

MEETING DATE: September 16, 2021

**SPECIAL ORDER OF
BUSINESS**

TO: BSCC Chair and Members

FROM: Allison Ganter, Deputy Director, Allison.Ganter@bscc.ca.gov
Lisa Southwell, Field Representative, Lisa.Southwell@bscc.ca.gov
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SUBJECT: Determination of Suitability –
Barry J. Nidorf Juvenile Hall, Los Angeles County
Central Juvenile Hall, Los Angeles County **Requesting Approval**

Summary

This agenda item requests the Board to make a determination of suitability within the meaning of Welfare and Institutions Code section 209, subdivision (d) for the Barry J. Nidorf Juvenile Hall and the Central Juvenile Hall in the County of Los Angeles.

Background

The Board of State and Community Corrections (BSCC) establishes the minimum standards for juvenile halls and camps and conducts biennial inspections of those facilities. (Welf. & Inst. Code, §§ 209, 210, & 885.) Regulations setting forth these minimum standards can be found in Sections 1300-1511 of Title 15 of the California Code of Regulations.

Welfare and Institutions Code section 209, subdivision (d), provides:

Except as provided in subdivision (e), a juvenile hall, special purpose juvenile hall, law enforcement facility, or jail shall be unsuitable for the confinement of minors if it is not in compliance with one or more of the minimum standards for juvenile facilities adopted by the Board of State and Community Corrections under Section 210 or 210.2, and if, within 60 days of having received notice of noncompliance from the board or the judge of the juvenile court, the juvenile hall, special purpose juvenile hall, law enforcement facility, or jail has failed to file an approved corrective action plan with the Board of State and Community Corrections to correct the condition or conditions of noncompliance of which it has been notified. The corrective action plan shall outline how the juvenile hall, special purpose juvenile hall, law enforcement facility, or jail plans to correct the issue of noncompliance and give a reasonable timeframe, not to exceed 90 days, for resolution, that the board shall either approve or deny. In the event the juvenile hall, special purpose juvenile hall, law enforcement facility, or jail fails to meet its commitment to resolve noncompliance issues outlined in its corrective action

plan, the board shall make a determination of suitability at its next scheduled meeting.

Summary of 2018-2020 Biennial Inspection

On February 11, 2021, following the inspection of Los Angeles County's juvenile facilities, the BSCC notified Los Angeles County's probation department of several items of noncompliance with the Board's regulations. A copy of the inspection report can be found here:

https://drive.google.com/drive/folders/1Vqe3goCNKm461_osebBmHFnsb055Do4M

Pursuant to Welfare and Institutions Code section 209, the agency was required to submit a corrective action plan (CAP) to the BSCC within 60 days or by April 12, 2021.

On April 12, 2021, the BSCC received the agency's corrective action plan. This corrective action plan required the agency to outline how they intended to correct the issues of noncompliance and to come into compliance within a reasonable timeframe, not to exceed 90 days or by July 11, 2021. (Welf. & Inst. Code, § 209, subd. (d).) As of July 12, 2021, and following a series of site visits to the facilities to review progress on the corrective action plan, the agency remained out of compliance with the regulations indicated below. On August 19, 2021, the BSCC notified the County of Los Angeles that the Board would make a determination of suitability at its next scheduled board meeting as required by Welfare and Institutions Code section 209, subdivision (d). (Attachment 1.) As of the date of the notification, the county's juvenile halls remained out of compliance with the following Title 15 regulations¹:

Barry J. Nidorf Juvenile Hall

- § 1313, County Inspection and Evaluation of Building and Grounds
- § 1352, Classification
- § 1353, Orientation
- § 1354.5, Room Confinement
- § 1355, Institutional Assessment and Plan
- § 1358.5, Use of Restraint Devices for Movement and Transportation within the Facility
- § 1371, Programs, Recreation, and Exercise

Central Juvenile Hall

- § 1313, County Inspection and Evaluation of Building and Grounds
- § 1321, Staffing
- § 1352, Classification
- § 1354.5, Room Confinement
- § 1355, Institutional Assessment and Plan
- § 1358.5, Use of Restraint Devices for Movement and Transportation within the Facility
- § 1371, Programs, Recreation, and Exercise

¹ The underlying factual bases for these items of noncompliance are provided in Attachment 1.

In addition, staff was unable to make a final determination of compliance for section 1358, Use of Restraints, at the Barry J. Nidorf facility at the time of the notification. The agency updated its policy and trained staff to comply with this regulation; however, no documentation of use of restraints was available for the timeframe after correction to present.

On September 2, 2021, the BSCC received a letter from Los Angeles County Chief Probation Officer Adolfo Gonzales, responding to the Board's notice of suitability determination. (Attachment 2.)

On September 13, 2021, BSCC staff will conduct a further inspection of Barry J. Nidorf and Central Juvenile Hall to determine the status of the above-referenced regulations. A supplemental report will be posted online prior to the September 16, 2021 Board meeting.

Recommendation/Action Needed

Staff recommends that the Board:

1. Make a determination of suitability within the meaning of Welfare and Institutions Code section 209, subdivision (d), for the following facilities:
 - a. Barry J. Nidorf, Los Angeles County
 - b. Central Juvenile Hall, Los Angeles County

Attachments

[1: August 19, 2021 Notice to Los Angeles County](#)

[2: September 2, 2021 Response from Los Angeles County](#)