

MEETING DATE: April 10, 2025**AGENDA ITEM: G****TO:** BSCC Chair and Members**FROM:** Lisa Southwell, Field Representative, Lisa.Southwell@bscc.ca.gov
Aaron Maguire, General Counsel, Aaron.Maguire@bscc.ca.gov**SUBJECT:** Reinspection and Determination of Suitability – (Welf. & Inst. Code, § 209(a)(4) & (d).) Los Padrinos Juvenile Hall, Los Angeles County
Requesting Approval

Summary

This agenda item requests that the Board determine if the conditions that rendered the Los Padrinos Juvenile Hall (LPJH) unsuitable have been remedied and whether the facility is a suitable place for the confinement of juveniles within the meaning of Welfare and Institutions Code section 209, subdivisions (a)(4).

Background

The Board of State and Community Corrections (BSCC) establishes the minimum standards for juvenile halls, camps, and secure youth treatment facilities (SYTF) and conducts biennial inspections of those facilities. (Welf. & Inst. Code, §§ 209, 210, 875, & 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, camp, ranch, secure youth treatment facility,¹ law enforcement facility, or jail shall be unsuitable for the confinement of juveniles 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, 210.2, 875, 885, or subdivision (e) of Section 207.1, 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, camp, ranch, secure youth treatment facility, 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, camp, ranch, secure youth treatment facility, 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

¹ The authority to make determinations of suitability for secure youth treatment facilities and juvenile ranches and camps was added to section 209 as part of the Budget Act of 2023. (Assembly Bill 134, Chapter 47, Statutes of 2023.)

shall either approve or deny. In the event the juvenile hall, special purpose juvenile hall, camp, ranch, secure youth treatment facility, 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.

Welfare and Institutions Code section 209, subdivision (a)(4), provides:

If either a judge of the juvenile court or the board, after inspection of a jail, juvenile hall, special purpose juvenile hall, lockup, camp, ranch, or secure youth treatment facility finds that it is not being operated and maintained as a suitable place for the confinement of juveniles, the juvenile court or the board shall give notice of its finding to all persons having authority to confine juveniles pursuant to this chapter and, commencing 60 days thereafter, the facility shall not be used for confinement of juveniles until the time the judge or board, as the case may be, finds, after reinspection of the facility, that the conditions that rendered the facility unsuitable have been remedied, and the facility is a suitable place for confinement of juveniles.

At the April 11, 2024, meeting, the BSCC Board made a determination that the Los Padrinos Juvenile Hall (LPJH) was suitable for the confinement of youth after BSCC found that eleven outstanding items of noncompliance from the August 2023 inspection had been remedied. As part of the motion to approve the facility's suitability, the Board directed BSCC staff to conduct both targeted and unannounced inspections of LPJH at least twice a month; the purpose of these inspections was to monitor continued compliance until the 2024 comprehensive inspection was conducted in October 2024. Between April 2024 and September 2024, BSCC staff conducted a total of nine (9) inspections of LPJH. A portion of the inspections were unannounced.

During these inspections, BSCC staff found that LPJH was out of compliance with Title 15, sections 1321, Staffing (August 2024) and 1371, Programs, Recreation, and Exercise (June 2024). During the October 2024 comprehensive inspection, BSCC staff found that LPJH was out of compliance with nine (9) sections of Title 15.

There are three separate but interrelated matters concerning the suitability of Los Angeles County Los Padrinos Juvenile Hall. Each of these matters stemmed from three separate inspections:

1. Section 1321, Staffing: Facility Unsuitability

Has the Department remedied the conditions that caused the facility to be out of compliance with this section, as noticed on August 12, 2024? Does the facility remain unsuitable due to the denial of the Corrective Action Plan (CAP) for this section, as noticed on October 14, 2024?

2. Section 1371, Programs, Recreation, and Exercise: Determination of Suitability

Has the Department remedied the conditions that caused the facility to be out of compliance with this section, as noticed on June 28, 2024?

3. Nine (9) Remaining items of Noncompliance: Determination of Suitability

Has the Department remedied the nine remaining items of noncompliance as noticed on October 23, 2024?

1. § 1354.5 Room Confinement
2. § 1355 Institutional Assessment and Plan
3. § 1357 Use of Force
4. § 1358.5 Use of Restraint Devices for Movement and Transportation Within the Facility
5. § 1361 Grievance
6. § 1374 Visiting
7. § 1390 Discipline
8. § 1391 Discipline Process
9. § 1480 Standard Facility Clothing Issue

1. Section 1321, Staffing: Facility Unsuitability

On August 12, 2024, the BSCC issued the Department notice that the LPJH was out of compliance with section 1321, Staffing, of Title 15 of the California Code of Regulations (Attachment 1). Our inspection revealed that the facility did not meet the Department's minimum staffing for the majority of July 2024, and that the continued lack of staffing negatively impacted the delivery of required services and compliance with additional regulations, including education, outdoor recreation, youth being confined in rooms, and youth missing medical appointments.

The BSCC received a CAP for the item of noncompliance on October 11, 2024 (Attachment 2); that same day, the BSCC notified that Department that the CAP was denied Attachment 3). The CAP was denied, in part, because the CAP did not adequately outline how the Department planned to correct the issue of noncompliance, nor did it provide reasonable timeframes for resolution of the staffing deficiencies, including ensuring that "there are an adequate number of personnel sufficient to carry out the overall facility operation and its programming, to provide for safety and security of youth and staff, and meet established standards and regulations." (Cal. Code Regs., tit. 15, § 1321, subd. (a).) More importantly, the CAP also did not provide information on how the plan will "ensure that no required services shall be denied because of insufficient numbers of staff on duty absent exigent circumstances." (Cal. Code Regs., tit. 15, § 1321, subd. (b).)

On October 14, 2024, the Department was noticed that pursuant to Welfare and Institutions Code section 209, subdivision (a)(4), commencing 60 days following the notice or by December 12, 2024, the facility shall not be used for the confinement of juveniles until the Board finds, after reinspection of the facilities, that the conditions that rendered the facility unsuitable have been remedied, and the facility is a suitable place for confinement of juveniles (Attachment 4). It should be noted that the Department did not remove youth from the facility by December 12, 2024, and the Department continues to house youth at LPJH.

During December 5 – 6, 2024, BSCC staff conducted a reinspection of the LPJH and determined that the facility remained out of compliance with staffing and that timely delivery to medical programs, attendance at school, and access to program, recreation, and exercise continued to be negatively impacted by the lack of staff (Attachment 5).

On January 21, 2025, the Department requested a reinspection of the LPJH (Attachment 6). BSCC staff began the reinspection on February 3, 2025; the inspection remained ongoing through March and April 2025 due to the need for continued monitoring of staffing conditions. At the beginning of reinspection, BSCC staff determined that continued monitoring was necessary because the Department relies on emergency, temporary strategies for staffing, with no apparent long-term solution.

At the close of the reinspection, BSCC staff determined that the LPJH remains out of compliance with Section 1321, Staffing, and that the facility has not remedied the conditions that caused the facility to be out of compliance with this section (Attachment 7).

During the reinspection, BSCC staff found that while the facility's documentation would indicate that the number of staff needed to meet the Department's minimum staffing (as indicated on the LPJH Staffing Assessment Plan – December 2024) was assigned on a particular shift, other ancillary posts were left unfilled (levels, movement and control, medical appointments). BSCC staff were informed that in order for ancillary posts to be filled, youth supervision staff would be pulled from the units, leaving a deficit in the actual number of staff assigned to a unit. Because the Department shifted how they document staffing assignments since the most recent BSCC inspection, we were unable to ascertain if the facility consistently met their own minimum staffing numbers. Specifically, prior staffing documents indicated the time when an individual came on and off shift; recent information no longer indicates when or how long a person worked a shift. However, even if we assume individuals worked their full shifts, as explained below, evidence demonstrates that there remains a lack of adequate staffing.

Documentation provided by the Los Angeles County Office of Education (LACOE) indicates that youth continue to miss scheduled instruction time and are late to school due to a lack of probation staff (Attachment 8). A review of medical appointment logs continues to indicate that youth do not get to scheduled appointments due to a lack of staff (Attachment 9). A review of use of force documentation indicates that youth continue to be left unattended prior to decontamination as required by regulation or one hour of constant review, as required by policy. Because the conditions that were identified in the August 2024 inspections and those noted above continue to be impacted by the lack of adequate staffing, and that required services are being denied because of insufficient numbers of staff on duty (Cal. Code Regs., tit. 15, § 1321, subd. (b).), the facility remains out of compliance with section 1321. Additionally, there does not appear to be an adequate number of personnel sufficient to meet established standards and regulations." (Cal. Code Regs., tit. 15, § 1321, subd. (a).)

Facility staffing documentation continues to indicate that field staff are deployed to backfill youth supervision staffing needs, indicating that the Department has not yet developed a permanent and sustainable solution to the staffing issues that plague the facility. While the department may use deployed staff to reach a numerical threshold, there is little question that the reliance on temporary staff that are not fully trained and serve irregularly contributes to services not being provided and a less safe facility.

Recommendation: Reaffirm the facility is noncompliant with section 1321 and therefore remains unsuitable pursuant to Welfare & Institutions Code, § 209, subd. (a)(4) & (d).

2. Section 1371, Programs, Recreation, and Exercise: Determination of Suitability

On June 28, 2024, the BSCC issued the Department notice that the LPJH was out of compliance with section 1371 Programs, Recreation, and Exercise (Attachment 10). On August 8, 2024, the BSCC received and approved the Department's CAP for the item of noncompliance; the CAP indicated that the item of noncompliance would be resolved no later than October 15, 2024 (Attachment 11).

On October 15, 2024, the BSCC was notified verbally that Los Padrinos Juvenile Hall had completed the CAP, and that the facility was in compliance with Title 15, section 1371, Programs, Recreation, and Exercise; a follow up email confirming compliance was received by the BSCC on October 18, 2024 (Attachment 12).

Between October 22, 2024, and October 31, 2024, BSCC staff conducted a follow-up inspection to verify compliance with this section. Staff's review of records during the inspection indicated that programs and exercise activities continued to not be accurately documented and that the facility did not remedy the item of noncompliance.

At that time, because the facility was unsuitable due to the denial of the CAP for section 1321, Staffing, the determination of unsuitability for section 1371, Programs, Recreation, and Exercise was stayed (Attachment 13).

During the March and April reinspection of LPJH, BSCC staff determined that the facility has corrected this item of noncompliance. During our review, we found that documentation for programs, recreation, and exercise has improved and that youth are receiving the required time for each of these activities (Attachment 7).

Recommendation: Because the facility has corrected the item of noncompliance, a determination of suitability is not necessary.

3. October 2024 Comprehensive Inspection - Nine (9) Remaining items of Noncompliance

Between October 13 and 23, 2024, BSCC Staff conducted the 2024 Comprehensive Inspection of LPJH. Nine (9) items of noncompliance were identified during this inspection. An Initial Inspection Report was provided to the facility on October 23, 2024, requiring an approved CAP from the facility by December 22, 2024 (Attachment 14)

On December 20, 2024, the BSCC received and approved a CAP for the nine (9) items of noncompliance (Attachment 15); there are various dates for correction for each of the items, with the latest being March 5, 2025. The maximum statutory resolution date for all of the items is March 22, 2025. On March 4, 2025, the BSCC received notice from the Department that the LPJH had "completed and is in compliance with all CAP activities from the December 20, 2024 document." (Attachment 16)

During March 17 – 27 and on April 4, 2025, BSCC staff conducted a follow-up inspection to verify that the items of noncompliance had been corrected. The results of that inspection are contained in Attachment 7 and are summarized below.

The following items have been corrected and are no longer out of compliance:

1. § 1355 Institutional Assessment and Plan
2. § 1361 Grievance
3. § 1374 Visiting

The following items were not corrected and remain out of compliance:

1. § 1354.5 Room Confinement
2. § 1357 Use of Force
3. § 1358.5 Use of Restraint Devices for Movement and Transportation Within the Facility
4. § 1390 Discipline
5. § 1391 Discipline Process
6. § 1480 Standard Facility Clothing Issue

Recommendation: The facility has corrected three (3) of the nine (9) items of noncompliance; however, because six (6) items of noncompliance remain, a determination is necessary.

Recommendation/Action Needed

Staff recommends that the Board:

1. Determine that the Los Padrinios Juvenile Hall is out of compliance with Cal. Code Regs., tit. 15, § 1321, Staffing.
2. Reaffirm that Los Padrinios Juvenile Hall remains unsuitable within the meaning of Welfare and Institutions Code section 209, subdivision (a)(4).
3. Determine that the Los Padrinios Juvenile Hall is compliant with section 1371, Programs, Recreation, and Exercise.
4. Determine that the Los Padrinios Juvenile Hall is compliant with the following sections of the California Code of Regulations:
 - § 1355 Institutional Assessment and Plan
 - § 1361 Grievance
 - § 1374 Visiting
5. Determine that the Los Padrinios Juvenile Hall is out of compliance with the following sections of the California Code of Regulations:
 - § 1354.5 Room Confinement
 - § 1357 Use of Force
 - § 1358.5 Use of Restraint Devices for Movement and Transportation Within the Facility
 - § 1390 Discipline

- § 1391 Discipline Process
 - § 1480 Standard Facility Clothing Issue
6. Make a determination that Los Padrinos Juvenile Hall is unsuitable for the confinement of youth within the meaning of Welfare and Institutions Code section 209, subdivisions (a)(4) & (d) due to the six (6) outstanding items of noncompliance.

Attachments

- Attachment 1: 8.12.24 LPJH Initial Inspection Report – §1321, Staffing
Attachment 2: 10.11.24 LPJH Corrective Action Plan – §1321, Staffing
Attachment 3: 10.11.24 BSCC Denial of LPJH Corrective Action Plan – §1321, Staffing
Attachment 4: 10.14.24 BSCC Notice of LPJH Facility Unsuitability – §1321, Staffing
Attachment 5: 12.10.24 BSCC Reinspection of LPJH – §1321, Staffing
Attachment 6: 1.21.25 LPJH Request for Reinspection – §1321, Staffing
Attachment 7: 4.9.25 BSCC Inspection Report – §1321, Staffing, – §1371, Programs Recreation and Exercise, and October Comprehensive Inspection
Attachment 8: Los Angeles County Probation and Los Angeles County Office of Education School Movement Documentation
Attachment 9: 4.1.25 Email from A. Broom re: LPJH Medical Appointments
Attachment 10: 6.28.24 LPJH Initial Inspection Report – §1371, Programs Recreation and Exercise
Attachment 11: 8.8.24 LPJH Corrective Action Plan - §1371, Programs Recreation and Exercise
Attachment 12: 10.18.24 LPJH Confirmation of Compliance - §1371, Programs Recreation and Exercise
Attachment 13: 11.8.24 BSCC Notice of Unresolved Corrective Action Plan - §1371, Programs Recreation and Exercise
Attachment 14: 10.23.24 LPJH Initial Inspection Report – October Comprehensive Inspection
Attachment 15: 12.20.24 LPJH Corrective Action Plan – October Comprehensive Report
Attachment 16: 12.20.24 BSCC Approval of 12.20 LPJH Corrective Action Plan – October Comprehensive Report