Holly J. Mitchell and Hilda L. Solis. "Enhancing School District Capacity to Protect Student Safety".

Item #13 on the July 12, 2022 Board of Supervisors agenda: <https://file.lacounty.gov/SDSInter/bos/supdocs/170803.pdf>

of youth.<sup>12 13 14 15</sup> The probability of negative outcomes for a young person increases, even with a single arrest – making them less likely to stay in school, among other concerning indications of educational achievement, health and well-being.<sup>16 17 18</sup>

Unfortunately, the County is not immune to this problem. A recent analysis of Los Angeles Sheriff's Department (LASD) data found troubling evidence of bias and disproportionate criminalization of Black students resulting from contacts with LASD's School Resource Deputies (SRDs) in certain schools. A report by Neighborhood Legal Services of Los Angeles County and researchers from California State University, Northridge found that Black students in two cities were stopped by SRDs "more than every other racial *and* ethnic student group **combined**."<sup>19</sup> Findings of disciplinary bias against Black and disabled students ultimately led to the filing of a lawsuit against one

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<sup>12</sup> Stern, Alexis; Petrosino, Anthony. "What Do We Know About the Effects of School-Based Law Enforcement on School Safety?"

Link: <https://www.wested.org/wp-content/uploads/2018/04/JPRC-Police-Schools-Brief.pdf>

<sup>13</sup> Bachman, Ronet; Randolph, Antonia; and Brown, Bethany. "Predicting Perceptions of Fear at School and Going to and From School for African American and White Students: The Effects of School Security Measures."

Link: <https://journals.sagepub.com/doi/10.1177/0044118X10366674>

<sup>14</sup> Finn, Jeremy; Servoss, Timothy. "Misbehavior, Suspensions, and Security Measures in High School: Racial/Ethnic and Gender Differences."

Link: <https://digitalcommons.library.tmc.edu/childrenatrisk/vol5/iss2/11/>

<sup>15</sup> Hirschfield, Paul. "Preparing for prison?: The criminalization of school discipline in the USA."

Link: <https://journals.sagepub.com/doi/10.1177/1362480607085795>

<sup>16</sup> Kirk, David; and Sampson, Robert. "Juvenile Arrest and Collateral Educational Damage in the Transition to Adulthood."

Link: <https://www.asanet.org/wp-content/uploads/savvy/journals/soe/Jan13SOEFeature.pdf>

<sup>17</sup> Legewie, Joscha; Fagan, Jeffrey. "Aggressive Policing and the Educational Performance of Minority Youth "

Link: <https://journals.sagepub.com/doi/full/10.1177/0003122419826020>

<sup>18</sup> Geller, Amanda; Fagan, Jeffrey; Tyler, Tom; and Link, Bruce. "Aggressive Policing and the Mental Health of Young Urban Men."

Link: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4232139/>

<sup>19</sup> Neighborhood Legal Services of Los Angeles County and California State University. "Mapping Racially Biased Policing in the Antelope Valley." (October 2021)

Link: [https://nlsia.org/wp-content/uploads/2021/10/Mapping-Racially-Biased-Policing-in-the-AV\\_compressed.pdf](https://nlsia.org/wp-content/uploads/2021/10/Mapping-Racially-Biased-Policing-in-the-AV_compressed.pdf)

school district.<sup>20 21 22 23</sup>

Similar biases and disproportionalities were later found to exist throughout the County: Black and Hispanic students were disproportionately contacted at higher rates more than any other racial group by SRDs, including through arrest and citation; the suspension rates of Black students in SRD contract schools exceeded statewide averages; and **SRDs contacted children as young as 5 and 7.**<sup>24</sup> While the reversal of these trends will require changes in policy, practice, and culture, stronger oversight is critical to avoid systemic failures and timely identify and address factors that hasten a student's journey through the school-to-prison pipeline.

Recently, students shared a significant amount of troubling feedback about their experiences with SRDs with the Human Relations Commission's (HRC's) Transformative Justice team.<sup>25</sup> As summarized in a recent report by the Sheriff Civilian Oversight

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<sup>20</sup> Dugdale, Emily. "In The Antelope Valley, Sheriff's Deputies Settle Schoolyard Disputes. Black Teens Bear The Brunt."

Link: <https://laist.com/news/criminal-justice/antelope-valley-schools-sheriffs-deputies-discipline-black-teens-bear-the-brunt>

<sup>21</sup> Dale, Mariana (May 24, 2023). "Families Of Black and Disabled Students Sue Antelope Valley Schools Over Discipline Policies."

Link: <https://laist.com/news/education/antelope-valley-union-high-school-district-discipline-lawsuit-black-students-students-with-disabilities-racial-discrimination>

<sup>22</sup> CANCEL THE CONTRACT-ANTELOPE VALLEY; B.Y.; C.Y.; L.W.; O.W.; V.X., minor by and through their guardian ad litem T.X.; H.N., minor by and through their guardian ad litem J.N.; and K.D.; A.D., PLAINTIFFS,

v.

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT; GREG NEHEN in his official capacity as SUPERINTENDENT; and CHARLES HUGHES, JILL MCGRADY, DONITA WINN, CARLA CORONA, and MIGUEL SANCHEZ IV in their official capacities as members of the BOARD OF TRUSTEES. DEFENDANTS.

PETITION FOR WRIT OF MANDATE AND COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF.

Link: [https://www.documentcloud.org/documents/23823994-5242023\\_petition-and-complaint\\_ctc-v-avuhsd?responsive=1&title=1](https://www.documentcloud.org/documents/23823994-5242023_petition-and-complaint_ctc-v-avuhsd?responsive=1&title=1)

<sup>23</sup> Emily Dugdale (June 17, 2022). "A Sheriff's Captain Called Our Investigation an "Entertaining Piece of Fiction." An Inspector General Disagrees."

Link: <https://www.propublica.org/article/a-sheriffs-captain-called-our-investigation-an-entertaining-piece-of-fiction-an-inspector-general-disagrees>

<sup>24</sup> Los Angeles County Office of Inspector General. "Report Back on Improving School Climate and Safety (Item No. 20, Agenda of June 28, 2022)."

Link: [https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/6e218997-05d1-4bd1-a6aa-6e0573d153c6/Report%20Back%20on%20Improving%20School%20Climate%20and%20Safety\\_Final.pdf](https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/6e218997-05d1-4bd1-a6aa-6e0573d153c6/Report%20Back%20on%20Improving%20School%20Climate%20and%20Safety_Final.pdf)

<sup>25</sup> Los Angeles County Human Relations Commission. "LACCHR Comments on Los Angeles County Sheriff School Resource

Commission (COC), “most” of the students interviewed “had a negative view of SRDs and believe that they should not be on school campuses.” Some of the students’ feedback included feeling “intimidated” when SRDs wear “full gear including bullet proof vests”; “most” of students’ conversations with SRDs are “aggressive”; students feel “targeted for being themselves and/or for their appearance”; SRDs cause “problems to escalate”; and that SRDs “antagonize students to get a reaction from them.”<sup>26</sup> One can discern from these responses why some students often feel unsafe and uncomfortable with sharing their complaints and concerns. This feedback follows the filing of a lawsuit by a student involving multiple allegations against an SRD, including excessive use of force; use of a racial slur; driving the student for two hours to book her into juvenile hall (where she was picked up by her mother that evening); and subsequent “mocking, teasing,” and harassment by the SRD.<sup>27 28 29 30</sup> A 2021 LA Times article contained a troubling video of a portion of the incident.<sup>31</sup>

Students also shared concerns with HRC staff about their school’s discipline

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Deputies.”

<sup>26</sup> Quality of Life Ad Hoc Committee. “Report and Recommendations on Los Angeles County Sheriff’s Department’s School Resource Deputy Program” (October 19, 2023).

Link: <https://file.lacounty.gov/SDSInter/bos/supdocs/AdHocReport-LASDSchoolResourceDeputies10.19.2023.pdf>

<sup>27</sup> City News Service (April 12, 2023). “Teen alleges deputy called her an animal during school Lancaster High School clash.”

Link: <https://theavtimes.com/2023/04/12/teen-alleges-deputy-called-her-an-animal-during-school-lancaster-high-school-clash/>

<sup>28</sup> City News Service (March 29, 2023). “New claims sought against LA County in deputy body slam lawsuit”

Link: <https://theavtimes.com/2023/03/29/new-claims-sought-against-la-county-in-deputy-body-slam-lawsuit/>

<sup>29</sup> City News Service (March 14, 2023). “Personnel records of deputy who allegedly body slammed student sought.”

Link: <https://theavtimes.com/2023/03/14/personnel-records-of-deputy-who-allegedly-body-slammed-student-sought/>

<sup>30</sup> City News Service (May 5, 2022). “Lawsuit filed on behalf of Lancaster High School student allegedly assaulted by deputy.”

Link: <https://theavtimes.com/2022/05/05/lawsuit-filed-on-behalf-of-lancaster-high-school-student-allegedly-assaulted-by-deputy/>

<sup>31</sup> Alene Tchekmedyan (October 8, 2021). “Video shows deputy slam Lancaster student to the ground at school.”

Link: <https://www.latimes.com/california/story/2021-10-08/sheriffs-deputy-body-slam-antelope-valley-teen>

policies. Students reported that their school administration "defers discipline matters to SRDs too often" and that instead of getting "to the core" of disciplinary issues, their principals often "resort to discipline in the form of detention or suspension."<sup>32 33</sup> This feedback makes abundantly clear the need for a process where students can safely and confidentially share their concerns and make complaints about their interactions with SRDs.

In recent years, the Board has invested in a stronger system of oversight for the Department, which is responsible for many of the youth whose journey through its juvenile system started at the school level. The Board established the first-in-the-nation Probation Oversight Commission (POC), replacing an outdated model of oversight that was insufficiently equipped for the increasingly complex challenges of a 120-year-old department.<sup>34</sup> The Board-approved staffing structure included 19 positions intended to perform several core oversight functions.<sup>35 36</sup> The absence of a robust oversight structure contributed to a failure of accountability that led to, among other things, the 2008 consent decree; intervention by the United States Department of Justice; an erosion of public trust; and disturbingly myriad harms for the youth and adults within the Department's jurisdiction.<sup>37</sup>

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<sup>32</sup> Quality of Life Ad Hoc Committee. "Report and Recommendations on Los Angeles County Sheriff's Department's School Resource Deputy Program" (October 19, 2023).

Link: <https://file.lacounty.gov/SDSInter/bos/supdocs/AdHocReport-LASDSchoolResourceDeputies10.19.2023.pdf>

<sup>33</sup> Los Angeles County Human Relations Commission. "LACCHR Comments on Los Angeles County Sheriff School Resource Deputies."

<sup>34</sup> Motion by Supervisors Mark Ridley-Thomas and Hilda L. Solis. "Implementing an Enhanced Structure for Probation Oversight."

Item #16 on the October 1, 2019 Board of Supervisors agenda. Link: <https://file.lacounty.gov/SDSInter/bos/supdocs/140934.pdf>

<sup>35</sup> Motion by Supervisors Mark Ridley-Thomas and Hilda L. Solis. "Staffing and Resourcing Probation Oversight in Los Angeles County."

Item #6 on the February 18, 2020 Board of Supervisors agenda. Link: <https://file.lacounty.gov/SDSInter/bos/supdocs/144198.pdf>

<sup>36</sup> Executive Officer of the Board of Supervisors. "Report Back on Implementing an Enhanced Structure for Probation Oversight" (November 22, 2019).

Link: <https://file.lacounty.gov/SDSInter/bos/supdocs/140915.pdf>

<sup>37</sup> Stiles, Matt. "Dysfunction at Juvenile Detention Centers is Bigger Than Pepper Spray, LA County Report Says."

Link: <https://www.latimes.com/local/lanow/la-me-county-juvenile-detention-reform-20190211-story.html>

The Probation Reform and Implementation Team (PRIT) identified a need – in alignment with nationally recommended best practices – for an external and independent process for addressing grievances in a safe, confidential, and responsive manner, ensuring the protection of youth and reduction of the County’s exposure to litigation.<sup>38 39</sup> PRIT recommended a POC process that would apply to complaints and grievances relating to a range of juvenile justice functions, including school-based probation, field supervision, Detention and Residential Treatment services, informal probation programming and supervision, and others. The PRIT further recommend that, instead of handling grievances, the Department’s Ombudsman staff focus on resolving service complaints to provide a timely resolution; and that grievances be referred to the Office of Inspector General (OIG) when confidentiality issues arise.

The POC has ordinance authority under the County Code to propose an independent process for receiving and addressing complaints (and grievances, as defined), subject to the Board's approval, and may also independently refer other types of complaints involving young people to County agencies, as appropriate. However, its oversight is limited to the jurisdiction of the Department and not other law enforcement agencies with which young people may have contact. Many youth first enter the school-to-prison pipeline not through the Department, but through disciplinary actions by school officials or contact with a local peace officer, including SRDs who are employed by the LASD. Furthermore, when a student is arrested, they can be charged and booked into juvenile hall within a relatively short period of time. While their journey through the pipeline begins outside of the Department’s jurisdiction, many of these young people end up in the juvenile justice system.

The Board’s commitment to the Care First vision of youth justice is supported by a

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<sup>38</sup> Motion by Supervisors Mark Ridley-Thomas and Hilda L. Solis. "Implementing an Enhanced Structure for Probation Oversight."

Item #16 on the October 1, 2019 Board of Supervisors agenda. Link: <https://file.lacounty.gov/SDSInter/bos/supdocs/140934.pdf>

<sup>39</sup> Also discussed at public meeting of the Probation Reform and Implementation Team on the Powers of the POC on April 17, 2019 (Grievances/Complaints and Budget Monitoring/Compliance).

Video: <https://www.facebook.com/lacountyprit/videos/293911671501034>



large body of research finding a need for not just a rehabilitative, but also *developmentally appropriate*, model of care.<sup>40</sup> For this reason, responsibility for receiving and referring SRD-related complaints should be entrusted with staff that have expertise and training in youth development and youth justice.

While the POC has ordinance authority to refer complaints related to school-based or field supervision probation officers, there is currently no avenue for young people and families to file complaints that involve SRDs – independent from the LASD. While a complaint can be filed with LASD, students may not feel comfortable with or trust this system. In addition, these complaints are usually handled at the station level and not centralized within the Community Partnerships Bureau, limiting LASD's ability to provide high-level oversight. In addition, each school's complaint process can vary by school and district and is also limited by the fact that SRDs do not report to any school district officials. Complaints related to school law enforcement services need to be received and referred through a process that is consistent, responsive, and independent of LASD to best ensure the protection of students and families.

In 2014, the Board established the OIG and the Sheriff Civilian Oversight Commission (COC) to provide robust and independent oversight of LASD.<sup>41 42 43</sup> While issues involving SRD services arguably fall within the oversight mandate of both entities, the POC is best suited to receive and refer SRD-related complaints given its mandate

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<sup>40</sup> Parks, Erika. "Insights on Adolescent Brain Development Can Inform Better Youth Justice Policies."

Link: <https://www.pewtrusts.org/en/research-and-analysis/articles/2023/11/02/insights-on-adolescent-brain-development-can-inform-better-youth-justice-policies>

<sup>41</sup> OIG Ordinance, adopted on August 12, 2014

Link: <https://file.lacounty.gov/SDSInter/bos/supdocs/87598.pdf>

<sup>42</sup> Motion by Supervisors Mark Ridley-Thomas and Hilda L. Solis. "Establishment of a Citizens' Oversight Commission for the Sheriff's Department."

Item #2 of the December 9, 2014 Board agenda Department. Link: [https://file.lacounty.gov/SDSInter/bos/sop/222143\\_12092014\\_siglinks.pdf#search=%22civilian%20oversight%20commission%20ordnance%22](https://file.lacounty.gov/SDSInter/bos/sop/222143_12092014_siglinks.pdf#search=%22civilian%20oversight%20commission%20ordnance%22)

<sup>43</sup> Sheriff Civilian Oversight Commission ordinance:

[https://library.municode.com/ca/los\\_angeles\\_county/codes/code\\_of\\_ordinances?nodeld=TIT3ADCOCO\\_CH3.79SHCIO\\_VCO](https://library.municode.com/ca/los_angeles_county/codes/code_of_ordinances?nodeld=TIT3ADCOCO_CH3.79SHCIO_VCO).

and specialization in the oversight of many juvenile justice functions, including school-based and field probation. The OIG can investigate confidential matters; however, it does not have the proper infrastructure for efficiently referring complaints that do not require the handling of confidential information. The COC has largely focused on procedural oversight and adult issues. In addition, it is limited in its ability to specialize in SRD-related complaints given the vast and complex reach of the 17,000-employee department it oversees – myriad functions spanning patrols, court security, the Regional Crime Lab, and the largest jail system in the nation.

While SRD-related complaints were not included in the POC's original mandate, its staff and commissioners specialize and possess core competencies in youth development and other expertise relevant to the Care First vision of youth justice. Broadening its ordinance authority to include receiving and referring complaints involving SRDs would avoid a siloed approach, as well as enhance the investments the Board has made to end the school-to-prison pipeline. Importantly, such an ordinance would *not* include the authority to investigate or discipline LASD personnel.

While there would be significant limitations to what the POC can do with a complaint, the ability to make referrals can bridge information gaps and, through enhanced transparency, strengthen accountability. After submission, a record documenting the complaint is created and retained by an independent oversight entity. POC staff would be able to assess, triage, and refer a complaint as well as make a warm handoff to a school district, LASD, or other entity when appropriate. The POC can ensure that a complaint is received by staff with the ability to respond to or address it, bridging internal information gaps that can prevent timely corrective action. This can potentially reduce any incentive to ignore a complaint, especially when it is referred to supervising or managing staff who are responsible for the accountability of their subordinates. In more extreme cases, enhancing internal *and* external transparency around a complaint can potentially reduce an incentive to engage in retaliation. The POC could also report data and analysis to inform efforts to strategically identify and address issues, including racial, disability, and other types of biases in school policing.

Additionally, this system should enhance, and not replace or duplicate, any existing complaint processes provided by school districts or LASD. As is currently the case with

some complaints made against the Department, it is likely that the POC will receive complaints that *may* be related to LASD personnel but must be forwarded through a school district's Uniform Complaint Procedure, in accordance with state and federal law. Even in instances where no referral to a County department is needed, however, the POC can help students and families with getting a complaint through the correct process when it might otherwise remain unresolved at a local level.

While a process for complaints about SRDs is needed, it would be just one part of the County's efforts to address issues with the SRD program. Recent OIG and COC reports contain a range of recommendations — many of which LASD officials agree with — including several important revisions to SRD contracts intended to clarify the roles and responsibilities of SRDs and more closely regulate their conduct.<sup>44</sup> Because revised contracts are, by themselves, unlikely to achieve their intended outcomes, an independent complaint process, combined with other protections and resources, is necessary to strengthen accountability to these agreements.

This past summer, the COC conducted a series of workshops and listening sessions in partnership with the HRC to solicit community feedback.<sup>45</sup> In addition, given the overlapping areas of interest, as well as its work in youth issues, the POC recently expressed its support for a collaboration with the COC on its study of school law enforcement issues, including SRDs.<sup>46</sup> Between July and September 2023, over 1,100 public comments were submitted to the COC.<sup>47</sup> Much of the feedback reflected a widely shared desire to clarify the role and responsibilities of SRDs and more closely regulate their conduct. Achieving this objective will require changes in policy and practice,

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<sup>44</sup> Quality of Life Ad Hoc Committee. "Report and Recommendations on Los Angeles County Sheriff's Department's School Resource Deputy Program" (October 19, 2023).

Link: <https://file.lacounty.gov/SDSInter/bos/supdocs/AdHocReport-LASDSchoolResourceDeputies10.19.2023.pdf>

<sup>45</sup> Ibid

<sup>46</sup> September 28, 2023 meeting of the Los Angeles County Probation Oversight Commission.

Video: <https://www.youtube.com/watch?v=OkJq7rFvzV0>

<sup>47</sup> Quality of Life Ad Hoc Committee. "Report and Recommendations on Los Angeles County Sheriff's Department's School Resource Deputy Program" (October 19, 2023).

Link: <https://file.lacounty.gov/SDSInter/bos/supdocs/AdHocReport-LASDSchoolResourceDeputies10.19.2023.pdf>

including updates to the SRD contracts, as well as feedback systems, such as an independent complaint process, to strengthen contract compliance.

Strong oversight of the systems that impact the County's youth is an important part of ending the school-to-prison pipeline, a trend that undermines the implementation of the Care First vision of youth justice and youth development. Providing a safe, confidential, and responsive process for receiving and referring complaints is an important part of a functioning system of oversight and accountability. To ensure that complaints can be properly referred across a broader scope of the justice functions that impact youth – and avoid a siloed approach – the POC should be given ordinance authority to receive and refer complaints related to school law enforcement services, as allowed by state and federal law.

**I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:**

1. Instruct County Counsel, in collaboration with the Executive Director of the Probation Oversight Commission (POC), and in consultation with the Sheriff, Inspector General (IG), the Executive Director of the Sheriff Civilian Oversight Commission (COC), the Director of the Department of Youth Development (DYD), the Director of the Office of Violence Prevention (OVP), and the Superintendent of the Los Angeles County Office of Education (LACOE), to report back in writing in 150 days with a draft ordinance to provide the POC with authority to receive complaints related to school law enforcement services provided by the Los Angeles Sheriff's Department (LASD), including services provided by School Resource Deputies (SRDs) as well as any other LASD personnel performing any law enforcement functions on campuses within school districts that contract with LASD for SRD services; and assess, triage and refer those complaints to LASD and the school districts as appropriate, and report on concerns and trends related to those complaints to the Board of Supervisors (Board). Within the limits of state and federal law, and strictly within the scope of the provision of school law enforcement services, the draft ordinance should:
  - a. Establish a process, independent from the LASD, for receiving and referring complaints by members of the public, including students and/or families, as well as a process for receiving public comment and advising on systemic

- issues raised by LASD personnel and members of the community; and,
- b. Amend the POC's ordinance to allow a POC staff member to act as the liaison between LASD and the community for the purpose of receiving and referring complaints related to SRD services.
2. Instruct County Counsel, in collaboration with the Executive Director of the POC, and in consultation with the Sheriff, the IG, the Executive Director of the COC, the Director of the DYD, the Director of the OVP, and the Superintendent of LACOE, to report back in writing in 150 days with: draft policies; agreements, including those with school districts; Memoranda of Understanding; and any other documents that may be needed to implement the draft ordinance referenced in Directive #1.
  3. Instruct County Counsel, in collaboration with the Executive Director of the POC and the Superintendent of LACOE, and in consultation with the Sheriff, IG, the Executive Director of the COC, the Director of the OVP, the Director of the DYD, school districts with contracts for SRD services, and other relevant stakeholders, to report back in writing in 150 days with draft language for SRD contracts related to the implementation of a complaint system, including the following provisions:
    - a. A requirement that the POC:
      - i. Make every attempt to align with and augment existing reporting systems and avoid duplication with existing complaint processes, including any implemented by school districts or LASD; and
      - ii. Implement a process that mirrors the one currently utilized by the OIG for referral of complaints to LASD, to be processed through LASD's existing complaint process.
      - iii. Identify and share resources with students and families making complaints.
    - b. A requirement that ensures any appropriate or necessary cooperation from LASD and school districts that allow and do not hinder the POC to implement its complaint process, including:
      - i. Agreeing to participate in and submit to a POC created, explicit and well-defined process for reporting and tracking of concerns or

complaints related to SRD conduct. This process should seek to align with and augment existing reporting processes, include provisions for annual notification to all school community members of complaint procedures that explicitly outlines options for filing a complaint both through the school district, as well as directly through the POC; inter-agency processes for receiving and cross-reporting all complaints and outcomes of investigations as allowable by law between schools districts, LASD, and POC; steps to ensure non-retaliation for filing of complaints and the use of school district communication channels and assets, potentially including website(s), suggestion boxes, and/or other mechanisms.

- ii. A requirement that school district, LASD, and POC staff develop and disseminate, in consultation with the Public Defender and Alternate Public Defender, written annual notification materials that explicitly address internal (e.g., District Uniform Complaint Procedures) and external (i.e., POC) complaint procedures and relevant contact information, as well as provide information about rights that students have when interacting with law enforcement. This notification should be provided in multiple forms of communication to ensure the information reaches all students and parents or caregivers, potentially including, but not limited to, websites, e-mail, and text messages. This notification should also be provided in multiple languages.
  - iii. Any necessary authorization or permissions for POC staff and Commissioners to attend identified, mutually agreed upon school safety/climate related meetings and events at least twice each school year to provide information to students, parents, caregivers, and school and district staff as appropriate.
4. Instruct the Executive Director of the POC, in collaboration with County Counsel and the Executive Director of the COC, and in consultation with the Sheriff and other relevant stakeholders, to work with the Chair of the POC to convene one or

more public meetings to present and receive public comment on the draft ordinance prior to being placed on a Board agenda for introduction. The Executive Director of the POC should reach out to and invite as many stakeholders as possible, including students and their families; legal representatives and other advocates; and volunteers, staff, administrators, community organizations, and others who work at or otherwise serve students at schools with SRDs.

5. Upon adoption of the ordinance referenced in Directive #1, instruct the Executive Director of the POC, in consultation with the Executive Director of the Youth Commission and other relevant stakeholders, as appropriate, to submit to the Board, Sheriff, COC, and school districts that contract for SRD services, every 180 days a report on complaints which includes, at minimum, the number of complaints submitted; a breakdown by types of complaints, stations, and school districts, without potentially compromising any legally required confidentiality protections involving a minor or the rights of the employees; a demographic breakdown and other statistics that may indicate different types of biases, including racial; disability; immigration status; lesbian, gay, bisexual, transgender, queer, intersex, asexual, and other identities; not encompassed and others; and any analysis that may support efforts by the Board, Sheriff, or other County departments to address service and other issues.
  - a. When feasible, the Executive Director of the POC may include in this report data on the resolution or outcomes of complaints, as well as any relevant analysis.
  - b. The Executive Director of the POC may submit this report, as well as other reports related to complaints, more frequently for the purpose of timely raising or addressing urgent or emerging issues.
  - c. The Youth Commission may collaboratively work with the Executive Director of the POC on reviewing and reporting trends, as allowed by law, through this report.
6. Upon adoption of the ordinance in Directive #1 and approval of the contract provisions in Directive #3, instruct the Executive Director of the Youth Commission to work collaboratively with the Executive Director of the POC on identifying and

implementing youth engagement strategies to inform students and their families of the new complaint process.

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