



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



MINUTES OF REGULAR MEETING OF MAY 10, 2018

The regular meeting of the County of Los Angeles Probation Commission was held on Thursday, May 10, 2018 at the Kenneth Hahn Hall of Administration, 500 West Temple Street, 1st floor, Room 140A, Los Angeles, California 90012

I. Commission 1st Vice President Levine welcomed all and called the meeting to order at 10:06 A.M. She informed the Commissioners and all present that the meeting was being recorded. She asked that all identify themselves prior to making any statements.

The following Commissioners were present:

1st Vice President Jan Levine
2nd Vice President Seaver
Commissioner Meredith
Commissioner Caster
Commissioner Kaplan
Commissioner Butler
Commissioner Yamashiro
Commissioner Herbon
Commissioner Mitchell

The following Commissioners were not present:

President Gardner
Commissioner Shutan
Commissioner Hoover
Commissioner Martinez
Commissioner Quintana

Commissioners

Joe Gardner-President,
Hon. Jan Levine (Ret.)-1st Vice President, Daniel Seaver – 2nd Vice President,
Donald Meredith-Sergeant at Arms, Azael Martinez-Sonoqui, Cyn Yamashiro, Esq.,
Jacqueline Caster, Esq, Jo Kaplan Esq, Olivia E. Mitchell, Peter Shutan,
Zachary Hoover, Hon. Betsy Butler (Ret.), Esq., Randy Herbon, Jessica Quintana

The following staff were present:

Dave Mitchell, Deputy Director
Luis Dominguez, Acting Deputy Director
Felicia Cotton, Deputy Director
Marybeth Walker, Probation Director
Daniel Aceves, Probation Director
Scott Sanders, Probation Director
Patricia Rodriguez, Secretary
Genesis Cervantes, Staff Assistant

The following individuals were present:

Kerri Webb, Probation Public Information Office
Natasha Khamashta, Director Attorney
Maureen Pacheco, Public Defenders Office
Nicole Davis Tinkerhim, Public Defenders Office
Winston Peters, Public Defenders Office
Richard Weissman, Public
Cookie Lommel, AFSCME, Local 685

II. WELCOME AND INTRODUCTIONS

Commissioner Levine announced President Gardner had an excused absence therefore she will be conducting the meeting.

III. APPROVAL OF MINUTES

The minutes for December 14, 2017, March 8, 2018, and April 26, 2018 were not approved and were tabled for next meeting.

IV. LOS ANGELES COUNTY PROBATION DEPARTMENT UPDATE

Vector Control Report at Central Juvenile Hall

Director, Daniel Aceves of the Management Bureau reported on an investigation conducted by vector control in which they found no evidence of rodent activity at the time of inspection at Central Juvenile Hall. Vector control made a few recommendations such as placing bait traps around the facility as a precautionary measure.

Commissioner Caster mentioned Central Juvenile Hall Assistant Superintendent, James Phelps stated there was a rodent infestation at Central Juvenile Hall and inquired why Mr. Phelps had made such a statement while vector control reported there is no rodent activity at Central Juvenile Hall. Director Aceves will follow-up with Mr. Phelps on the matter.

Commissioner Caster inquired if the foundations of the building were inspected. Director Aceves stated since no dropping were found in the facility, it was not part of vector control protocol to inspect underneath the building. Commissioner Caster requested an inspection to be conducted under the foundation of the Central Juvenile Hall building to be sure there was no infestation because the facility is so old.

Presentation by the Probation Department on Tracking Youths' Outcomes

There was no presentation due to miscommunication between the Probation Department and the Commission. The Commission requested for the Probation Department to provide notice in advance of any confusion on what is to be presented.

Commissioner Yamashiro clarified the Commission was expecting to hear what the Probation Department is doing to understand their outcomes and recognize what is effective.

Commissioner Caster requested for documentation that is presented to the Commission by the Probation Department or County Counsel be sent to the Commission 72-hours before the meeting.

Commissioner Caster mentioned the Probation Department should have data on recidivism. Deputy Director, Felicia Cotton stated the Probation Department does have data on recidivism but it is not current. The last study of recidivism in the Probation Department was conducted in 2016 by the University of California Los Angeles. The Probation Department is working on having daily data on recidivism.

Commissioner Seaver suggested a representative of the Probation Department meet with President Gardner to discuss the topics in which the Commission would like addressed by the Probation Department to avoid future confusion.

Commissioner Caster request one member of the Probation Department stay for the full meeting as inquires tend to come up by the Commission.

Commissioner Seaver made a motion to reconvene a subcommittee of the Commission including Commissioner Seaver, Commissioner Levine, Commissioner Yamashiro, and President Gardner to meet with the Probation Department to clarify exactly what agenda items the Commission requested to be addressed by the Probation Department. The motion was second by Commissioner Yamashiro and the motion was approved. Commissioner Levine abstained.

Commissioner Mitchell requested for the Commission not to privately email requests to the Probation Department to avoid confusion on what is to be discussed in future agendas. Requests should be made during the Probation Commission meetings.

Commissioner Herbon inquired if a youth is released and turns 18 after the fact will his data be reflected on the recidivated data. Ms. Walker stated if a youth is release and is arrested in county jail after the youth had turned 18, it will not be reflected in the recidivated data.

The presentation of outcome tracking and an inventory of outcomes was tabled for next meeting.

Response to Commissioner Caster's Visit of Central Juvenile Hall

Acting Deputy Director, Luis Dominguez stated that the protocol when youths would like to make a call, the call must be dialed for the youths by staff. This policy is for both camps and hall. The calls are monitored for public safety.

Commissioner Caster stated it was a violation of unimpeded access for youths not to have a dedicated phoneline to the Ombudsman. Acting Deputy Director Dominguez stated the Probation Department is working on providing a dedicated phoneline to the Ombudsman for youths but was not able to provide a timeline on when it is to be done. Commissioner Caster requested a progress update on providing dedicated phonelines to the Ombudsman as well as a timeline for the June 14, 2018 meeting.

V. PUBLIC COMMENT

Winston Peters, Office of Public Defenders, thanked the Commission for addressing the issues discussed and informed the Commission that the Office of Public Defenders would like to work collaboratively with the Commission and Probation Department on the following issues:

- Increase programming for youths in the justice system, in the halls and camps specifically.
- Developing and expanding trauma informed care programs for youths.
- The use of pepper spray.
- Data collection of shackling and procedures in place for shackling.
- General Educational Development system in the halls and camps.

Richard Weissman, former member of the Commission, suggested the Probation Department and the Commission adopt a public audit procedure for the issues the Commission would like addressed and what the Probation Department will report on. Mr. Weissman stated he supports the proposition of the Commission having their own staff. Mr. Weissman discussed he is a member of the National Alliance on Mental Illness, one of the things the organization has done is work with the Sheriff's

Department to allow parents and family members of adults in custody to send in a list of medications the adult in custody is taking so that their medical and physiocratic needs are identified immediately. Mr. Weissman would like the Probation Department to take this procedure into consideration.

VI. NEW BUSINESS

Deputy Director Dave Mitchell went over the implementation the Assembly Bill No. 878. The bill authorizes the use of mechanical restraints on a juvenile during transportation outside of a local secure juvenile facility, camp, ranch, or forestry camp. The bill also authorizes the use of mechanical restraints during a juvenile court proceeding if determent necessary by the court. The bill will require a county probation department that chooses to use mechanical restraints to document their use which will need to include reason for its use for each individual youth restrained.

Commissioner Levine inquired if the implantation excludes the use of handcuffs. Commissioner Levine mentioned Section 210.6 states “Mechanical restraints, included, but not limited to handcuffs, chains, irons, straitjackets or cloth or leather restraints, or other similar items, may be used on a juvenile detained...” while the Legislative Counsel’s Digest states “The bill would require a county probation department that chooses to use mechanical restraints other than handcuffs...”. Acting Deputy Dominguez clarified the bill includes the use of handcuffs and will discuss the error with County Counsel and provide a revised version of the Assembly Bill No. 878 document.

Deputy Director Dave Mitchell stated the Probation Department is the transporting agency. The transportation policy in place now is youths are shackled when transported from one secure facility to another. For safety purposes, youths are shackled by the legs and handcuffed when being transported. Youths are not shackled during fieldtrips.

Commissioner Yamashiro inquired how is the Probation Department trained to communicate concerns regarding minors’ conduct in detention facilities. Deputy Director Mitchell stated the Probation Department send an observation report to the court two days before the court date. There may be an informal request by a court officer made through telephone communication. The report would then be presented to the judge for determination if youth should be restraint in court.

Commissioner Kaplan inquired if there is a different policy in place for youths with medical or psychiatric conditions being shackled. Deputy Director Dave Mitchell stated is no other policy in place for youths with medical or psychiatric conditions being shackled. All youth being transferred from one secure facility to another are shackled except for medical emergency transportations of one youth. With the new implementation in place, the Probation Department must individually assess youths to determine if shackles are required.

Commissioner Yamashiro requested a report back from the Probation Department on the following:

- What is the policy and practice in place when communicating youths' information?
- How the information that forms the bases for the decision to shackle is communicated to the court?

Commissioner Levine requested an update report from the Probation Department on Commissioner Yamashiro's request to be presented on June 28, 2018.

VII. OLD BUSINESS

Acting Deputy Director, Luis Dominguez informed the Commission that June 28, 2018 is the tentative date for Dr. Monique Marrow to present on the L.A. Model.

VIII. ANNOUNCEMENTS

Commissioner Levine congratulated the Probation Department on receiving an achievement award by the National Association of Counties for their work at Campus Kilpatrick.

IX. ADJOURNMENT

Commissioner Seaver moved to adjourned the meeting. Commissioner Yamashiro seconded the motion and the meeting was adjourned at 12:03 P.M.