



COUNTY OF LOS ANGELES PROBATION DEPARTMENT

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KAREN L. FLETCHER

Interim Chief Probation Officer

April 3, 2023

Linda Penner, Chair
Board of State and Community Corrections
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833

Dear Ms. Penner:

COUNTY OF LOS ANGELES PROBATION DEPARTMENT – JUVENILE FACILITIES SUPPLEMENTAL CORRECTIVE ACTION PLAN

The Board of State and Community Corrections (BSCC) conducted inspection activities for the 2020-2022 Biennial cycle at both the Barry J. Nidorf Juvenile Hall (BJNJH) and Central Juvenile Hall (CJH) in November 2022. The BSCC's Initial Inspection Reports for both facilities were received on January 27, 2023, outlining the identified items of noncompliance. These items of noncompliance were reviewed during the Exit Briefing on January 13, 2023, at which time corrective action was immediately initiated. On February 15, 2023, the BSCC provided a checklist of the final areas of pending noncompliance required to be addressed in the Department's Corrective Action Plan (CAP). On March 14, 2023, the Los Angeles County (County) Probation Department provided a Corrective Action Plan in response to the findings of the Biennial Inspection report of 2020/2022. On March 23, 2023, the BSCC informed the County that the March 14 Corrective Action Plan was not approved and inadequate to address the ongoing and serious items of noncompliance at both facilities. In addition, the County was informed that the BSCC would make a determination of suitability at the April 13, 2023 meeting. On March 27, 2023, the BSCC informed the County of the additional deficiencies with the original corrective action plan, further detailed the suitability determination process, and provided a deadline for the County to respond with additional details to address the CAP deficiencies.

On March 29, 2023, the County met with Field Representative Lisa Southwell and your General Counsel Aaron Maguire regarding the amount of additional detail necessary for the supplemental Corrective Action Plan¹. We have incorporated the technical assistance

¹ During the March 29, 2023 meeting, it was unclear from the BSCC representatives what standard the juvenile halls were to held to in order to comply with the Title 24 window replacements. Probation was informed that the BSCC would provide clear guidance in writing on this noncompliant issue. In past inspections, there have been broken windows and they were replaced with the same window. However, in this inspection the County was informed that they had to replace them based on 2003 Title 24 regulations which did not exist during the construction of the facilities.

provided in our responses. The County has provided additional information which outlines our continued plan to correct the BSCC identified areas of noncompliance and to provide additional clarification based on the March 23 letter. In response to the additional correspondence from the BSCC regarding our proposed plans to address the noncompliance findings, we set forth below, in red font, the County's supplemental plans, with additional details and further clarification, to address the areas of noncompliance. We believe this update addresses the BSCC's concerns regarding our prior CAP, and respectfully request that the Department be given 90 days to implement it, and that re-inspection occur prior to a suitability hearing.

Title 15, Section 1313(A),(B) and (E): County Inspection and Evaluation of Building and Grounds

County Building Inspection (CJH Only)

The County Building Inspection was conducted at CJH on August 11, 2022. Documentation was provided by the Department of Public Works on January 9, 2023.

County Supplemental Response:

The County Building Inspection item has been resolved.

Fire Clearance

The fire alarms at BJNJH were tested on March 11, 2023. Upon receipt of this report, the Fire Clearance Inspection will be scheduled.

The Fire Clearance was completed for CJH on March 3, 2023.

County Supplemental Response on BJNJH and CJH:

On March 19, 2023, the vendor conducted a test of the fire alarms at the facility. At that time, deficiencies with the system were identified. A service request was submitted to the Internal Services Department (ISD) to address one area of the deficiencies which is scheduled to be completed by April 10, 2023. ISD is working with the contractor to address the second area of system deficiencies by the end of April 2023. This noncompliance item for Central Juvenile Hall has been resolved and is still outstanding for Barry J Nidorf Juvenile Hall.

Juvenile Court Inspection

The Juvenile Court Inspection was completed for BJNJH on March 2, 2023, and for CJH on March 3, 2023.

County Supplemental Response on BJNJH and CJH:

The Juvenile Court Inspections have been conducted and this noncompliance item has been resolved.

Title 15, Section 1321(a) and (b): Staffing

The Department is actively recruiting and hiring staff to fill existing vacancies in the Detention Services Officer (DSO) and Group Supervisor Nights (GSN) classifications at both BJNJH and CJH. Concurrent Juvenile Correctional Officer Core (JCOC) academies are being conducted to expedite the number of new staff being deployed to the institutions. Forty-one new staff completed JCOC in January and February 2023, with another 23 and 20 scheduled to complete JCOC in April and May, respectively. Incentive pay (20% increase in base pay and double overtime pay) was implemented for select classifications between October 1, 2022 and April 1, 2023. Additionally, field staff continue to be mandatorily deployed to work in the two juvenile halls on a rotational basis. In March 2023, under emergency provisions, a minimum of 100 field staff will be temporarily reassigned from field assignments to the juvenile halls through December 31, 2023. These reassignments, coupled with volunteer overtime staff and new hires, will be continuously monitored to ensure staffing levels meet regulations and support the overall safety and security of the youth and staff.

BSCC Response:

In your, March 23, 2023, response, you indicated the following "To resolve the issues of inadequate staffing, the CAP indicates that the department is working to expedite the completion of Juvenile Correctional Officer Core academies for deployment of up to an additional 43 staff through May. In addition, the CAP references additional incentive pay, which, the CAP also notes, expires in April 2023. Finally, the CAP references the temporary reassignment of a minimum of 100 staff from the field to the juvenile halls through December 31, 2023. Unfortunately, even if we could assume the full deployment of these staff into the juvenile halls, some of which we note are not trained as juvenile correctional officers, there is insufficient information to determine what staffing plan would be in place to address the items listed above. Nor do we believe this staffing will be sustainable given the short term, emergency measures involved. Without additional details describing staffing levels across the units for which we can then inspect for compliance, this plan cannot be approved."

County Supplemental Response:

Probation Departments are not immune to the hiring challenges and staffing shortages seen in many organizations nationwide. The ability to recruit and retain is even more difficult given the negative perception of law enforcement in many communities. Competition among other agencies has also grown due to the limited pool of candidates, with organizations offering bonuses and assistance with housing to name a few. The pool of qualified applicants is also further reduced because of the strong economy and younger generations being less likely to seek traditional employment that does not squarely align with the work-life balance that many desire. All of the aforementioned makes hiring and retaining quality candidates a challenge for all Probation Departments in California, with many facing

shortages up to 30%. Probation is adding 100 staff, via reassignment, who will supplement the current juvenile hall staffing effective start date of April 10, 2023, after receiving 40 hours of training. These additional staff were notified on March 30, 2023 and will begin the 40 hours of training on April 3, 2023. The additional staff will provide adequate direct supervision and the human power to meet the requirements of education, recreation, programming, and supervision, while Probation continues to onboard new hires. Some examples of the operation factors that directly affect staffing are: required one-on-one supervision designated by the Department of Mental Health, fluctuation of population per housing unit, violence, and both racial and gang tension.

Recruitment, Hiring and Retention Supplemental Plan

In response to the daily staffing issues in our Juvenile Halls, and in addition to the reassignment of staff, the Los Angeles County Probation Department will implement a long-term recruitment, hiring, and retention plan to reduce the high number of vacancies within our institutions as outlined below:

- **Marketing and Recruitment:** Probation will engage an outside consultant to develop a long-term recruitment marketing plan based on best practices, including a digital social media campaign, to increase the application volume for qualified applicants.
- **Hiring Process Improvement:** Probation is collaborating with the Department of Human Resources to review the hiring process to identify opportunities to maximize the use of existing training resources, solutions for bottlenecks, and processes that can be streamlined to expedite the hiring of candidates and their successful completion of the academy.
- **Retention Strategies:** Probation will work collaboratively with the outside consultant and Department of Human Resources to improve recruitment and retention by understanding the factors that matter to candidates and employees that caused them to join and stay with the Department. Probation will enhance our onboarding process that will allow for the Department's more experienced staff to provide the necessary guidance, training and mentoring in efforts to foster a supportive culture.

Given the immediate need to fill vacant positions in the Department, the above strategies will be initiated concurrently with the below interim recruitment and hiring efforts.

- **New Hires:** As stated in the Department's March 14, 2023 CAP, Probation will hire and retain up to 150 employees within the Group Supervisor, Nights (GSN) and Detention Services Officer (DSO) Classifications by June 2023.
 - **Fiscal Year 2022-23 Academy:** The Department continues its significant efforts to attract and retain additional staff. As of April 7, 2023, Probation will have conducted three training academies, with three more planned, graduating more than 64 new probation officers who will provide much needed staffing in these facilities. The County is committing all necessary resources

to continue this progress to hire an additional 70 staff by the end of June 2023. These highly focused employment efforts are fully supported by the County's Board of Supervisors.

- Interim Recruitment and Hiring Plan: Probation will continue to hire for vacancies by:
 - Building relationships with educational institutions, community-based organizations, and professional organizations;
 - Attending in-person or virtual job fairs and events, to market different populations that fit the care first, jails last model;
 - Expanding social media presence;
 - Developing marketing materials that cover a comprehensive range of mediums: flyers, opening and closing slates of a video, billboard, bus shelters, and radio spot ideas.
 - Increase the Department's recruitment budget for personnel, recruitment services, and marketing materials.
- Fiscal Year 2023-24 Academy: In addition to the above, and to ensure hiring is a continuing priority and that the hiring process is implemented consistently on a long-term basis, the Department plans to hold at a minimum 6 additional academy classes in Fiscal Year 2023-24. The minimum hiring target is 35 DSOs per class.

Supplemental Operational Changes

In addition, in support of the Supplemental CAP, the Department will make the following operational changes to increase, sustain and stabilize the daily staffing levels in the halls as new recruits are being hired:

- Reassign Field staff to the Halls: Effective March 30, 2023, the Department reassigned 100 Field DPO IIs to the Halls.
 - The Field staff will receive a 40-hour training block with the minimal required trainings for all staff working in the institution to be held from April 3-7, 2023. A second 40-hour training block will take place later in April. Field staff will be deployed to their assigned Hall on April 9th.
 - Based on daily staffing numbers at the Halls, the current temporary field staff redeployment will continue. On average, 125 Field staff are redeployed to the Halls on a temporary basis, a minimum of 2 days a week.
 - As Hall staffing stabilizes and the emergent concerns lessen, the Department will reassess both the current redeployment and the mandatory reassignment of the 100 Field DPO IIs.

- Kilpatrick Staff 56-Hour Schedule: Due to the emergency, the Department will remove the 56-hour schedule required by the Union MOU for the approximately 34 staff currently reassigned from Camp Kilpatrick to the juvenile halls and place them on a 5/40 schedule. By doing so, the Department will maximize staff availability on-site for supervision and provision of services to the youth.
- Reserve Probation Officers: The Department will deploy approximately 60 Reserve Probation Officers (PO) to assist in the Halls daily operational needs, not including direct supervision of youth. A daily schedule will be generated utilizing the Reserve POs to assist with visiting on Saturdays and Sundays at the halls and camps and to also perform perimeter monitoring 7-days a week, in pairs, to cover all institutions to reduce the entry of contraband. Additional tasks and assignments, as appropriate, will be developed. By doing so, this will allow the supervision staff to focus on providing supervision and direct services to the youth.
- SYTF Special Recruitment Notice: The Department's SYTF Recruitment bulletin was issued on February 23, 2023 and closed on March 15, 2023. A total of 80 applications were received. Interviews were conducted over a 7-day period beginning on March 23, 2023, through March 31, 2023. Successful candidates will be identified by April 3, 2023. Specialized training will be provided in cohorts beginning May 1, 2023 to minimize any disruption to operations. The training will be three weeks in length and will consist of the following: LA Model, Activating Intentional Youth Development, Motivational Interviewing, Restorative Justice, Suicide Prevention, Mental Health Training for Juvenile Justice, Child Abuse Prevention and Reporting, Enhanced and Specialized Supervision Requirements for Juvenile Institutions, HOPE Center Policy, Title 15 Regulations, Use of Force, Handcuffing, Self Defense, Control Holds, Physical Intervention Training, De-escalation Training, Peace Officer Ethics and LGBTQ+ Awareness. The Department will see an increase in staff in the Halls from this recruitment effort if those selected are currently assigned to the Camp and/or Field. Based on our review, all 80 applicants have either a Camp or Field assignment.
- Chief Executive Office Staffing Analysis: The CEO is currently conducting a staffing analysis of the Department to determine how many staff are needed to safely operate our halls, camps, and juvenile field operations. As part of this review, the CEO will determine if the Department is operating more camps than needed given the current youth population statistics, and the appropriate per officer caseload ratio for the field offices and programs. If the CEO determines that the Department can consolidate camps and/or reduce the officer per caseload ratio, and may do so safely, any identified excess staff will be reassigned to the halls. The CEO analysis is due to the Board on April 18, 2023.

- Financial Incentives: Effective April 1, 2023, the Department will offer financial incentives to staff assigned to the Halls to stabilize staffing levels. Payment Eligibility Requirements are as follows:
 - Juvenile Detention staff and/or field or camp staff reporting to work at the Halls providing direct supervision of any population in the Department's care as well as programming and services, such as, but not limited to, recreation and exercise shall be entitled to a lump sum bonus payable at the end of their commitment term.
 - The commitment term shall be determined by hours worked in the Juvenile Hall:
 - ✓ 1,000 hours worked for 6 months
 - ✓ 1,500 hours worked for 9 months
 - ✓ 2,000 hours worked for 12 months
 - ✓ (Note: 2,088 working hours in a typical year)
 - Eligibility will be affected by attendance
 - All payments are subject to the discretion of the Board and may be rescinded at any time deemed necessary.

The above efforts focus on increasing the staff in the juvenile halls. The Department also plans to identify ways to reduce the current youth census.

Supplemental Plan for Reducing the Youth Census

- To reduce the number of youth in our halls, the Department will collaborate with prosecutors, defense counsel and Superior Court to ensure all eligible and appropriate youth are calendared for release consideration to a more therapeutic setting or home with supportive services and supervision pending disposition.

Title 15, Section 1325(f): Fire Safety Plan

The Fire Plan for BJNJH was signed off on February 9, 2023. The Fire Plan for CJH was signed off on March 3, 2023. The Department continues to receive technical assistance from the BSCC regarding the use of Los Padrinos Juvenile Hall for the emergency housing of youth in the event of an evacuation of one or both juvenile halls.

County Supplemental Response:

On March 30, 2023, BSCC Representative Lisa Southwell along with representatives from Probation, CEO and the Internal Services Department conducted a site visit of the Los Padrinos facility to obtain BSCC authorization to use the facility if an evacuation is necessary due to an emergency. In the event of an emergency, Probation has identified several leadership individuals with access to a county credit card who would immediately be able to reserve hotel rooms as necessary to temporarily relocate the nonprofit clients' recipients who are currently housed at Los Padrinos.

Title 15, Section 1327(f): Emergency Procedures (BJNJH Only)

The Building Emergency Plan and Fire Suppression Pre-Plan were disseminated to all sworn staff and non-sworn staff at BJNJH on February 10, 2023. Collection of the final sign-off sheets is in process, with a due date of March 17, 2023.

County Supplemental Response:

As of March 30, 2023, all staff signatures of current Detention Services Bureau assigned staff have been obtained. The only staff that have not signed off on the emergency procedures are either on medical leave, off due to an internal affairs investigation, or on vacation. A process has been established to have those individuals sign off on the procedures as they return to work. This noncompliance item, therefore, is resolved.

Title 15, Section 1328: Safety Checks

An electronic Safety Check System was installed in each living unit throughout both juvenile hall facilities, with a go-live date of January 23, 2023. Staff received training on the system prior to implementation and received the revised Safety Check Policy (DSB 630) issued on January 19, 2023, with a required sign-off documenting receipt of the policy.

The Senior Detention Services Officer (Sr. SDO) assigned to each unit is responsible for ensuring that safety checks are conducted within their assigned unit. Supervisors are required to regularly audit the safety check system by generating a log report to ensure compliance with the random and varied safety checks. If it is determined that a safety check is missed by more than one minute, the supervisor must initial the safety check on the log and direct the Sr. DSO to ensure that a note in the "observation" section of a room check is completed. Further, at least once per eight-hour shift, as time and circumstances permit, supervisors must conduct unannounced rounds to inspect the safety check system and inspect any posted hard copies of Safety Check Sheets.

Managers and the Quality Assurance (QA) Team are conducting random video reviews to ensure staff have a direct visual observation of youth at a minimum of every 15 minutes, at random or varied intervals, when youth are asleep or when youth are in their rooms.

The Video and In-Person Observation Log continues to be utilized by managers when conducting random video reviews of Title 15 Programming and/or walking through units. Each manager and supervisor are required to provide immediate correction and instruction when witnessing non-compliance. In the event of any potential egregious behavior, a referral for disciplinary action is required.

County Supplemental Response:

Probation continues to conduct audits and provide real time technical assistance for the RFID Safety Check systems. Personnel who are not conducting regular safety checks are being counseled and referred to Internal Affairs.

Title 15, Section 1354.5(a) and (b)(2): Room Confinement

The Room Confinement policy, specifically addressing room confinement during transitional times such as shift change, showers and after incidents continues to be reemphasized to staff and will be redistributed to all staff at both facilities with a required sign-off documenting receipt.

Documentation will continue to be reviewed daily and if any concerns are identified, the facility will be immediately contacted to make the correction. The QA Team and BSCC Subject Matter Experts are providing immediate real-time training when corrections are required.

Managers and the QA Team at both facilities are conducting random video reviews during critical times of the day such as school, visiting, religious services and in the evenings. Additionally, all videos are reviewed after an incident has occurred to ensure room confinement is not occurring unless within policy.

The Video and In-Person Observation Log continues to be utilized by managers when conducting random video reviews of Title 15 Programming and/or walking through units. Each manager is required to provide immediate correction and instruction when witnessing non-compliance. In the event of any potential egregious behavior, a referral for disciplinary action is required.

The Compliance Unit at each facility continues to review documentation to ensure compliance with BSCC regulations, which includes but is not limited to, justification for room confinement. Any documentation requiring additional clarification is immediately referred to the Compliance Unit Supervisor who follows up and provides training.

COVID Guidelines for Hybrid Units have been modified in collaboration with Juvenile Court Health Services (JCHS) and approved by the BSCC.

County Supplemental Response:

Probation continues to conduct audits and provide real time technical assistance. Personnel who are engaging in room confinement are being counseled and referred to Internal Affairs.

Title 15, Section 1357: Use of Force

The Detention Services Bureau – Physical Intervention Policy (DSB – 1000) was issued on June 22, 2022. A one-hour training specific to policy revisions has since been developed and is being provided to all sworn staff assigned to the juvenile halls.

Training on the use of force policy is ongoing at both juvenile halls. As of March 13, 2023, 446 juvenile hall staff have been trained in person. Central Juvenile Hall has trained 178 staff. Barry J Nidorf has trained 268 staff. We continue to train the remaining staff and expect to be fully in compliance with the use of force policy training by April 2023.

Staff are receiving hands on defensive tactics training and report writing in Block Weeks. Attendance in the block weeks continues to be difficult due to ongoing staffing concerns at the halls. Staff from the Staff Training Office are being deployed to the institutions to provide ongoing training in de-escalation and handcuffing. Additional staff from the Staff Training Office are being temporarily reassigned to the juvenile halls to ensure that all staff continue to receive use of force, de-escalation, handcuffing, and training in appropriate documentation.

A plan to address processes specific to the use of force reviews has been developed in collaboration with the State Department of Justice. This plan was implemented on March 5, 2023.

BSCC Response:

In addition to providing an inadequate plan to resolve the issues involving staffing, there are several places in the CAP where Probation notes that a plan has been developed and will be in place, but there is no detail of these plans included. For example, on page 5 of the CAP, there is a description of a plan developed in collaboration with the California Department of Justice that was implemented on March 5, 2023 to “address processes specific to the use of force reviews” as it relates the findings of noncompliance with Section 1357, Use of Force. However, the CAP does not describe specifically what the plan entails or how compliance with Section 1357 is supported by this plan. Likewise, the details for correcting the deficiencies noted in implementing Section 1390, Discipline, are also lacking.

County Supplemental Response:

As of March 30, 2023, staff continue to be trained on the use of force. Below is the plan that has been developed to address the review of use of force incidents. Effective April 10, 2023, the facilities will begin to enforce Directive 1477 – Detention and Residential Treatment Services Bureaus Physical Intervention Policy. Any staff that is involved in or witnesses a physical intervention incident, including deployed staff, will be expected to complete all required documentation immediately or when reasonably possible, but no later than prior to the end of their assigned shift. For 30 consecutive days beginning April 10, 2023, institutions staff shall demonstrate capability of completing Use of Force incidents within five (5) days of receipt and forwarding the documents to the FIRST Team for review. As part of this plan,

any outstanding Use of Force incidents from January 1, 2023, must be completed and reviewed. If Institutions can demonstrate that they can stay current with their Use of Force documentation for 30 days, all incidents prior to January 1, 2023, will be separated out as a backlog and will be address in the second phase of this plan.

Title 15, Sections 1358 and 1358.5(c): Use of Physical Restraints (CJH Only)

The Detention Services Bureau Policy (DSB-1000) is the policy section regarding the use of Mechanical Restraints and Safe Crisis Management. This policy was developed in collaboration Juvenile Court Health Services (JCHS) and the Department of Mental Health (DMH).

The use of mechanical restraints (handcuffs) at CJH is limited. However, documentation of mitigating circumstances that may preclude the use of mechanical restraints has been lacking in our Physical Intervention Report (PIR) documentation per policy. Real time training is being provided by the Probation BSCC Compliance Team to staff when writing reports post use of mechanical restraints. Policy review will be conducted with staff and sign offs will be collected. The policy review will highlight the documentation in the PIR to include the assessment of mental health, medical and trauma that would preclude the use.

County Supplemental Response:

Training continues to be provided to staff on report writing after the use of mechanical restraints.

Title 15, Section 1360(a): Searches

The ability to conduct searches on a consistent basis has been impacted by low staffing levels. Mandatorily deployed field staff, overtime staff and continuous hiring of new staff is in process to increase staffing levels at both facilities. Staff assigned to the Department's Special Enforcement Operations (SEO) have deployed to the juvenile halls to assist with searches, as needed. K-9s assigned to these staff are frequently utilized to conduct searches. Effective March 6, 2023, a team of eight to ten SEO staff were dedicated to BJNJH Monday through Friday from 7 AM to 3 PM to assist with searches and school movements. An additional SEO Team will be assigned to conduct unannounced searches twice per week. Search teams are being deployed to CJH, as available and necessary. Additionally, the reassignment of a minimum of 100 field staff to the juvenile halls will be effectuated beginning March 20, 2023.

County Supplemental Response:

Effective April 10, 2023, staff shall search youths' room on a daily basis. In addition to daily searches, each shift shall conduct at least two thorough unit contraband searches each week to be led by the supervisor. The addition of the 100 reassigned staff will support compliance with required searches.

Title 15, Section 1370(b)(6) – Education

Due to low staffing levels, youth do not consistently attend school in the classrooms. When youth are not in classrooms, they are either provided instruction in the Unit and/or receive educational packets in lieu of in-person instruction. The reassignment of 100 field staff to the juvenile halls will enable more consistent movement of young people in both facilities to classrooms.

County Supplemental Response:

Staff are being assigned to specifically take youth to school. The Department has deployed staff who are assigned to the Special Enforcement Operations unit to each hall to assist in providing the needed supervision to ensure the transportation of youth from the living units to the school.

Title 15, Section 1371: Programs, Recreation and Exercise

Programs (CJH Only): Written annual program reviews, to ensure content offered is current, consistent, and relevant to the population, have been submitted to the BSCC for seven of eight programs offered at CJH. In addition to community-based organizations and volunteers, Probation staff provide programming in the forms of arts and crafts and topical group discussions with youth. The Department of Mental Health (DMH) is also partnering to provide additional programming at CJH. The County's Chief Executive Office is assisting the Department with the procurement of additional services through a Master Services Agreement process that will shorten the time to identify and quality relevant service providers.

Exercise: Daily large muscle activity has not consistently been provided due to low staffing levels. The reassignment of 100 field staff to the juvenile halls will enable more consistent access to exercise for young people in both facilities. The Los Angeles County Office of Education has incorporated Physical Education (PE) into their school schedule, providing access to workout equipment. Badminton has been added to several dorms at CJH as a physical activity used daily.

County Supplemental Response:

The Department has a Master Services Agreement in place and are currently working with approximately eight (8) agencies and community-based providers to pre-qualify them in their respective service category. In addition, Juvenile Hall operational staff are currently developing Statements of Works to meet the programmatic needs of the youth. SOWs are being submitted on a flow basis and upon completion, a competitive Work Order solicitation will be released.

Services to be Provided:

- Life Skills
- Music Production
- Culinary
- Barber
- Gang Intervention
- Gender Specific

Title 15, Section 1374: Visiting (CJH Only)

A dedicated child-friendly visiting room has been established for the youth and their children. Staffing in the Family Resource Center has been implemented and training for this role has begun. A consistent process of documentation specific to virtual calls provided when in-person visits do not occur will provide proof of practice. Additional smart phones have been ordered for each Supervisor and Director to increase the use of virtual calls.

County Supplemental Response:

Additional phones were ordered and have been distributed to each designated staff person. This noncompliance item is therefore resolved.

Title 15, Section 1390: Discipline

Technical assistance is being provided by the Council of Juvenile Justice Administrators (CJJA), via the Department of Justice (DOJ) Monitor, to create a robust Behavior Management Program (BMP). A draft manual will be completed by March 31, 2023 and submitted to the DOJ for review. A 16-hour training course will be implemented in April 2023 and two pilot units at each facility will be identified for a phased roll-out in May 2023. Both facilities have continued to build on their existing programs, as an interim solution.

BSCC Response:

In your March 23, 2023, letter your Board stated "Likewise, the details for correcting the deficiencies noted in implementing Section 1390, Discipline, are also lacking."

County Supplemental Response:

The County will submit a revised Behavior Management Program manual to the CA DOJ Monitoring Team for approval on April 6, 2023. The County expects the CA DOJ Monitoring Team will approve the revised BMP manual during their April 6, 2023 visit. The County is in the process of developing the training curriculum which will include 8 to 16 hours of in person training. Additionally, a training schedule is being developed to ensure full implementation of this new BMP program prior to reinspection. Pending the roll out of the new BMP program, the County will continue to use the existing BMP program. Attached is the handbook for the existing BMP program.

Title 24, Section 1230.2.10: Security Glazing

Per the BSCC, this regulation became effective in 2003. However, this item of non-compliance was not previously identified in prior BSCC inspections. The Department continues to work with the BSCC to identify an acceptable “detention grade” glass to serve as a replacement of the approximately eighty-one broken windows in need of replacement. The Department has submitted to the BSCC a possible solution that would not require the reframing of each of these windows to support the “detention grade” glass replacement.

County Supplemental Response:

On March 29, 2023, Probation Leadership met with BSCC and sought additional clarification on the type of windows required to replace the broken windows as the building was constructed in 1998 in the absence of Title 24 regulations. The BSCC has never raised this issue before during its inspections or when the County replaced windows after the regulations were updated. BSCC representatives advised us on May 29, 2023, that they would investigate this issue and provide us a written response as to whether the County is being held to the pre-2003 standard for the halls or the post-2003 Title 24 standards. It is important to note that this investigation was not performed before the BSCC issued its noncompliance finding to the County. Since receiving the noncompliance notice, Probation received inconsistent answers from the BSCC about which standard the County is required to meet to get into compliance. In lieu of clear BSCC guidance, the County continues to pursue various options for detention grade glass replacements.

Probation’s Management Services Bureau is in the process of ordering and installing Title 24 compliant windows in the juvenile halls to be completed by May 28, 2023. There are a total of 87 broken glass replacement orders that will be addressed on a phased-in basis. However, in some instances, the current frames will not accept the Title 24 compliant ¾ inch glass. Where this occurs, the department plans to temporarily install polycarbonate 3/8 or ¼ inch material (a high impact product) to eliminate blind spots which is a safety concern for staff and youth. To address the frame/glass issue, MSB is coordinating with the County’s Internal Services Department (meeting held on March 31, 2023) to inspect and develop a plan to augment and/or replace the frames to accept the thicker glass. As this is completed, MSB will update the frames and glass accordingly.

Title 24, Section 1230.1.7: Single Occupancy Sleeping Rooms

Effective March 3, 2023, the Department’s Management Services Bureau (MSB) began prioritizing work orders specific to obscured windows, providing a response within one day. MSB identified obscured windows at both BJNJH and CJH, both blurred with personal hygiene products and those that are scratched/etched. The cleaning of blurred windows is being immediately corrected. Windows with significant etching that obscures staffs’ ability to monitor youth in their rooms will be prioritized for replacement.

County Supplemental Response:

The Department identified a total of 2,498 etched windows: 1,622 at BJNJH and 876 at CJH. Operational staff has conducted a review of BJNJH and determined no etched windows required servicing and/or replacement as the etching does not obscure the ability of staff to effectively perform safety checks. A review of CJH is in progress and once the number of etched glasses that require replacement are identified, MSB will initiate the procurement process.

Title 24, Section 1230.2.6: Lighting

Staff will continue to instruct youth not to cover night lights. The Department has conducted an evaluation of technology to dim night lighting and has selected a solution. This solution will be rolled-out with homelike improvements, as a list of vendors are established. An anticipated timeline will be provided to the BSCC as the vendor procurement is completed.

County Supplemental Response:

The light dimmers have been ordered. The lead time for delivery is 4 to 6 weeks with the expected arrival in early May and full installation by June 2023.

Title 24, Section 1230.1.5: Living Unit

The structure of the existing juvenile halls includes offices that hinder direct access and supervision of youth when staff are positioned in the office and youth are in their rooms. An Instructional Memo will be provided to staff by March 31, 2023 directing them that there must always be one staff present in the unit whether a youth is in their room or not.

County Supplemental Response:

The instructional memo was provided to staff on March 31, 2023.

Title 24, Section 1230.1.11: Physical Activity and Recreation Areas

On March 9, 2023, MSB and an Internal Services Department (ISD) electrician supervisor/project manager met to review possible upgrades to the current field lighting at BJNJH. An engineering assessment is pending completion. If this work cannot be completed within 90 days, we will explore bringing in lights affixed to generators to remedy this finding. CJH upgraded the outdoor lighting in February 2022, however, an assessment of this lighting upgrade will be further considered to determine if the lighting is sufficient or if additional enhancements are necessary.

County Supplemental Response:

MSB is coordinating with ISD to identify vendors who can provide temporary stadium lights for both juvenile halls. ISD will provide lighting options to Management Services Bureau by

April 4, 2023 and the most expedient option will be selected to move forward to ensure compliance by June 2023.

Suitability Determination

Lastly, in the March 29, 2023, meeting with the BSCC Representative Lisa Southwell and General Counsel Aaron Maguire, we were informed that in the event that Barry J Nidorf Juvenile Hall was deemed unsuitable that the post disposition SYTF youth that are currently housed in the facility would be allowed to remain as they reside in the hall under a separate designation. We requested further clarification as to which areas of noncompliance are being evaluated for the basis of the suitability hearing pursuant to the Welfare and Institutions Code section 209 because the County did not receive two separate documents detailing noncompliance items for the pre-disposition youth and post-disposition SYTF youth currently housed at Barry J Nidorf Juvenile Hall. It is important to note that the conditions facing the pre-disposition youth are exactly the same for SYTF youth in the halls. If the BSCC contends the halls are unsuitable, then please confirm: (1) the state will not send any additional SYTF youth to the County until these suitability concerns have been resolved; and (2) the state will accept back into its custody the SYTF youth currently in the halls until those concerns have been resolved as well.

The Department is committed to ensuring and maintaining compliance with both Title 15 and Title 24 Regulations in all of our facilities. Should you have any questions regarding this Corrective Action Plan, please do not hesitate to contact me at (562) 940-2501.

Sincerely,



Karen L. Fletcher
Interim Chief Probation Officer

- c: Fesia Davenport, Chief Executive Officer, Los Angeles County
- Dawyn R. Harrison, County Counsel, Los Angeles County
- Celia Zavala, Executive Officer, Board of Supervisors
- Max Huntsman, Office of Inspector General, Los Angeles County
- Wendelyn Julien, Executive Director, Probation Oversight Commission
- Honorable Akemi Arakaki, Presiding Judge of the Juvenile Court