



**COUNTY OF LOS ANGELES  
PROBATION COMMISSION**  
9150 EAST IMPERIAL HIGHWAY – DOWNEY – CALIFORNIA 90242  
**(562) 940-2754**



**MINUTES OF REGULAR MEETING OF JANUARY 26, 2017**

The regular meeting of the County of Los Angeles Probation Commission was held on Thursday, January 26, 2017 at the Kenneth Hahn Hall of Administration, 500 West Temple Street, Room 140 ,Los Angeles, California 90012

I. President Gardner welcomed all and called the meeting to order at 10:00 a.m.

He informed the Commissioners and all present that the meeting was being recorded. He asked that all identify themselves prior to making any statements.

The following Commissioners were present:

1<sup>st</sup> Vice President Levine  
2<sup>nd</sup> Vice President Hollopeter  
3<sup>rd</sup> Vice President Seaver  
Commissioner Jones  
Commissioner Holt  
Commissioner Meredith  
Commissioner Shutan  
Commissioner Yamashiro  
Commissioner Hoover  
Commissioner Butler

The following Commissioners were not present:

Commissioner Mitchell  
Commissioner Martinez  
Commissioner Caster  
Commissioner Kaplan

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**Commissioners**

Joe Gardner-President,  
Jan Levine-1st Vice President, Clayton Hollopeter-2<sup>nd</sup> Vice President, Daniel Seaver-3<sup>rd</sup> Vice President,  
Donald Meredith-Sergeant at Arms, Azael Martinez-Sonoqui, Cyn Yamashiro, Esq.,  
Fitzgerald Jones, Gabriella Holt, R.N. E.J.D. Jacqueline Caster, Esq, Jo Kaplan Esq,  
Olivia E. Mitchell, Peter Shutan, Zachary Hoover, Betsy Butler

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The following staff were present:

Patricia Rodriguez  
Monica Garcia

The following individuals were present:

Eric Conard  
Natasha Khamashta  
Maureen Pacheco  
Cookie Lommel

## **II. LOS ANGELES COUNTY PROBATION DEPARTMENT UPDATE**

Department leadership was not present. There was no report.

## **III. NEW BUSINESS**

President Gardner confirmed that **Probation Chief Terri McDonald will be on the Probation Commission agenda for February 9, 2017**. He expects introductory remarks about her vision and plans for the Department. He shared that provided her topics for discussion that Monica Garcia compiled from general themes below:

- 1) Desire for a productive, respectful working relationship with staff & support improvement of Department
- 2) Desire to have timely responses from Department, even if answer is no or we cannot.
- 3) Desire to have clear and consistent information on critical incidents, instead of learning from media
- 4) Concern for treatment of youth in facilities: safety, disparate opportunity for program and intervention due to various levels of trained staff
- 5) Concern for lack of reliable and independent grievance process.
- 6) Desire to see greater success for youth in terms of programs for education and employment preparation, particularly for youth with high school diploma.
- 7) Desire to be able to support Department's goals by advocating to the Board Of Supervisors and other legislative bodies.
- 8) Desire to have reliable Quality Assurance for all programing i.e. nutrition, wardrobe, Hope Centers, record keeping etc.
- 9) Desire to be informed and knowledgeable about strategies to reduce recidivism for youth
- 10) Opportunities to work together: WIC 236, JJCPA & citation diversion program
- 11) Continued Collaboration on a Successful opening of Kilpatrick

Commissioner Seaver stressed that in addition to this list, he encourages sharing candid examples of the profound historical frustration that the Commissioners have held over time in order to support her own success in developing the relationship.

Commissioner Meredith affirmed his consent with direction and confirmed that the Chief would get advanced notice of such a list to allow her time to prepare. Commissioner Gardner confirmed that they have already been provided to her. Commissioner

Meredith suggested to focus on the lack of response, attendance and notifications to Commissioners.

Commissioner Seaver suggested the Commission identify 3 examples of each item, not to be exhaustive but to serve as highlights. He recommended using the pending items on the last page of the agenda as documentation to items that have been unresolved. And when information is received, he wants to highlight the need to improve the quality.

Commissioner Gardner solicited Commissioners' views on items to address with the Chief.

Commissioner Yamashiro recommended that the Commission raise the question of how is the Department represented and WHO is assigned to send to the Commission as someone who is accountable and not merely a conduit for information sharing between the Commission and the Department.

Commissioner Levine asked why the presentation of use of force was not happening today and wanted to establish the record. Monica Garcia reviewed the process that the item that had been listed on the pending item page was placed on the agenda by President Gardner and that was shared with leadership on Monday, January 23, 2017 via email. Ms. Garcia was unable to confirm the presentation in advance of the meeting. Ms. Garcia clarified that Residential Treatment Services Bureau shared the pepper spray incidents on December 8, 2016 and Detention Services Bureau presented use of force information in July, 2016 and continues to have an outstanding request re use of pepper spray. Ms. Garcia reviewed the process that is conducted to confirm agenda and requests for information. After discussing who was advised of request and at what times, Commissioner Seaver asked that any request to the Department be identified in the subject line from now on.

Commissioner Levine asked Ms. Garcia if any leadership changes have occurred for Residential Treatment Services Bureau and Detention Services Bureau and requested that the Commission be informed.

Commissioner Yamashiro requested a documentation of who knew of the request on item 2 and documentation of the absence of response.

Commissioner Seaver encouraged the Commission to agree on 3 or 4 issues that the Commission cares deeply about such as use of force, juvenile traffic court or W.I.C. 236 to illustrate priorities and to discuss how Probation has engaged.

Commissioner Jones added that there are three Commission Presidents that have an example of the challenged relationship with the Department. Every time there is a request for action on an issue that the Department does not show up.

Commissioner Levine recommended that the items on the third page be listed with the dates that they first arise in order to track the length of time before a response.

Commissioner Gardner recognizes the frustration that needs to be acknowledged and encourages all Commissioners to be candid with Chief in sharing their concerns and experiences.

Commissioner Meredith notes that the minutes of December 8, 2016 document some of the concerns raised by commissions. He also noted that the Commission spends the majority of time on issues related to juveniles and they also have responsibility for the adult side of the Department.

Commissioner Seaver recommends that the entire meeting be dedicated to the conversation with the Chief so that there is sufficient time for dialogue.

Commissioner Levine made a formal request to invite Assistant Chief Sheila Mitchell to come to the February 9, 2017 meeting since there is such a focus on youth for this Commission.

Commissioners discussed the various ways that the Department could document use of force data. Ms. Garcia reminded all that data request on incidents of pepper spray was received from Residential Treatment Services Bureau on 12-8-16. The follow up data regarding use of pepper spray from Detention Service Bureau is still outstanding.

Commissioner Hoover asked if there were benchmarks by the best practice that can help guide the conversation regarding trends and desired outcomes. Commissioner Meredith expressed the need to understand the circumstances around the use of pepper spray and that data alone will not inform the Commissioners in the way that is really informative regarding appropriateness. Commissioner Seaver is interested in the rise of use of pepper spray in response to the policy change with respect to the Special Housing Unit/ Hope Center. The original request was made out of concern about the treatment of youth in care.

Commissioner Meredith suggests that what the Commissioners really want to know is the judgment that defends or explains the use of force in the Department. He further shares that an officer's mind is the most powerful weapon on use of force issues. It is important look at patterns of incidents of use of force and

Commissioner Yamashiro suggests that it may be important to ask if the Department is working to meet or be better than the national standard or state standard.

Discussion of **Central Juvenile Hall** was tabled as Commissioner Martinez was not present.

Discussion of the **Task List** prepared by Commissioner Hollopeter for 2017 was reviewed. Any desire for changes or additions are welcomed by President Gardner. The work continues to standardize reporting of all reports submitted by Commissioners.

Discussion of the **Inspection Template** from the Bureau of State and Community Corrections continued to focus on the desire for the Commissioners to agree to a general standard for all inspections. Commissioner Seaver and Shutan agreed that the

template is a good guide and allows Commissioners focus on their priority areas. President Gardner asks that one printed template be provided to all Commissioners so they can use as a guide to the inspections and the reports. It is intended to be a tool to support the work of the Commission. President Gardner wants to encourage a formal report rather than an email so that reports are not overlooked,

Commissioner Hollopeter reminds all that the reports are more useful if it is communication to the Chief rather than the State. It is important that recommendations of action items be identified for Chief and Department leadership.

#### **IV. OLD BUSINESS**

President Gardner shared that Commissioner Caster is developing a resolution in response to information that will be presented by Bureau Chief Sharon Harada who has been confirmed for a report on **W.I.C. 236** and the **New Directions Program** on the agenda for the February 23, 2017 meeting.

Commissioner Levine has coordinated questions regarding the W.I.C. 236 and finalized questions that were sent to Ms. Harada. President Gardner confirmed that they were sent to Bureau Chief Harada.

President Gardner is interested in all suggested being forwarded to the Bureau of State and Community Corrections regarding Title 15. If anyone is forwarding recommendation to the State, please send a copy to President Gardner and Monica Garcia for our local records.

President Gardner reviewed the Justice Deputies Commissioners work with: District 1 is Ben Polk, District 2 is Michelle Newell, District 3 is Sheri Gold, District 4 is Dana Garcetti and District 5 is Stephanie English

Commissioner Seaver shared that **the visit to Kilpatrick** for the delegation from the Commission is Friday, February 17, 2017. A request was made to include a representative from the Public Defender's office and the Alternative Public Defender's office. Commissioner Butler requested for a second opportunity to visit since she was unable to participate this time. Monica Garcia will work with the balance of interested Commissioners to find an opportunity. President Gardner, Commissioners Hoover and Butler expressed interest. Commissioner Seaver will forward to Monica Garcia a report that was recently released regarding the LA Model. The document captures the collaborative work between stakeholders, advocates and the Department. Commissioner Seaver encourages that all read it.

#### **V. COMMITTEE REPORTS**

Commissioner Jones recalls that his presentation was postponed in October because leadership was not present and today the situation is the same. He shared that he visited a **Juvenile Day Reporting Center at Beach HS**. He was very impressed that youth were transported daily to school. He heard about the concept as youth were not at school that day. He felt the services were thoughtful and diverse in assisting youth to achieve their high school diploma or their AB216 diploma. He is interested in tracking this strategy and seeing its impact to reducing recidivism.

Ms. Pacheco, representative from the Alternative Public Defender's office had several questions regarding the Juvenile Day Reporting Center and how it is being used. She asked the **Commission to ask for a presentation from staff on this strategy**. Questions of interest: How does a youth get sent to Juvenile Day Reporting Center? Who has the authority to decide who gets sent to a Juvenile Day Reporting Center? How many Juvenile Day Reporting Centers? How many youth are served in this strategy?

## **VI. APPROVAL OF MINUTES**

Commissioner Yamashiro moved approval of the minutes of January 12, 2017. Commissioner Jones seconded the motion. The minutes were approved unanimously.

Commissioner Gardner noted that the Agenda and Minutes for this meeting were not posted for the public as is customary. He asked Ms. Patricia Rodriguez to ensure appropriate parties are aware of the need to comply with posting requirements.

## **VII. ANNOUNCEMENTS**

Commissioner Yamashiro informed the Commission that on Tuesday, Jan 10, 2017, the Board of Supervisors passed a motion that funds an inquiry of pre-adjudication services including the juvenile traffic court, JJCPA and New Directions. He recommends tabling the follow up presentation for the juvenile traffic court as the Board is continuing to explore the work in pre-trial diversion.

Second District Justice Deputy Michelle Newell explained that the Board motion expressed a commitment to create a countywide plan on youth diversion, where there are gaps, what's working and inventory of what needs to be done. Two report backs are expected to identify will what changes are needed. This work is to distinguish from Prevention and Diversion which have different functions.

Commissioner Hoover announced that the Prop 47 committee is being formed from JJCPA members. This committee will create the guidelines for how the funds are allocated and designate who will quality.

Commissioner Meredith reported that the newest class of 42 recruits are impressive and would make all proud. Many have degrees and are eager to serve.

President Gardner reminded all that the New Commissioner Orientation is today and to please send the Monthly Recap to begin the documentation for the Annual Report 2017.

Commissioner Meredith agreed to print placards for all Commissioners.

### **VIII. PUBLIC COMMENT**

There was no public comment.

### **IX. ADJOURNMENT**

Commissioners Seaver moved to adjourn the meeting. Commissioner Shutan seconded the motion and meeting was adjourned at 11:45 a.m.