

December 11, 2024

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VIA E-MAIL AND U.S. MAIL

Aaron Maguire
Acting Executive Director
Board of State and Community Corrections
2590 Venture Oaks Way, Suite 200
Sacramento, CA 95833

Re: Los Padrinos Juvenile Hall – Notice of Appeal Pursuant to Title 15, Section 1314

Dear Mr. Maguire:

On behalf of the County of Los Angeles and the Los Angeles County Probation Department (collectively, the “County”), I submit this Notice of Appeal regarding the December 10, 2024 letter from Board of State and Community Corrections (“BSCC”) Field Representative Lisa Southwell concerning the December 5 and 6, 2024 reinspection of Los Padrinos Juvenile Hall (“Los Padrinos”). In her letter, Ms. Southwell states the reinspection found, among other things, that Los Padrinos “remains out of compliance with Section 1321 of Title 15 of the California Code of Regulations” and the County has “failed to remedy the conditions that rendered the facility unsuitable” as stated in BSCC’s October 14, 2024 Notice of Facility Unsuitability (“October 14 Notice”).

Respectfully, we disagree and continue to believe that Los Padrinos is in compliance with Section 1321. Pursuant to California Code of Regulations, Title 15, Section 1314, the County hereby gives notice that it will therefore exercise its right to appeal the BSCC’s findings. Although our review of Mr. Southwell’s letter (which we received yesterday evening) is ongoing, the County’s appeal will be based on at least the following grounds¹:

1. The BSCC’s reinspection findings, which affirm the October 14 Notice ordering the County to vacate Los Padrinos by December 12, 2024, stem from misapplication of, and capricious enforcement of, BSCC regulations.
2. The BSCC abused its discretion in interpreting and applying BSCC regulations when it rejected the County’s October 11, 2024 and October 13, 2024 corrective action plans (“CAPs”).
3. In arriving at its reinspection findings, the BSCC applied incorrect standards to determine whether Los Padrinos had adequate staffing under Section 1321 and/or

¹ The County reserves the right to include additional or different arguments in its forthcoming appeal.

erroneously determined that the County did not comply with staffing ratio requirements set by Section 1321.

4. The BSCC erred in delegating to its FSO Deputy Director the question whether to approve or deny the County's CAPs—a question that can only be decided by the full BSCC Board in an open and public meeting under the Bagley-Keene Open Meetings Act.

In its appeal, the County will request, among other things, that the BSCC overturn its reinspection findings and find that Los Padrinos is suitable for confinement of youth. The County will submit its letter brief and associated exhibits in support of its appeal to you in writing within the 30-day deadline set by Section 1314.

In the meantime, the County respectfully requests that the BSCC stay enforcement of the October 14 Notice—including its directive that the County not use Los Padrinos for confinement of youth by December 12, 2024—until the full administrative process set forth in Section 1314 resolves. Only at that point will any decision of the Board become “final.” 15 Cal. Code Regs. § 1314(g)(4).

Respectfully,

/s/ Esteban Rodriguez

Esteban Rodriguez
of O'Melveny & Myers LLP