



September 17, 2026

Linda Penner, Chair
Board of State and Community Corrections
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Re: September 17, 2026 Agenda Items C and D — Camp Rockey Corrective Action Plan and Barry J. Nidorf Secure Youth Treatment Facility

Dear Chair Penner and Members of the Board:

We write regarding Agenda Items C and D on the Board's September 17, 2026 agenda: approval of the corrective action plan ("CAP") for Los Angeles County's Camp Rockey and the determination of suitability for the Barry J. Nidorf Secure Youth Treatment Facility ("BJN SYTF").

The two items require different action from the Board, but they raise the same underlying concern. Namely, that Welfare and Institutions Code section 209 and the Board's own corrective action policy are not being applied with the urgency and precision the statutory scheme requires. Section 209 establishes a deliberately time-limited process for notifying a county of identified noncompliance, requiring correction, verifying that correction has occurred, and bringing unresolved violations before the Board for a suitability determination. Those timelines are not administrative details. They determine how long young people remain confined in facilities that are not meeting minimum standards and how quickly the State responds when a county fails to correct known violations.

With respect to agenda Item C, we support approval of the Camp Rockey CAP, but the accompanying approval letter contains a material error regarding the deadline for correction. It should be September 30, 2026 and not December 4, 2026. The Board should direct staff to correct it, and direct immediate delivery of a corrected letter so that the error is not relied upon.

With respect to agenda Item D, the materials indicate that BJN SYTF has now corrected the two remaining items of noncompliance. The Board should nevertheless address two substantial delays in the corrective-action process and make clear that similar delays are not acceptable going forward. The Board should also take steps to clarify the status of Barry J. Nidorf Juvenile Hall, which remains unsuitable even though the BSCC has now advised the County that no further items of noncompliance remain under its most recent CAP.

Agenda Item C – Camp Rockey’s the approved resolution date is September 30, 2026 not December 4, 2026 and must be corrected

The Camp Rockey CAP identifies September 30, 2026 as the latest date by which Los Angeles County will complete the corrective actions necessary to remedy the identified noncompliance. BSCC staff approved that CAP. Under both section 209 and the corrective-action policy adopted by this Board on July 11, 2024, that is the operative resolution date and therefore the deadline for correction.

The Board’s policy is explicit: “On or before the resolution date indicated on the final CAP, the Chief Probation Officer must send written verification to the FSO Deputy Director that the corrective action is complete, and the item(s) of noncompliance have been remedied.” *See*, “Welfare and Institutions Code section 209 subdivision (d) Corrective Action Plan and Approval Process” approved by Board on July 11, 2024.

The policy distinguishes between the resolution date contained in an approved CAP and the outside statutory maximum. It also provides a process through which a county may seek additional time if it later determines that it cannot meet the approved date. That structure would make little sense if the resolution date stated in the CAP were merely advisory or could automatically be replaced by the statutory maximum.

The approval letter nevertheless states that Los Angeles County must provide notice of completion by December 4, 2026. That date is incorrect in two respects. It is not the resolution date in the approved CAP, and it is not the correct statutory maximum. The December date appears to have been calculated by adding 90 days to the date an approved CAP was originally due, rather than to the actual date of approval. BSCC staff approved the CAP on August 13, 2026, and the outside statutory date is 90 days from that approval, November 4, 2026.¹

The distinction here matters. September 30 is the date the County proposed, the BSCC staff approved, and that the Board is asked to ratify today. November 4 is the outside statutory maximum. December 4 is neither. The Board should not approve a letter that substitutes an unauthorized deadline for the one contained in the CAP.

The error also has real consequences for oversight. Both September 30 and November 4 fall before the Board’s November 19, 2026 meeting. If Camp Rockey fails to meet its commitment,

¹ We also note our position remains that the 90-day correction period in section 209 runs from the date the facility receives notice of noncompliance—not from the later and inherently unfixed date on which a CAP happens to be submitted, approved by staff, ratified by the Board, or otherwise deemed “final.” At the time a county is developing its CAP, those later dates are unknown and may shift for reasons entirely outside the correction process itself. The increasingly reflexive invocation of a “statutory maximum,” coupled with the legal and administrative acrobatics required to calculate that maximum from a movable starting point, only reinforces why utilizing the notice date to start the clock is the more coherent and workable interpretation. It provides a fixed date known to everyone from the outset, creates a genuine outside limit on the period of noncompliance, and leaves substantially less room for gamesmanship where the safety and well-being of confined youth are at stake. In this instance, the distinction does not change the practical result because the September 30 resolution date falls within 90 days even under our interpretation. But using the notice date would have avoided the very problem now before the Board: uncertainty over which later procedural event starts the clock and, consequently, when the correction period actually ends.

section 209(d)(3) requires a suitability determination at the Board's next scheduled meeting. Using the erroneous December 4 date would move any such determination beyond November and delay the Board addressing it until February 2027, effectively adding months to the statutory enforcement process.

That would be particularly troubling here because the Camp Rockey noncompliance concerns room confinement. Room confinement violations are unfortunately common and, as repeated findings across multiple facilities demonstrate, have proven difficult to correct on a sustained basis. They are also among the violations that can inflict the most direct and immediate harm on youth in custody. For that reason, corrective-action timelines for room confinement should be particularly short, and any longer period should be subject to close scrutiny before it is deemed reasonable. The time allowed for correction is not simply processing time within a regulatory system; it is time during which young people may continue to experience the condition that caused the facility to be found out of compliance. The Board should therefore approve the CAP, but direct staff to issue a corrected letter requiring the County to provide written verification of correction on or before September 30.

The Board should also take note of the dates and calculations in future CAPs to ensure the problem does not recur.

Agenda Item D – Barry J. Nidorf SYTF: repeated delays undermined the corrective-action timeline

The record before the Board indicates that BJN SYTF has now corrected the two items that remained outstanding after the County's CAP deadline. We do not have information that calls the present finding of compliance into question. But the path to this point reflects two delays that warrant attention because each unnecessarily extended the process contemplated by section 209.

The first delay occurred at the outset. BSCC staff conducted an onsite inspection between December 11 and December 15, 2025 and identified noncompliance at the facility, but formal notice was not provided until the January 14, 2026 exit briefing and Initial Inspection Report. Approximately a month passed between the conclusion of the onsite inspection and notice to the County. This is a recurring and unacceptable problem.

Section 209 requires the BSCC to "promptly" notify a facility when noncompliance is identified. That requirement exists for an obvious reason: notice starts the corrective-action process. A month of delay at the front end pushes every subsequent step back by a month.

We briefly inquired as to why notice was not provided sooner in this instance and were given no substantive explanation beyond the intervening holiday period. Holidays may make scheduling more difficult, but they do not suspend statutory obligations in section 209 or lessen the urgency of identified violations in facilities where young people are confined.

The concern is heightened because this is not a new problem. Years ago, lengthy delays between onsite inspections at Barry J. Nidorf and formal notice of violations were the subject of repeated

discussions with BSCC staff. Those concerns helped lead to the development of the Initial Inspection Report and exit-briefing process, precisely so that facilities would receive notice of identified violations at the conclusion of an inspection rather than waiting weeks or months for a final report or additional documentary review.

An exit briefing held a month after the onsite inspection has concluded defeats much of that purpose. The exit briefing is intended to occur, and the IIR to be provided, at the conclusion of the onsite inspection. If staff leave the facility without conducting the briefing or providing notice, both become untethered from any defined event or timeline and increasingly attenuated from the actual identification of noncompliance. That matters because it is the identification of noncompliance, not a later administrative step, that triggers the statutory obligation to provide prompt notice. Delaying the exit briefing therefore risks converting a mechanism designed to ensure immediate notice into an open-ended process with no clear temporal anchor

The second delay occurred after the County's June 13, 2026 CAP deadline. Los Angeles County informed the BSCC that it had completed the CAP in a letter dated June 13, 2026. We now know that it had not; two items remained outstanding. Yet staff did not verify the continuing noncompliance until approximately a month later.

At the time the June 13 deadline passed, the Board's next scheduled meeting was July 23. That meeting was subsequently canceled, so the Board could not ultimately have made a suitability determination on that date. But the cancellation does not explain why staff had not already determined whether the County had actually completed its CAP.

Verification should have begun immediately after June 13. Had it done so, staff should have known, while the July meeting was still scheduled, that the County had failed to complete its corrective action. Once that meeting was canceled, the matter could then have proceeded at the next scheduled meeting. The meeting was ultimately canceled, but had it proceeded, the Board should have been in a position to address the remaining items of noncompliance. More fundamentally, the Board should have been informed of the unresolved violations promptly enough to consider that information when deciding whether cancellation was appropriate in the first place.

The delay is especially difficult to understand because at least part of the remaining noncompliance involved missing documentation. Staff did not need to wait a month for an onsite visit merely to ask whether the required documentation existed. A county's assertion that it has completed a CAP should trigger verification, not a period of regulatory silence.

Otherwise, the statutory process effectively turns not on when a facility actually comes into compliance, but on when the regulator chooses to determine whether compliance occurred. That is incompatible with a scheme designed to produce prompt correction and timely suitability review.

Fire-safety requirements cannot be treated as technical paperwork

The unresolved violations at BJN involved fire-safety requirements. It would be a serious mistake to treat the absence of required clearances or documentation as a bureaucratic defect that ultimately mattered little because the issue was eventually resolved.

Los Angeles County knows better than most jurisdictions how quickly fire can become a life-threatening emergency. Its juvenile facilities have repeatedly faced situations in which evacuation planning, fire clearances, staff preparation, transportation, and workable emergency procedures were critical to the safety of young people who could not simply leave on their own.

The history of fire preparedness in the County's juvenile facilities, or lack thereof, is well documented, including in the *WitnessLA* "Facing the Inferno" series and in prior incidents involving youth facilities threatened by major fires.² The County is currently facing litigation arising from a tragic incident associated with an emergency fire evacuation.

Against that backdrop, fire inspections, clearance certificates, and evacuation planning should not be treated as paperwork exercises. They are safeguards intended to establish, before an emergency occurs, that a locked facility is prepared to protect children who are entirely dependent on public officials for their safety.

That is why the delays here matter. A month before notice of identified fire-safety noncompliance, followed by another substantial delay before verification of correction, meant additional time during which the Board did not know whether minimum safety requirements had actually been satisfied. And during peak fire season no less.

The Board should make clear that CAP deadlines govern the BSCC's work as well as the County's obligations

Items C and D together expose a broader problem in the administration of section 209. The statute imposes deadlines on counties, but those deadlines can protect youth only if the BSCC organizes its own work around them.

When an approved resolution date approaches, staff should already know what will be required to verify compliance. Documentary proof should be requested immediately. Any onsite verification that is genuinely necessary should be scheduled closely enough to the resolution date to permit staff to determine whether the County met its commitment and, if it did not, to bring the matter before the Board at the next scheduled meeting.

There may be occasions when the interval between a CAP deadline and the next Board meeting is genuinely too short to complete meaningful verification. But that should be the exception, not the operating assumption. A month is more than enough time to request readily available documents and, in the vast majority of cases, to conduct focused follow-up.

² <https://witnessla.com/category/facing-the-inferno/>

This is particularly important because delays in notice, verification, and Board review have been a recurring concern in state oversight and with respect to Los Angeles County's juvenile facilities in particular. The Board should therefore make clear that the deadlines in section 209 are not deadlines only for the regulated county. They necessarily create corresponding responsibilities for the BSCC to act promptly enough for the enforcement mechanism to function as the Legislature intended.

Additional Item related to Agenda Item D – Barry J. Nidorf Juvenile Hall's current status requires clarification

The Board should also address a related issue involving Barry J. Nidorf Juvenile Hall, which followed the same recent inspection and CAP process as the SYTF but is not before the Board today for a suitability determination because it previously found and remains unsuitable.

The Board determined Barry J. Nidorf Juvenile Hall unsuitable in May 2023, and youth were removed. Under section 209, once a facility has been found unsuitable and the applicable statutory period has elapsed, it may not again be used for confinement until the conditions rendering it unsuitable have been remedied and the Board, following reinspection, finds the facility suitable.

No subsequent suitability determination has occurred. Nevertheless, Los Angeles County returned youth to Barry J. Nidorf Juvenile Hall in August 2025 without first obtaining a new suitability finding from this Board.

We believe the BSCC was right to inspect the facility given that youth are again being confined there. Young people do not lose the protection of the minimum standards merely because they have been placed in a facility that is already unsuitable and illegally operating. It was likewise appropriate for staff to identify additional violations and notify the County and the public of the need to correct them.

The difficulty arose when the Board decided to apply the ordinary CAP process to an already unsuitable facility without clearly distinguishing that process from the unresolved suitability determination. It has created confusion about what the recent correction means.

In its August 26, 2026 letter to Los Angeles County Probation, BSCC stated that Barry J. Nidorf Juvenile Hall had completed its CAP and that "no further items of noncompliance remain." At the same time, the letter indicates that the facility remains unsuitable and therefore is not being presented to the Board for the type of determination before it today with respect to the SYTF.

Those statements may be reconcilable, but they are not self-explanatory. If the recent CAP has been completed and no items of noncompliance identified through that process remain, the Board should explain what conditions continue to render the Juvenile Hall unsuitable and what must occur before the facility may lawfully receive a new suitability determination.

Specifically, the public record should make clear whether the remaining barriers are the conditions underlying the May 2023 unsuitability finding, whether those conditions have been reassessed, whether another formal reinspection is required, whether the County must request that reinspection, and what showing is necessary before staff would recommend that the Board reconsider suitability.

Correction of newly discovered violations at an already unsuitable facility plainly does not, by itself, restore suitability. But once the BSCC elected to use the CAP process and then informed the County that no further items of noncompliance remained, it became especially important to distinguish completion of that CAP from restoration of the facility's legal suitability status.

The need for clarity is not abstract. Young people are being confined at Barry J. Nidorf Juvenile Hall today. Their families, attorneys, juvenile court judges, County officials, local oversight bodies, service providers, and the public are entitled to understand whether the State considers the facility suitable, and if not, precisely what remains unresolved.

That information should not be left to inference.

Requested action

We respectfully ask the Board to take the following actions with respect to Items C and D:

1. Approve the Camp Rockey CAP, including the September 30, 2026 resolution date proposed by Los Angeles County and approved by staff, and direct staff to issue a corrected approval letter requiring written verification of correction on or before September 30, 2026.
2. Direct staff to adjust the timeline to verify Camp Rockey's compliance promptly after September 30 deadline rather than the current December 4 deadline, and in sufficient time for the November 19, 2026 meeting, so that if the County has failed to meet its commitment the Board can make the suitability determination required by section 209(d)(3) at the next scheduled meeting.
3. Address on the record the delays in the BJN SYTF corrective-action process, including the approximately one-month delay between the December 2025 onsite inspection and formal notice of noncompliance, and the subsequent delay after the County's June 13 CAP deadline before staff determined that two items remained outstanding.
4. Make clear that notice of identified violations must be prompt as required by section 209 and that verification must be organized around the approved CAP resolution date, in time for the next scheduled meeting, and not left to a later inspection schedule that can extend the enforcement process by weeks or months.
5. Publicly clarify the current legal and regulatory status of Barry J. Nidorf Juvenile Hall, including whether the May 2023 unsuitability determination remains in effect and what conditions or procedural steps remain before the facility may again be found suitable. Or, in the alternative, affirmatively direct that such a public clarification be placed on the agenda for the Board's meeting on November 19, 2026.

6. Provide that clarification in writing to Los Angeles County and make it readily available to youth, families, counsel, the juvenile court, local oversight bodies, and the public.

Section 209 was not designed merely to produce inspection reports, corrective action plans, and correspondence. It is not a paper game. It was designed to move facilities quickly from identified violations to actual correction and, when correction does not occur, to a public determination of whether the facility remains suitable for the confinement of young people.

That structure depends on deadlines having consequences. A delay in notice delays correction. A delay in verification can leave an expired CAP unenforced. An incorrect resolution date can postpone a suitability determination by months. And ambiguity about the status of a facility already found unsuitable can leave youth, families, courts, and the public without a clear understanding of whether young people are being confined there lawfully.

We recognize that the current situation in Los Angeles, particularly the continued operation of multiple facilities that have been found unsuitable, has strained the credibility of the oversight process to the breaking point. But unless and until the Board meaningfully enforces the law and minimum standards, or the Legislature reforms a system that is increasingly difficult to defend as effective oversight, this remains the only state process upon which youth, families, and communities can rely. At a minimum, they should be able to expect adherence to established timelines, clear enforcement of statutory requirements, and a genuine sense of urgency when violations affect the safety and well-being of confined youth.

There is an understandable sense of futility in seeing Los Angeles County noncompliance return to the Board's agenda again and again. But persistent violations of minimum standards cannot be met with institutional resignation or ever-greater flexibility in the corrective process. After years of serious and recurring noncompliance in Los Angeles County's juvenile facilities, the response must be greater precision, greater urgency, and greater accountability—not a gradual return to normalized delay.

We ask the Board to use Items C and D to make its expectations clear.

Sincerely,

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