



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



MINUTES OF REGULAR MEETING OF OCTOBER 25, 2018

The regular meeting of the County of Los Angeles Probation Commission was held on Thursday, October 25, 2018 at the Kenneth Hahn Hall of Administration, 500 West Temple Street, 1st floor, Room 140A, Los Angeles, California 90012.

I. Commission President Joe Gardner welcomed all and called the meeting to order at 10:11 A.M. President Gardner 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:

1st Vice President Jan Levine
2nd Vice President Dan Seaver
Commissioner Meredith
Commissioner Butler
Commissioner Kaplan
Commissioner Mitchell
Commissioner Shutan
Commissioner Herbon
Commissioner Swartz

The following Commissioners were not present:

Commissioner Yamashiro
Commissioner Hoover
Commissioner Caster
Commissioner Martinez

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,
Rev. Zachary Hoover, Hon. Betsy Butler (Ret.), Randy Herbon, Gale Swartz

The following staff were present:

Sheila Mitchell, Chief Deputy
Robert Smythe, Administrative Deputy
Jack Sims, Probation Director
Genesis Cervantes, Staff Assistant
Lydia Jurado, Staff Assistant

The following individuals were present:

A.J Young
Cookie Lommel
Cesar Sanchez
Chris Ah San
Hans Liang
Yolanda Cerna

II. APPROVAL OF MINUTES

Commissioner Levine motioned to approve the minutes of December 14, 2017. Commissioner Butler seconded the motion and the minutes were approved. Commissioners Swartz abstained.

Commissioner Butler motioned to approve the minutes of September 27, 2018. Commissioner Swartz seconded the motion and the minutes were approved.

III. LOS ANGELES COUNTY PROBATION DEPARTMENT UPDATE

Report Back on the Rise of Referrals to the Hope Center

Chief Deputy Sheila Mitchell stated that the Probation Department will file a report on the rise of the number of minors in the Hope Center at juvenile halls. Chief Deputy Mitchell stated that in 2016 the Special Housing Units (SHU) were discontinued and instead the Hope Centers were created to use for de-escalating the youth that need more attention. The Probation Department's goal is to train all staff in de-escalation throughout all facilities. Chief Deputy Mitchell stated that at CJH, Hope Center referrals were high during the summer but are now beginning to decrease.

Referrals to the Hope Center at Central Juvenile Hall (CJH) in 2018 are as follows:

- On average (from January-October): 81 youth were referred to the Hope Center.
- 51% out of the 81 youth were referred to the Hope Center for youth on youth violence.
- 34% were referred to the Hope Center due to other disruptive behavior (example: contraband and/or AWOL attempt).

Chief Deputy Mitchell gave the total number of referrals at CJH for the following months:

- January 2018 - 54 referrals
- February 2018 - 38 referrals
- July 2018 - 148 referrals
- August 2018 - 112 referrals
- September 2018 - 93 referrals
- October 2018 - 70 referrals as of October 25, 2018

Referrals to the Hope Center at Los Padrinos Juvenile Hall (LP) in 2018 are as follows:

- On average (from January-October): 95 youth were referred to the Hope Center.
- Most referrals were due to disruptive behavior.
- Less than 20% were also referred to the Specialized Services Program Housing Unit.
- Less than 10% were due to assault on staff.

Referrals to the Hope Center at Barry J. Nidorf Juvenile Hall (BJNJH) in 2018 are as follows:

- On average (from January-October): 41 youth were referred to the Hope Center.
- 70% of the referrals were for de-escalating youth.

Chief Deputy Mitchell stated that a full report will be sent to the Commission by the end of this week. Chief Deputy Mitchell added that the Probation Department will provide the Commission with explanations behind placing the youth in the Hope Centers every month.

Commissioner Levine stated that she is curious to see the full report as it is contrary to what she witnessed. Commissioner Levine stated that the Hope Center at CJH is empty and at BJNJH, the Hope Center is not being used for de-escalation. Commissioner Levine stated that the staff at BJNJH stated that they do not want to send the youth to the Hope Center because they are in fear of getting disciplined for using the Hope Center as the SHU. Chief Deputy Mitchell stated that it's unfortunate that the Hope Centers are being used as the SHU. The Hope Center was created in place of the SHU. Chief Deputy Mitchell stated that the Probation Department will work with staff so that they fully understand the Hope Center is to be used for de-escalation and not punishment.

Commissioner Levine asked when staff will be receiving de-escalation training. Chief Deputy Mitchell stated that staff had received some trauma informed care training at CJH, BJNJH, and Camp Rockey. Deputy Director Luis Dominguez participated in training done by a company that provides training to hospitals and the Probation Department is in the process of signing a contract with them to provide de-escalation training for Probation staff.

Commissioner Kaplan stated that she would like all staff trained in trauma informed care. Commissioner Kaplan inquired about the type of youth that are sent to the Hope Center (whether they are 707b youth, Level-14 youth, or suicidal youth). Commissioner Kaplan requested mental health data on the youth that are sent to the Hope Center.

Chief Mitchell stated that the trauma informed training is there, but the Probation Department will work on enhancing de-escalation training. Commissioner Kaplan suggested retraining Probation Officers.

Commissioner Herbon requested clarification on staff assaults data that Chief Deputy Mitchell presented. Commissioner Herbon added that the 777 form is the last resort and directors and supervisors are being rejected and feel discouraged by staff higher than them in the Probation Department. Commissioner Herbon stated that there are concerns that the negative incidents in court reports are being removed before getting to the court and has concerns with the use of the Hope Centers.

Chief Deputy Mitchell stated that staff are not being discouraged to use form 777, she suggested being more solution focused to provide that information, so staff can be addressed regarding the issue. Chief Deputy Mitchell added that the youth are being worked with longer to give them the opportunity to succeed, and that is the main goal.

Commissioner Herbon stated staff are afraid to speak out and stated the he invited staff to attend, and only one was in attendance from Los Padrinos. Commissioner Meredith added that staff safety is a concern.

Commissioner Levine stated that there are no resources for the youth regularly. Chief Deputy Mitchell responded that the Probation Department would be more than happy to present the type of mental health services being provided by the mental health clinicians.

Commissioner Seaver stated that de-escalation tools need to be given to staff. During his visit with Central Juvenile Hall staff repeatedly stated that tools are being taken away and alternate tools aren't being provided. Commissioner Seaver mentioned that it's very concerning in terms of having resources to deal with changes in policies.

Commissioner Shutan stated training is being denied while overtime is not being allowed, there needs to be an accommodation for training to get staff appropriately trained as soon as possible and overtime should be approved as it seems to be playing a big factor.

Commissioner Swartz inquired on an expectation date for a data presentation regarding mental health services provided to the Hope Centers. Chief Deputy Mitchell stated she will reach out to the Department of Mental Health to present information on mental health services provided to the Hope Centers.

Commissioner Butler stated that inquiries and requests from the minutes of December 14, 2017 still have not been answered. Commissioner Butler would like the 18 concerns and pending items to be added to list of the Commission's Pending Items Lists. Commissioner Butler also expressed that she did not get a good sense that the staff felt supported and were exhausted from doing double shifts. Chief Deputy Mitchell stated that it is a massive undertaking to retrain all staff on using different ways of dealing with the youth instead of using solitary confinement.

Commissioner Levine inquired about the status of list of the 18 concerns and Commissioner Butler replied that the list was sent to the Probation Department and requested an update.

President Gardner inquired about the number of line staff. Chief Deputy Mitchell will follow up with the exact number.

Commissioner Herbon suggested planning ahead in training and hiring being that BJNJH is short 53 staff. Commissioner Herbon also expressed his concerns on overtime and requested a report back on overtime within a month or so.

Update on Abuse Reports at Sierra Ridge Academy, Right of Passage in San Andrea's

Chief Deputy Mitchell stated there was an investigation and that the youth's attorneys do not have concerns with the 19 youth staying at Rite of Passage. There was a technique being used called stabilization technique and some forms of solitary confinement. Both were put to a stop. There also was video footage reviewed with over 503 incidents from January through August of 2018. Rite of Passage is off intake and matter is under investigation.

President Gardner inquired on the number of minors at the facility. Chief Deputy Mitchell responded that there are currently 19 minors at Rite of Passage

Commissioner Seaver inquired if other jurisdictions are aware and investigating. Chief Deputy Mitchell stated that other counties have taken youth out of and are aware of the Rite of Passage issues.

Commissioner Herbon inquired if there are other facilities tied in with the Rite of Passage and whether it's a national program or a state-run program. Chief Deputy Mitchell stated she will find out.

IV. NEW BUSINESS

Presentation of Cookie Lommel

Cookie Lommel discussed the American Federation of State County and Municipal Employees (AFSCME) Local 685 Believes Our Probation Department are Heroes. She stated Probation Officers are viewed in a negative light but there are many things

Probation Officers do that nobody talks about. They want to bring to the light on what Probation Officers do. She hopes Probation Officers are recognized for the work that they do.

Commissioner Seaver thanked Ms. Cookie Lommel for her presentation. Commissioner Seaver stated that on one occasion he along with probation staff helped a youth move in to their independent living facility and had a BBQ with his family. Commissioner Seaver stated that although the Commission should celebrate the Probation Department, the primary responsibility of the Commission is to try and provide oversight and protection to the youth.

Commissioner Meredith added that he supports the Local 685 work in recognizing Probation Officers.

Commissioner Levine inquired about what staff does the Union 685 represent. Cookie Lommel stated that Union 685 represents line staff, Detention Services Officers (DSOs), and Deputy Probation Officers (DPOs) which are in the adult fields, the halls, and the camps. Service Employees International Union (SEIU) represent Supervising Deputy Probation Officer (SDPO) and Supervising Detention services Officer (SDSO). PMA represents the directors.

Commissioner Shutan shared that Probation Officers are incredible and valuable, he also added that Probation Officers are role models for the youth.

Commissioner Butler stated that in a past visit to BJNJH many grievances were praising a Probation Officer and inquired on what is the Probation Department doing to recognize those staff members. Chief Deputy Mitchell stated that the Probation Department have celebrations and have employee of the month to recognize those employees.

Cookie Lommel added Ms. Tyson was recognized last year.

Commissioner Swartz inquired if there are accommodations that are added in the employee file. Chief Deputy Mitchell replied that this happens routinely.

President Gardner stated that in his past career as a Police Sergeant, he and Mr. Lopez became close friends spending countless hours helping gang members off the streets. President Gardner stated that good things happen at various camp sites but sadly, we don't hear reports of these stories as much as we would like.

Chief Deputy Mitchell added that the Probation Department has a newsletter that highlights staff and good stories within the Probation department, she also suggested adding the Commission to the distribution list.

Commissioner Herbon asked Cookie Lommel to bring Probation Officers to Commission meetings to be recognized and acknowledged. Cookie Lommel agreed.

V. PUBLIC COMMENT

Hans Liang 20-year veteran of the Probation Department discussed 685. Mr. Liang stated that he ran into a youth who is now a Chief at Pasadena and the youth stated Mr. Liang changed his life. Mr. Liang credited the youth for changes in his own life. Mr. Liang stated that it is part of the job to guide youth. Mr. Liang stated that liability is important so that the staff not only get training but making sure staff are capable to apply the training on the job.

Commissioner Meredith commended Mr. Liang for his work.

Commissioner Herbon agreed with Mr. Liang's statements and stated that safe crisis training seems improper and that's the reason why people are freezing. Commissioner Herbon suggested the Probation Department could work to refine the skills with someone who understands it.

Commissioner Seaver inquired about coaches for line staff and suggested onsite coaches.

Commissioner Levine inquired about what is done with staff that may be overweight due to the stationary work. Mr. Liang stated that the Probation Department along with the union can work on a fitness program for the staff.

Yolanda Cerna Institution Vice President for Local 685, currently a Detention Officer at Los Padrinos Juvenile Hall stated that the revolving door is the same as it used to be, and the youth are staying longer. Yolanda Cerna stated that 10 staff on probation with not a clue what to do is equivalent to no staff. Yolanda Cerna suggested working with the Probation Department on training due to staff and trainees being clueless. Yolanda Cerna added that the staff is unaware of the L.A Model.

Commissioner Butler inquired about coaches being available on every shift and why all facilities are being run differently. Yolanda Cerna responded that all facilities should be run the same and each facility should have an aggressive training team with a unit just in case someone calls off.

Chief Deputy Mitchell stated that some of the facilities have different populations, in terms of training. All facilities should be running the same.

Commissioner Butler suggested a mentorship program.

Commissioner Levine inquired about management partaking in a town hall or listening session with staff. Yolanda Cerna stated that is has been discussed and stated that they can do better at the town hall meetings.

Commissioner Butler questioned if Yolanda Cerna felt supported by the Probation Department. Yolanda Cerna stated that she loves her job but at times it seems unclear with certain management.

Commissioner Herbon inquired on whether Yolanda Cerna filed any 777's out of the unit. Yolanda Cerna answered no. Commissioner Herbon asked if staff have ever been assaulted and whether charges were filed or not. Yolanda Cerna stated that recently the Probation Department has picked up on filing charges against minors.

VI. OLD AND CONTINUED BUSINESS

Continued Discussion of the Confidentiality Agreement

President Gardner shared that Commissioner Swartz suggested renaming the document as "Memorandum of Understanding."

Commissioner Kaplan stated that she is concerned with the conflict of interest of County Counsel. Commissioner Meredith added he does not think the Confidentiality Agreement will do much.

Commissioner Swartz stated that the purpose of the Confidential Agreement is so that the Commission understand the release of information.

President Gardner stated that the Probation Department is a Brown Act body but there is an appropriate time to release information to the public. He also added that the Probation Department has 30 days to respond to the Commission. The Commission should allow 30 days to get a response before releasing the information to the public.

Commissioner Butler stated that any time a reporter has requested a statement she tells them to speak with the President of the Commission.

President Gardner stated that this discussion would be continued in a future meeting when there is more definitive information from the respective County Counsel.

Topics for Next Meeting November 8, 2018

The Commission is seeking data on use of restraints per request on the Probation Commission Meeting of October 11, 2018.

Response to Commissioner Levine's letter to Chief McDonald regarding Barry J Nidorf Juvenile Hall inspection. Commissioner Levine requested to postpone the response to her letter to the Chief for December 13, 2018 meeting.

Chief Mitchell stated that she will provide the Commission with the reports that are due and will be ready to present it at the postponed date.

VII. ANNOUNCEMENTS

President Gardner reminded the Commission about inspection reports being due November 8, 2018.

President Gardner announced that the Annual election of Commission Officers is postponed to January 2019.

VIII. ADJOURNMENT

Commissioner Seaver moved to adjourn the meeting. The meeting was adjourned at 11:54 A.M.