



COUNTY OF LOS ANGELES PROBATION DEPARTMENT

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KAREN L. FLETCHER
Interim Chief Probation Officer

March 14, 2023

Board of State and Community Corrections
Attention: Lisa Southwell, BSCC, Field Representative
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833

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

Dear Ms. Southwell:

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. During this inspection process, the BSCC identified the following items of non-compliance:

Title 15

- Section 1313: County Inspection and Evaluation of Building Grounds**
- Section 1321: Staffing**
- Section 1325(f): Fire Safety Plan**
- Section 1327(f): Emergency Procedures**
- Section 1328: Safety Checks**
- Section 1354.5: Room Confinement**
- Section 1357: Use of Force**
- Section 1358.5: Use of Restraint Devices - Movement and Transportation within Facility**
- Section 1360(a): Searches**
- Section 1370(b)(6): Education Program**
- Section 1371: Programs, Recreation and Exercise**
- Section 1374: Visiting**
- Section 1390: Discipline**

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Title 24

Section 1230.2.10: Security Glazing

Section 1230.1.7: Single Occupancy Sleeping Rooms

Section 1230.2.6: Lighting

Section 1230.1.5: Living Unit

Section 1230.1.11: Physical Activity and Recreation Areas

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).

In response to these findings, the Department has addressed each of these items with the following solutions:

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.

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.

Juvenile Court Inspection

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

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

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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.

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.

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.

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 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.

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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.

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 Quality Assurance (QA) Team and BSCC SMEs 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.

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

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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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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

Sincerely,



Karen L. Fletcher
Interim Chief Probation Officer

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