

## Frequently Asked Questions

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### Proposed Powers and Authorities of the Probation Oversight Commission

**Q1: *How would advising the Board of Supervisors and the Probation Department help the Probation Oversight Commission (POC) assist in probation reform?***

**A1:** The POC would have the authority to review policies and procedures and to conduct inquiries on why some things are not working within the Probation Department. The POC would have the benefit of regularly hearing from the public on issues that affect Probation's clients, staff and stakeholders which would accelerate the feedback loop to the Board and Probation. Also, the POC would have access to contracted experts in the field of juvenile and adult justice, trauma-informed care, and other important areas of justice reform. Access to this level of information and resources gives the Board and the Probation Department a balanced and expansive view unique to this oversight commission.

**Q2: *What types of review and assessments would the POC be authorized to do?***

**A2:** In addition to reviewing policies and procedures, the POC would have the authority to review the budget, funding streams (including collaborating with the Juvenile Justice Coordinating Committee to ensure adherence to requirements in the Juvenile Justice Crime Prevention Act ), education and mental health services. The POC would have the power to compel the documents deemed necessary to complete any audit or review and provide public reports and/or recommendations from the findings. The POC would also monitor performance outcomes and data to ensure that the reform plan developed by the PRIT is adhered to and that all the goals are met.

**Q3: *How frequently would the POC conduct inspections of facilities housing Probationers? What would they do if they were to find a problem?***

**A3:** The POC would have "unfettered" access to inspect all County juvenile justice facilities without notice. The frequency and nature of the visits

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**Proposed Powers and Authorities of the Probation Oversight Commission** would comply with any requirements mandated by law and would also be subject to protocols established by the POC staff and Commissioners once erected.

The POC would fulfill the County's responsibility for the physical safety and welfare of the youth and adults in custody and inspection reports would be made submitted to the Board and made available to the public at regular meetings. When issues are found, the POC would use all necessary resources to find a workable solution to the problem and monitor the Probation Department's progress toward getting the problem resolved in a timely manner.

**Q4: *When there are allegations of wrong-doing, how would the POC conduct investigations?***

**A4:** When a complaint comes to the POC, the POC would have the option of pursuing the investigation independently or refer the matter to the Office of Inspector General (OIG) for investigation. In instances suitable for internal investigation, and where an individual feels most comfortable with the POC conducting the investigation, that individual would have the option to waive their confidential/privacy rights for the limited purpose of the investigation. The POC would forward any matters where privileged or confidential information (such as personnel records) are involved, to the Office of the Inspector General (OIG).

The POC would triage grievances and complaints to determine if an investigation is necessary and if the level of complexity or confidentiality of an investigatory matter should be forwarded to the OIG.

The POC would have authority to review issues related to systemic failures in the Probation Department's Internal Affairs division and monitor and evaluate all investigations carried out by the OIG on behalf of the POC. The POC would also have the power to compel the attendance of an individual or records in order to carry out an investigation.

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**Q5: *How would the grievance process improve for youth in juvenile facilities when the POC is up and running?***

A5: The grievance process would improve dramatically. The POC would serve as an independent agency with an established process that would be safe and responsive for youth. This would improve outcomes, minimize wrong doing and boost confidence that this is a fair, confidential, and objective process consistent with best practices.

**Q6: *What does the Power to Compel grant access to?***

A6: The Power to Compel would give the POC broad access to discover a large amount of data, documents, real evidence, and direct testimony. With subpoena power, the POC can ensure a swift, fair and reliable method for the Probation Department to comply with information requests in a timely and good faith manner.

**Q7: *How would the POC increase accountability and transparency?***

A7: The POC would convene monthly public meetings designed to solicit public comment on probation related matters such as finalized labor and collective bargaining agreements; the operation of any unit within the Probation Department; gaps in performance, accountability structures and training; and other critical concerns of stakeholders, probationers and the public.

The POC would also publish and present an annual “report card” to document progress on key performance indicators as well as findings from its own investigations or review process, and a “Data Statistics and Case Review” that would focus on a particular theme with accompanying research and trends to inform recommendations on policy and practices. The current Probation staff involved in taking grievances/complaints at the halls/camps would be shifted and responsible for interfacing with the POC staff to resolve service complaints taken by the POC, no later than 48 hours.

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**Q8: *How would the POC create robust community engagement?***

A8: The POC would employ five (5) Community Probationer Liaisons (CPLs) with past experience on probation to serve as the face of the Commission in the community in each of the Supervisorial Districts. An equity formula would be used to expand the number of CPL's so that more CPL's would be added to those zip codes in each County Service Planning Area (SPA) with the highest concentration of probationers as their role evolves. The CPLs would also represent the POC on any community advisory bodies established by the Probation Department. To increase overall transparency of the Probation Department and public funds, the CPLs would conduct public meetings and town halls, intake, track, and resolve service complaints and help roll out a participatory budgeting process for some portion of the adult budget.

The Community Engagement staff or qualified non-profit would establish and administer Youth Councils for youth detained in any secure facility. These Youth Councils would be developed using best practices and would serve as a bridge to the independent grievance and investigations processes and procedures.

The community would also have access to mediation and restorative justice services through the POC to promote healing, address harms, transform people and relationships, and carry out the mission of the POC.

**Q9: *What is the selection process for Commissioners and how many POC Commissioners would be appointed? What are the qualifications for inclusion or exclusion from the Commission?***

A9: There would be nine Commissioners supported by a full-time, paid staff. Five (5) of the Commissioners would be appointed by the Board of Supervisors representing each of the Supervisorial Districts. Four “at large” members would be selected from a pool of nominees (either self-nominated or nominated by others), and selected by the five (5) Commissioners appointed by the Board. This would decrease delays or

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**Proposed Powers and Authorities of the Probation Oversight Commission** extended vacancies. It would also allow the Commissioners to best identify the skills and backgrounds that are missing on their body and by majority vote, fill the at-large seats.

The Commissioners would be comprised of and represent a diverse group of individuals. The four at-large seats must include one formerly-system involved juvenile or adult, one parent or family member of a formerly system-involved youth or adult, and one member of the criminal defense or civil rights bar. Exclusions from representation on the Commission include any current employees of law enforcement, LA County employees (except members of the defense bar), subcontractors, employees of any foundation providing funds or technical assistance to the Los Angeles justice system and any current member of a union representing County employees.