



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



MINUTES OF REGULAR MEETING OF JUNE 14, 2018

The regular meeting of the County of Los Angeles Probation Commission was held on Thursday, June 14, 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 Jan Levine welcomed all and called the meeting to order at 10:02 A.M. 1st Vice President Levine informed the Commissioners and all present that the meeting was being recorded and asked that all identify themselves prior to making any statements.

The following Commissioners were present:

2nd Vice President Daniel Seaver
Commissioner Martinez
Commissioner Yamashiro
Commissioner Caster
Commissioner Kaplan
Commissioner Mitchell
Commissioner Shutan
Commissioner Butler
Commissioner Herbon
Commissioner Quintana

The following Commissioners were not present:

President Gardner
Commissioner Meredith
Commissioner Hoover

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.), Randy Herbon, Jessica Quintana

The following staff were present:

Sheila Mitchell, Chief Deputy
Dave Mitchell, Deputy Director
Luis Dominguez, Acting Deputy Director
Tiana Murillo, Chief of Staff
Jack Sims, Probation Director
Deanna Carlisle, Human Resources
Genesis Cervantes, Staff Assistant

The following individuals were present:

Tyson Nelson, Deputy County Counsel
Josh Greene, United Press International
Natasha Khamashta, Deputy District Attorney
Nancy Aspaturian, Justice Deputy, Third District
Diana Velasquez, Los Angeles County Office of Education
Jenny Brown, Public Defender's Office

II. APPROVAL OF MINUTES

The minutes of February 8, 2018 were tabled for next meeting.

Commissioner Seaver made a motion to approve the minutes of May 24, 2018. Commissioner Martinez seconded the motion and minutes were approved. Commissioner Levine, Commissioner Caster, and Commissioner Butler abstained.

III. LOS ANGELES COUNTY PROBATION DEPARTMENT UPDATE

Report Back on Commissioner Martinez's Inspection Report

Commissioner Martinez discussed his Inspection Report conducted on April 8, 2018. Commissioner Martinez addressed his concerns of the high rate of sick-outs from Probation Staff at Los Padrinos Juvenile Hall.

Acting Deputy Director Luis Dominguez stated the Probation Department is aware of the high number of sick-outs and is working on a comprehensive report for the Commission. Acting Deputy Director Dominguez stated there are many contributing factors to the high rate. Under the Prison Rape Elimination Act (PREA) standards, the right-size number of assigned staff is 213. On the day the Inspection Report was conducted, there were 215 assigned staff at Los Padrinos Juvenile Hall. Out of the 215 assigned staff, only 148 are considered full duty. The remaining 67 employees are out on medical leave, long-term personal leave, or are under investigation. Some staff stay on medical leave for a long period. Positions are filled even when staff are on leave. The Probation Department has been working on the issue for 4 months. County Counsel is working to

identify staff that are on long-term medical leave. The Probation Department is required to accommodate staff who are injured. The Probation Department cannot create new positions; however, staff may be moved to another position.

Chief Deputy Sheila Mitchell introduced the Probation Chief of Staff, Tiana Murillo.

Commissioner Shutan inquired if staff on medical leave can be reassigned. Ms. Murillo stated the Probation Department is required to accommodate injured staff. The Probation Department will assess whether there is reasonable reason to accommodate staff. Facilities have struggled to resolve the issue of having enough staff hired but not all show up to work. Ms. Murillo stated this is a countywide issue. Ms. Murillo stated staff can appeal the capability to perform their job but sometimes staff fail to do so. The Probation Department is mindful of employee wellness.

Commissioner Martinez stated that at his visit to Los Padrinos Juvenile Hall, a staff member informed Commissioner Martinez he was under investigation. Commissioner Martinez inquired if staff can transfer when under investigation. Acting Deputy Director Luis Dominguez stated staff can be transferred depending on the case, it is up to management to review and make the decision. The Probation Department also takes into consideration if staff have no contact or limited contact restrictions with youth because of the allegations.

Commissioner Butler inquired how the Probation Department trains staff considering the decrease in full-duty staff. Chief Deputy Sheila Mitchell stated they are moving forward with staff training despite staffing issues and stated the roll-out of the training would move along much faster if all assigned staff was in attendance.

1st Vice President Levine inquired if the Probation Department has considered instituting staff wellness measures. Ms. Murillo stated Deanna Carlisle of Human Resources has been leading a peer support program within the Probation Department and stated employee wellness is a Probation Department priority.

Commissioner Martinez inquired what is the minimum number of staff required to be on duty in juvenile halls. Acting Deputy Director Luis Dominguez stated in Los Padrinos the minimum number of staff required is 213 staff for all three shifts, but the number varies at each facility. The Probation Department is working to right-size the number of staff per youth. PREA standards is 1 staff per 8-10 youth. Deputy Director Dave Mitchell stated on average there is 1 staff per 10 youth in camps although the numbers vary at each camp.

Report Back and Possible Action on Installing Ombudsman Phone Lines

Chief Deputy Sheila Mitchell thanked Commissioner Caster for bringing to the Probation Department's attention the issue of phone access that the youth were facing at Central Juvenile Hall.

Acting Deputy Director Luis Dominguez reported the Probation Department was able to work with phone vendors and now have a speed dial option that youth may use to call the Ombudsman. The process began on June 6th, 2018.

Commissioner Caster inquired if youth have unimpeded access to these phone lines and if youth can make a confidential call without having to inform staff. Acting Deputy Director Luis Dominguez stated youth can make calls at any time, however, youth must notify staff. Youth are not required to inform staff who they are calling.

Commissioner Caster stated Campus Kilpatrick has a private room where youth can make a private phone call. Commissioner Caster inquired if there can be a private room for youth to make phone calls at all facilities. Deputy Director Dave Mitchell clarified there is no private dedicated room for phone calls at Campus Kilpatrick. The Probation Department will make calls to determine the feasibility of making private rooms for phone calls at the facilities. Commissioner Caster requested a 30-day report back.

Commissioner Seaver requested a report back on a Georgetown recommendation for grievances.

Public Defender Deputy Attorney, in Charge of Collaborative Justice Unit, Natasha Khamashta inquired who the Ombudsman phoneline operator is. The Probation Department stated Jessica Gama is the Ombudsman operator.

Commissioner Caster mentioned there was discussion of Jessica Gama moving to another position and inquired if Ms. Gama has been moved and the status of the Ombudsman position. Ms. Murillo stated Ms. Gama will be moved to another position but currently still holds the position of the Ombudsman. The Probation Department is looking for a replacement.

Commissioner Caster inquired about Georgetown's grievance system recommendation. Chief Deputy Sheila Mitchell stated with the Georgetown initiative, kids could really talk about the issues their facing. The Probation Department's grievance system has been reviewed and Georgetown did not recommend a private grievance program. Commissioner Caster stated when she spoke to Georgetown three months ago, they stated an independent grievance program is the most efficient. Commissioner Caster inquired why Georgetown did not give the Probation Department the same

recommendation. The Probation Department will follow-up and provide a written report back.

Commissioner Butler inquired if the grievance process has been standardized and if there is consistency at each facility. Chief Deputy Sheila Mitchell stated there was no consistency in the grievance process previously, but with the new Bureau Chief, the Probation Department has been working on grievance consistency across the board.

Commissioner Yamashiro inquired if the Probation Department is considering the iPad system to file grievances. Acting Deputy Director Luis Dominguez stated there were security concerns, but the Probation Department is very interested in implementing the iPad system. The Probation Department is concerned about their capability to implement the iPad system based on the technology it requires. Currently the Probation Department is interviewing grievance officers to identify the needs to move forward.

Commissioner Herbon inquired if there is confidentiality in the offices where youth make phone calls. Acting Deputy Director Dominguez stated there are no confidential files at risk in the offices that the youth make phone calls in. Deputy Director Dave Mitchell stated there are security issues when youth make phone calls which is why youth are supervised when making calls. Normally there are dedicated officers that make the phone calls to make sure youth are calling who they say they will be calling. Staff will then give the youth breathing room to talk. Deputy Director Mitchell clarified there are no phonebooths.

Commissioner Kaplan stated she and Commissioner Caster have called the Ombudsman for years and stated their calls have never gone through. Commissioner Kaplan stated this is a Commission priority. Commissioner Kaplan requested for the Ombudsman issue to be put at the top of the Probation Department's priority list.

Commissioner Shutan inquired if there is only one person dedicated to the Ombudsman. Ms. Murillo stated there is currently only one individual dedicated to the Ombudsman, but the Probation Department can consider more staffing.

Commissioner Caster stated she has gone to various facilities and youth have experienced the same issue of their calls never going through to the Ombudsman. Commissioner Caster inquired if Ms. Gama is evaluated for her work and performance on the number of phone calls answered. Chief Deputy Sheila Mitchell stated every county employee is evaluated for their work. The Probation Department has seen a decrease in the number of calls that go through the Ombudsman and are aware it may be due to their calls not being answered. Commissioner Caster also mentioned there is no grievance process for parents. Commissioner Caster stated she will speak with Georgetown who stated the best system is an independent grievance system.

Commissioner Butler added the Probation Department's grievance process is a serious issue and should be made a priority.

Commissioner Caster inquired why Georgetown did not recommend an independent grievance system. Chief Deputy Sheila Mitchell clarified Georgetown did not recommend against an independent grievance system. The Georgetown staff reviewed and evaluated the Probation Department's grievance system and stated their system needs improvement.

Report and Status of Recruitment Efforts

Ms. Murillo discussed the recruitment efforts that have been made and stated there is room for improvement. The first thing the Probation Department is doing is identifying the kind of staff they want. The Probation Department will make sure their job postings include key words that represent their rehabilitative vision. In 2015 the Probation Department began adding rehabilitative language to the classifications. In 2016 more changes in language were made such as referring to youth as probation youth rather than juveniles. In 2017 the Probation Department made Detention Services Officer (DSO) classification changes. All sworn classifications are being reviewed and there is an action plan for adjusting classifications to reflect their rehabilitative vision. The review will be complete in the next 3 months.

Commissioner Yamashiro inquired about the skills and backgrounds the Probation Department is looking for when recruiting. Chief Deputy Sheila Mitchell stated the Probation Department knows today that youth need trauma informed care and although the Probation Department values staff with criminal justice backgrounds they are also looking for staff with social work, child development, and psychology backgrounds. In terms of recruitment, the Probation Department is interviewing individuals who are in alignment with their rehabilitative vision. The Probation Department wants to recruit individuals who are child-centered, family-focused, and are understanding toward youth.

Commissioner Seaver stated in the past he had requested that rehabilitative language be included in every hiring notice and his request was ignored. Recently, Commissioner Seaver saw a hiring notice without any mention of rehabilitation and instead included language of force and control. Commissioner Seaver urged rehabilitative language be included in staff hiring notification consistently. Ms. Murillo agrees that words matter. The Probation Department has struggled to clear changes to hiring notices with DHR and share the same concerns. Ms. Murillo stated that although it is a priority, culture change takes time.

Commissioner Shutan stated the Probation Department needs to have control of recruitment and requested the Probation Department incorporate the reserve program in their recruitment plan.

Commissioner Butler inquired about new recruits leaving after only a couple of months. Acting Deputy Director Luis Dominguez stated the number of turnovers is high, not because staff are resigning, but because many staff get promoted to a higher position. The percentage of staff that resign is much lower.

Commissioner Butler inquired on the training new recruits receive. Chief Deputy Sheila Mitchell stated the Probation Department added different types of training and time at the academies. Previously, new recruits were in the academy for 5 weeks and then they would get their first assignment. The Probation Department has added 3-4 weeks to the academy training. New recruits then have a break from training and are sent to a facility to get firsthand experience on what the job is about before they are assigned to a specific facility. This will allow new recruits to determine if this job is for them. Additionally, the Probation Department has changed the training by incorporating trauma informed care and are looking at different models. If recruits decide this job is not for them, the Probation Department will conduct an exit interview to identify what they can improve on. Turnover rates and exit interviews will be provided at the next meeting.

Commissioner Caster mentioned she has spoken to new recruits who are discouraged by other staff not to speak or engage with youth. Commissioner Caster inquired what is being done on this matter. Acting Deputy Director Luis Dominguez stated in conducting exit interviews the Probation Department has had staff bring up the same issue. The Probation Department is working on having all staff trained. The Probation Department has been working on a proposal for recruiting rehabilitative staff and are looking for the right individuals to recruit. Chief Deputy Sheila Mitchell stated some staff are not in alignment with the Probation Department's vision but for the most part youth and staff are. There is, of course, room for improvement.

Commissioner Butler suggested a mentorship program for new recruits.

Commissioner Martinez stated he has spoken to new recruits who were partnered up with staff who have been in the Probation Department for 3 years and have had a positive experience. When partnered with a staff who has been in the Probation Department for 15 years there was negative feedback. Staff are told not to speak with youth. Commissioner Martinez applauded the Superintendent at Los Padrinis for pairing new recruits with experienced staff.

Commissioner Herbon inquired if the Commission can submit questions to the Department of Human Resources (DHR). Commissioner Levine suggested Commissioner Hebron draft a letter of questions he would like to submit. Ms. Murillo offered a report back on specific questions.

Commissioner Levine inquired if the review of classifications will include recommendations of changes. Ms. Murillo stated the review will include recommendations and will be ready in 3 months to move forward with the workplan in place. Commissioner Kaplan requested a progress report in 30 days.

Commissioner Kaplan suggested the Probation Department call Jacqueline McCrosky, Denise Hertz, and Wendy Smith to aid with recruiting students. Commissioner Levine stated the Probation Department should also hear from the union representatives. Ms. Murillo agreed.

Chief Deputy Sheila Mitchell stated she looked at a recent job posting which states, "must be able to restrain youth". Chief Deputy Mitchell stated there is progress towards changing job bulletins to a rehabilitation language.

Commissioner Seaver stated he would like to hear how the Probation Department will comprehensively bring new staff in to the new culture change. Ms. Murillo is working on a fully focused recruitment unit. Commissioner Levine would like the Commission to get updated information on the recruitment unit.

Commissioner Caster inquired if the Probation Department has a chief person that collects, keeps, and analyzes the data. Chief Deputy Mitchell stated the Probation Department is working on Probation statistics and are identifying gaps to determine what is effective. This is a work in progress. Commissioner Caster suggested the Probation Department find someone like Jacqueline McCrosky to aid the Probation Department on the data collection process.

Commissioner Quintana emphasized the importance of the recruitment of staff into a new, improved culture within the Probation Department and suggested the aid of Fred Carson and youth advocates.

Commissioner Herbon inquired if the Probation Department is still using lie detector test for recruitment. Ms. Murillo stated there is a polygraph component in the recruitment process.

Commissioner Herbon inquired the reliability of polygraph tests. Commissioner Shutan and Yamashiro stated polygraph test are not useless but are easily manipulated.

Commissioner Kaplan inquired how many vacancies are in the Probation Department. Ms. Murillo stated there are shortfalls that the Probation Department is working on and mentioned modifications have been made. Ms. Murillo will report back in 30 days with a precise number.

IV. PUBLIC COMMENT

There were no public comments.

V. OLD AND CONTINUED BUSINESS

Commissioner Seaver will report back on his letter to the Board of Supervisors for the next meeting.

There was clarification on what will be present for the upcoming meetings. Chief Deputy Sheila Mitchell stated Dr. Monique Marrow will be presenting on the L.A. Model at next meeting, June 28, 2018.

Commissioner Caster inquired about the tracking data and outcomes from the Probation Department. Chief Deputy Sheila Mitchell stated the data was shared at last meeting but will distribute the data to those who were not present.

VI. ANNOUNCEMENTS

Commissioner Shutan discussed that he, along with Commissioner Mitchell and Commissioner Butler, attended the opening of the Probation Department's new Boy's Care Unit at Central Juvenile Hall.

1st Vice President Levine made the following announcements:

The Operation Graduation Ceremony will take place on June 21, 2018 at 4:00 P.M. at the Walt Disney Concert Hall, 111 South Grand Ave., Los Angeles 90012. RSVP is required.

The L.A.C.D.P.O Union's 15th annual scholarship and awards banquet will take place on August 10, 2018 at 6:00 P.M. at the Sheraton Universal Hotel, 333 Universal Hollywood Drive, Universal City.

There will be a Use of Force Training for Leadership, coordinated by Deputy Director Dave Mitchell. Set dates will be announced.

VII. ADJOURNMENT

Commissioner Seaver moved to adjourn the meeting. Commissioner Yamashiro seconded the motion. The meeting was adjourned at 11:49 A.M.