



May 31, 2022

Dr. Adolfo Gonzales, Chief Probation Officer
 Los Angeles County Probation Department
 1601 Eastlake Avenue
 Los Angeles California 90033

*****PLEASE TAKE NOTICE*****

Dear Chief Gonzales:

This letter is to provide you with written notice that the California Board of State and Community Corrections (BSCC) will make a determination of suitability of the Barry J. Nidorf Juvenile Hall and the Los Angeles County Central Juvenile Hall at its next scheduled Board meeting on **June 9, 2022** pursuant to Welfare and Institutions Code section 209, subdivision (d).¹

The 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.

¹ Welfare and Institutions Code section 209, subdivision (d), provides:

[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.

Barry J. Nidorf Juvenile Hall

On April 7, 2022, the Board held a regularly scheduled Board meeting to determine the suitability of the Barry J. Nidorf Juvenile Hall pursuant to Welfare and Institutions Code section 209, subdivisions (a)(4) & (d). The Board voted to continue the determination of suitability to the June 9, 2022 Board meeting and directed BSCC staff to conduct an inspection of the Barry J. Nidorf Juvenile Hall within 30 days to determine compliance with Title 15, § 1354.5, Room Confinement.

Central Juvenile Hall

On December 10, 2021, we received the Los Angeles County Probation Department corrective action plan related to items of noncompliance noted below, which outline the agency's plan to come into compliance with the Board's regulations no later than March 10, 2022.²

On March 10, 2022, the Los Angeles County Probation Department notified the BSCC that they were suspending operations at the Central Juvenile Hall for ninety (90) days to facilitate leadership changes, provide staff training and address facility repairs; as such, a determination of suitability was not made for the facility at the April 7, 2022 BSCC Board Meeting. The probation department was notified that BSCC staff would resume inspection of the facility when youth were returned to the facility and that a determination of suitability would be made at the next scheduled BSCC Board Meeting.

On May 19, 2022, the Los Angeles County Probation Department notified BSCC staff that youth began moving back into Central Juvenile Hall on May 18, 2022, and that the final phase of four phases of moving the youth back would be complete on May 25, 2022. BSCC staff began preliminary reinspection of the Central Juvenile Hall on May 20, 2022.

BSCC staff will complete inspection of the following items of noncompliance on June 1, 2022:

Title 15, § 1328 – Safety Checks (Based on the October 15, 2021 Notice of Non-Compliance)

Title 15, § 1354.5 – Room Confinement (Based on the October 15, 2021 and February 8, 2022 Notice of Non-Compliance)

Title 15, § 1371 – Programs, Recreation, and Exercise (Based on the February 8, 2022 Notice of Non-Compliance)

² Board staff had scheduled reinspection of Central Juvenile Hall on March 14, 2022.

A determination of suitability based on this inspection will be made at the June 9, 2022 BSCC Board Meeting.

* * *

Please note that if the Board finds that either juvenile hall is not being operated and maintained as a suitable place for the confinement of minors, the Board shall give notice of its findings to all persons having authority to confine youth pursuant to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code and commencing 60 days thereafter the juvenile hall shall not be used for confinement of minors until the time the Board finds, after reinspection of the juvenile hall, that the conditions that rendered the facility unsuitable have been remedied, and the facility is a suitable place for confinement of minors. (Welf. & Inst. Code, § 209, subd. (a)(4).)

Agency Response

The agency may, but is not required to, participate at the June 9, 2022 Board meeting as part of the Board's determination of suitability. If the agency wishes to respond in writing, we request that a response be submitted no later than June 7, 2022 to Adam.Lwin@bscc.ca.gov. If the agency anticipates that the facilities will be in compliance prior to the Board meeting, or soon thereafter, please include in the response specific facts articulating to what extent the facilities are, in fact, in compliance with the Board's regulations and estimated dates of compliance. This response will be included as part of the Board's 10-day agenda, which will be posted prior to the start of the June 9, 2022 Board meeting.

The Board meeting will be held in-person in Sacramento, California at the BSCC office, as well as on Zoom. You and your staff are welcome to participate via Zoom. A link to the meeting will be available at the Board's website 10 days prior to the meeting at: www.bscc.ca.gov. If you, your staff, or any other agency representative will be participating, please contact Adam.Lwin@bscc.ca.gov and provide the names and contact information of those participating no later than June 7, 2022.

While participation is not mandatory, the Board formally requests that you appear to discuss any outstanding issues of noncompliance.

Determination of Suitability

The determination of suitability is a quasi-judicial process in which the Board will determine whether the facilities are or are not in compliance with the Board's regulations. The proceeding is part of the Board's meeting agenda and is not a formal adversarial hearing. Oral testimony, if provided, will not be subject to cross-examination. Board staff will present its findings and recommendations to the Board, which will be followed by questioning by Board members through the Chair. The

agency will be given the opportunity to provide rebuttal evidence or testimony followed by questioning by Board members through the Chair.

Following the presentation of the staff report and agency response, the Board will issue a written decision regarding any items of noncompliance with the Board's minimum standards and the suitability of each juvenile facility. If the Board is unable to make a determination of suitability based on the information provided, the Board may, in its discretion, continue the proceedings to a future Board meeting.

The proceedings will be open to the public and is subject to the Bagley-Keene Open Meeting Act. (Gov. Code, §§ 11120-11132.)

If you have any questions about this process, please contact our general counsel, Aaron.Maguire@bscc.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Linda Penner", written in a cursive style.

LINDA PENNER
Chair

cc:

Board Members, Board of State and Community Corrections
Kathleen T. Howard, Executive Director, Board of State and Community Corrections
Aaron R. Maguire, General Counsel, Board of State and Community Corrections
Allison Ganter, Deputy Director, Board of State and Community Corrections
Lisa Southwell, Field Representative, Board of State and Community Corrections
Los Angeles County Board of Supervisors
Fesia Davenport, Los Angeles Chief Executive Officer
The Honorable Eric C. Taylor, Presiding Judge Los Angeles County Superior Court