



# COUNTY OF LOS ANGELES PROBATION DEPARTMENT

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**RAY LEYVA**

Interim Chief Probation Officer

December 2, 2020

To: Joe Gardner, Probation Commission President  
Randy Herbon, Commissioner representing SD-4

From: Tom Faust, Acting Chief Deputy, Juvenile Services

Hello Commission Gardner and Herbon,

I am writing to you as a follow up regarding the letter you sent to Chief Ray Leyva in November concerning COVID-19 protocols, field deployments, and related issues. We appreciate the input and recommendations for our consideration in the various operational areas addressed.

The following responses are addressing the specific questions that the Commission requested within your letter to Chief Leyva.

1. How many field staff have been deployed to institutions?

During the initial push of deployments in March/April the number was approximately 650 field staff per week. That number reduced over time until field deployments stopped on October 31, 2020.

2. How many field staff requested exemptions?

Unknown, handled within the unit(s) per IPM. Each request is case by case and predicated on the individual needs. We estimate around 500 requests were made, and of that about ½ were accommodated as requested.

3. How many were denied?

Unknown, handled within the unit(s) per IPM. In addition, Labor Code 248.1 effective in Sept 2020, allows for COVID leave to be requested (up to 80 hours) for isolation, so approximately 36 Dept. staff that had been denied COVID leave for self-isolation were retroactively granted the paid leave time.

4. Is seniority considered prior to deployment?

No, seniority was not a factor. Deployments were an all hands-on-deck order from Chief Leyva for pandemic emergency, with few exceptions such as the 24/7 AB109 Pre-Release Center.

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5. Have deployed staff received current training in?  
Field staff were primarily backups and support to the regular institution staff. Training on-site was developed by Institutions for the field staff for specialized areas if assigned, such as safe crisis management and suicide prevention measures.
6. How many of the 100 field office personnel that have tested positive for COVID-19 have been deployed to an institution?  
Our records show 19, however we do not know if they actually sustained exposure from the workplace.
7. How many of those that tested positive for COVID-19 had previously requested an exemption from deployment?  
Unknown
8. Is there a risk of litigation from those considered high-risk that were deployed?  
Unknown. The department is exempt from the CDC guidelines for self-isolation, however IPM's are recommended for each request to determine if they can be reasonably accommodated.
9. Would it be possible or feasible to deploy field deputies from a specific area to a specific institution to minimize cross-contamination? For example, Rio Hondo/Camp Rockey, Van Nuys/BJN etc.  
Deployments are by need and not specific geographical arears. There is no DPH guidance to suggest any effect on "cross-contamination".
10. How are staff notified when they have been in close contact with a co-worker that has tested positive COVID-19?  
All staff at the location receive a courtesy written/email notice that there was a positive test, along with additional guidelines given.
11. Is every staff member that came in contact with the positive case of COVID-19 placed under quarantine for 14 days?  
No, for staff at Institutions, due to critical staffing needs, if asymptomatic, they may continue to work with PPE and enhanced instruction to self-monitor. All other staff are instructed to quarantine for the full 14 days. These protocols are under the approval and guidance of DHS/DPH.
12. What measures determine when staff are quarantined?  
If they meet Department of Public Health guidelines for close contact.

13. What constitutes "Close Contact"?  
Department of Public Health Guidelines include face to face contact with an infected person of closer than 6 feet for more than 15 minutes cumulatively in a 24 hour period, or direct secretions from an infected person (coughing on, sneezing on)
14. Once a staff member tests positive for COVID-19, what procedures does the Department implement?  
They are isolated per Department of Public Health guidelines for 10 days plus 24 hours after all symptoms abate.
15. If a staff member tests positive for COVID-19 or is quarantined, are they required to use "Sick Time" or Vacation Pay?  
They use their own accruals just like for any other illness and are eligible for COVID leave to use up to 80 hours of emergency leave. If the infection/exposure arose out of the workplace, they may file for WC benefits
16. What proof must a staff member provide in order to be eligible for Workman's Compensation pay?  
They would file a claim and the Administrator would review to determine if they meet the criteria. (handled by Sedgewick, not Dept. staff)
17. How does the Department facilitate contact tracing?  
Management has been trained on Contact tracing/assessment. Contact assessment is conducted immediately upon notice of a positive test result by the bureau with the assistance of HR. Positive staff are provided with guidance, isolation period length and Department of Public Health handouts.
18. Are specific staff assigned to contact trace, and what training have they received from CDC or Johns Hopkins?  
Yes, typically the Special Assistants in each bureau, however management and HR will assist as needed. Contact Tracing/assessment for the department has been provided by Probation HR, as per Department of Public Health guidelines.
19. Has there been any follow-up on reviewing any collateral infections among family members of staff that have tested positive?  
Not at this time. There is already a considerable workload in the mandatory tracking and reporting currently being completed.
20. Is there a process in place for regular, mandatory, on-site testing of staff?  
Not at this time. Up to this point, mandatory testing was not recommended by Public Health. With the new CAL-OSHA requirements for testing if there is an outbreak, County DHR/CC is working on a process to be implemented shortly

21. Has Health Services been contacted to determine the feasibility of on-site medical personnel conducting routine testing of personnel similar to the testing conducted by professional sports?  
They have been contacted and they recommended personnel going to their personal medical doctor for testing. Health Services does not deem feasible.
22. What procedures are in place to hold both staff and minors accountable for wearing masks when necessary?  
Staff receive progressive discipline and youth's courts are notified of their refusal in addition to case notes in their behavior chart. Regular and frequent notices emphasize mandatory requirements.
23. Can field office personnel receive mileage for the difference traveled to an institution if that distance is greater than their regularly scheduled commute?  
Yes, within County Mileage procedures.
24. Has the Department considered "bonus pay" for deployment assignments?  
Not at this time. Deployment assignments to institutions has been emergency needs during pandemic.
25. Why are camps and halls so understaffed that despite low populations they must rely on field staff being forced outside of their comfort zones to adequately staff the facilities?  
Due to the pandemic, we have had to increase our staffing due to social distancing requirements, transporting youth to kiosks for DMH appointments, virtual appointments for court and attorneys, escorting and supervising youth in school. Small groups are required for activities, such as recreation which require additional staff. Additionally, we have a significant amount of staff out on FMLA, Medical Leave or IA. Adding on to this list are the staff that are out due to COVID or childcare issues as schools are closed or conducted remotely.

c: Ray Leyva, Interim Chief Probation Officer  
Reaver Bingham, Senior Chief Deputy  
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