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February 25, 2025

TO: Mike Dempsey
Monitor for California Department of Justice

FROM: Eric Bates 
Assistant Inspector General

SUBJECT: Monthly Report for January 2025 on Internal Affairs Bureau Investigations, Closed-Caption Television Review, and Searches at Barry J. Nidorf and Los Padrinos Juvenile Halls

This monthly report reviewing the Los Angeles County Probation Department's (Probation Department) compliance with the Internal Affairs Bureau (IAB) investigations, closed-caption television review, and search mandates outlined in the Order Amending Stipulated Judgment (Amended Order) for the Barry J. Nidorf Juvenile Hall (BJNJH) and the Los Padrinos Juvenile Hall (LPJH) covers the months of November and December of 2024, and January 2025.¹

Review Of IAB Cases

The Amended Order in paragraph 18 requires the Office of Inspector General to report the number of new IAB referrals, open cases, and results of investigations conducted by the Probation Department.

The Office of Inspector General was provided documentation indicating the following:

¹ Although only mandated to commence collecting and reviewing information in January 2025, the Office of Inspector General included the number of new IAB cases for November and December, as that information was already collected.

Summary Of Amended Order Compliance

November 2024

Referrals	Opened Cases	Results of Completed Investigations
34	26	3 investigations were <i>Substantiated</i> ² 2 investigations were <i>Unsubstantiated</i> , 4 investigations were <i>Inconclusive</i>

December 2024

Referrals	Opened Cases	Results of Completed Investigations
16	11	2 investigations were <i>Substantiated</i> 2 investigations were <i>Unsubstantiated</i> , 2 investigations were <i>Insufficient Evidence</i> 2 investigations were <i>Inconclusive</i>

January 2025

Referrals	Opened Cases	Results of Completed Investigations
12	8	5 investigations were <i>Substantiated</i> 11 investigations were <i>Unsubstantiated</i> , 2 investigations were <i>Inconclusive</i>

The Office of Inspector General did not review the underlying facts of the investigations to form an opinion if the results were appropriate, or if the investigations were conducted properly. The Office of Inspector General continues to recommend that the final determination of misconduct not be decided by the investigator, but rather a disciplinary committee. The Department has indicated that it is in the process of

²The Probation Department utilizes the following for the determination of its investigation findings: 1) Substantiated – “A complete investigation is conducted that reveals the allegations did occur (guilty). Preponderance of evidence indicates the allegation was true (it occurred),” 2) Unsubstantiated - “A complete investigation is conducted, and it cannot be determined if what was alleged did or did not occur (not guilty),” 3) Insufficient Evidence – “There is insufficient (lacking) evidence to interview SOI or continue with a formal investigation,” 4) Inconclusive – “A completed investigation is conducted and it cannot be determined if what was alleged did or did not occur.”

changing the determination process and the alleged misconduct will no longer be decided by the investigator. An actual implementation date was not provided.

Closed-Captioned Television

The Amended Order (paragraph 20) requires that the Office of Inspector General randomly select two days per month to determine the Department's compliance with the Department's Closed-Caption Television (CCTV) review protocol. The Office of Inspector General is to review documentation and video recordings of use-of-force incidents, and assess whether, (1) the incident violates Department policies, the Amended Order or state law, (2) has been properly identified and elevated to the appropriate Department staff and (3) the video recording was tampered with. Substantial compliance requires verification by the Office of Inspector General that the Department is compliant with its CCTV review protocol.³

During its review, the Office of Inspector General discovered that the Probation Department does not have a protocol or policy for reviewing CCTV. However, as required in the Amended Order, the Department provided you, as the California Department of Justice monitor, a proposed protocol for CCTV review for your approval. The Department did not state when the protocol is expected to be approved and implemented.⁴ Because there is no policy regarding review of CCTV, there is no way to measure compliance with Departmental policies that don't exist. The Office of Inspector General reviewed CCTV video recordings to assess proper documentation of use-of-force incidents as well as the identification by Department staff of possible violations of law, judgment or policy, and the proper elevation of such incidents for review.

Methodology

The Office of Inspector General constructed a sample of two days of CCTV video recordings relating to use-of-force incidents at BJNJH and LPJH for the months of December 2024 and January 2025.⁵ The Office of Inspector General staff reviewed Physical Incident Reports (PIR), as well as available CCTV video recordings. The

³ The Amended Order does not provide a numerical value for determining compliance.

⁴ The Department has a *Video Review* form to note whether a video recording a use-of-force incident was reviewed by a supervisor, but there are no specific policies or directives regarding the utilizing CCTV for review of possible misconduct.

⁵ Although only mandated to commence collecting and reviewing information in January 2025, the Office of Inspector General included information it already had regarding CCTV for December.

Amended Order requires monthly verification by the Office of Inspector General that the Probation Department properly identifies and elevates use-of-force incidents that are not in compliance with its policies, the original stipulated judgment, or state law. Of the two randomly selected days for each month, all but one incident had CCTV video recordings available for review.⁶

December 2024 – Los Padrinos

Case Summary 1

Two youths started fighting inside a unit office. Youth 1 ran from the dayroom to the office to attack Youth 2 who was in the office receiving medication. A Detention Services Officer (DSO) intervened and attempted to step between the youths but was unable to do so. The DSO gave a warning of the use of Oleoresin Capsicum (OC) spray (OC Warning), the youths stopped fighting, and no OC spray was deployed. The youths were taken for a medical assessment. CCTV video for this incident was available.

Violation of Policy or Law	Proper Identification and Elevation	Evidence of Video Tampering
YES	NO	NO
1. PIR of staff utilizing physical intervention was not completed. ⁷ 2. Documentation of medical assessment was missing.	1. Supervising staff failed to identify missing PIR and medical assessment.	

Case Summary 2

Two youths began fighting in a dayroom. Youth 1 walked from his room towards Youth 2 who was seated. Youth 1 approached Youth 2 and threw multiple punches at Youth 2. A Deputy Probation Officer (DPO) immediately responded and placed his arms around the chest of Youth 1 to separate him from Youth 2. Youth 1 was taken to his assigned

⁶ Video recordings for unit PQ were not available for the Office of Inspector General’s review of the month of January 2025 due to a technical problem that required servicing from the Probation Department’s Internal Services Bureau.

⁷ The PIR form requires that Probation Department staff note whether OC spray was utilized in a Physical Intervention incident.

room. Based on staff reports, Youth 1 and Youth 2 were assessed by the nurse and cleared to return to the unit. CCTV video for this incident was available.

Violation of Policy or Law	Proper Identification and Elevation	Evidence of Video Tampering
NO 1. PIR missing information that OC spray was not utilized in the incident. 2. Missing Child Safety Assessment form for youth.	NO 1. Supervising staff failed to identify missing information.	NO

December 2024 – Barry J. Nidorf

Case Summary 1

Youth 1 was caught viewing Instagram on the unit’s television, which was in front of Youth 1’s room, and was instructed he was not allowed to view Instagram. A Senior Detention Services Officer (Sr. DSO) moved the television to a different location in the dayroom, which upset Youth 1, and he threatened to break the other TVs in the dayroom. Youth 1 demanded to speak with the Senior DPO (Sr. DPO) of the dayroom and positioned himself in front of the staff office door. Probation Department staff reported that Youth 1 kicked the staff office door, and the Sr. DPO informed the youth that he would speak with him after he calmed down.⁸ Youth 1 ran away from the office door to an area where other youths were watching television and started fighting with Youth 2. A DPO deployed OC spray to stop the fight, and Youth 1 and Youth 2 were decontaminated and sent for medical assessment. CCTV video for this incident was available.

⁸ Due to a camera’s blind spot part of the incident was not captured by video recording, and an Office of Inspector General staff member was not able to see the youth kick the office door.

Violation of Policy or Law	Proper Identification and Elevation	Evidence of Video Tampering
<p style="text-align: center;">YES</p> <p>1. Section M of the OC decontamination form was not completed.</p> <p>2. Four staff members failed to write PIRs.</p> <p>3. No medical assessment documentation.</p>	<p style="text-align: center;">NO</p> <p>1. Supervising staff failed to identify missing information.</p>	<p style="text-align: center;">NO</p>

Case Summary 2

Two youths started fighting near the unit's restroom. A Sr. DSO intervened to stop the fight and instructed the youths to stop fighting and gave an OC Warning. The youths continued to fight and the Sr. DSO deployed OC spray on the youths but missed both youths. The youths were taken for medical assessment. CCTV video for this incident was available.

Violation of Policy or Law	Proper Identification and Elevation	Evidence of Video Tampering
<p style="text-align: center;">YES</p> <p>1. Section M of the OC decontamination form was not completed.</p>	<p style="text-align: center;">NO</p> <p>1. Supervising staff failed to identify missing information.</p>	<p style="text-align: center;">NO</p>

January 2025 - Los Padrinos

Case Summary 1

Two youths started fighting in a dayroom because Youth 1 touched Youth 2's food in a taunting manner and Youth 2 flicked Youth 1's necklace. A Sr. DSO intervened and instructed the youths to stop fighting and gave an OC Warning. However, the youths continued to fight and the Sr. DSO deployed OC spray towards Youth 2's face. Youth 1

attempted to continue to fight Youth 2, but the Sr. DSO stopped Youth 1 by deploying OC spray towards his face.

All of the uninvolved youth inside the dayroom were moved out of the contaminated area into their assigned rooms. Youth 1 and Youth 2 were provided towels, decontaminated, and transported to the medical unit for assessment. CCTV video for this incident was available.

Violation of Policy or Law	Proper Identification and Elevation	Evidence of Video Tampering
NO	YES	NO

Case Summary 2

Two youths during recreation period began exchanging words then started physically fighting. A DPO instructed the youths to stop fighting and stepped between the two youths, separating them. The youths were then sent to the medical unit for medical assessment for injuries. CCTV video for this incident was not available.

Violation of Policy or Law	Proper Identification and Elevation	Evidence of Video Tampering
YES 1. No medical assessment documentation in PIR.	NO 1. Supervising staff failed to identify missing information on the PIR.	Video recording was not available for this date due to technical issues, which were expected to be resolved within two weeks.

January 2025 - Barry J. Nidorf

Case Summary 1

A youth asked a Sr. DSO and a DSO to unlock his room to go to the restroom. The Sr. DSO had the DSO escort the youth to the restroom because the youth was upset with the Sr. DSO from an earlier interaction. As the youth was walking to the restroom, he picked up a trashcan and threw it towards the Sr. DSO, who was able to

stop it with his foot. As the youth continued to the restroom, he turned over a ping-pong table. Once inside the restroom, the youth attempted to break the window with a chair. The Sr. DSO left the office and went to the restroom and instructed the youth to stop or OC spray would be used. The youth continued to throw chairs at the window and the Sr. DSO deployed the OC spray to the youth's face, and the youth stopped. The youth was properly decontaminated. CCTV video for this incident was available.

Violation of Policy or Law	Proper Identification and Elevation	Evidence of Video Tampering
<p style="text-align: center;">YES</p> <p>1. No documentation of the Sr. DSO's OC canister weight prior to the deployment of OC spray.</p>	<p style="text-align: center;">NO</p> <p>1. Supervising staff failed to identify missing information on the PIR.</p>	<p style="text-align: center;">NO</p>

Case Summary 2

Six youths were in the corner of a dayroom watching TV. Youth 1 stood up from his chair and casually walked around Youth 2 and the two immediately started to fight. A DSO intervened and stepped in between the two youths and separated them. Youth 1 continued to try to hit Youth 2 as the DSO and Youth 2 moved out of camera view. Five additional staff entered the day room to assist with the incident. Based on the incident documentation and video evidence, the youths were separated and taken to their assigned rooms.

Violation of Policy or Law	Proper Identification and Elevation	Evidence of Video Tampering
<p style="text-align: center;">YES</p> <p>1. No medical assessment documentation in PIR.</p>	<p style="text-align: center;">NO</p> <p>1. Supervising staff failed to identify missing information on the PIR.</p>	<p style="text-align: center;">NO</p>

Search Logs

The Amended Order Detailed Plan in paragraph 25 requires that the Office of Inspector General to review a randomly selected representative sample of searches conducted by the Probation Department to determine the Department's compliance with its search

policies and state law and that searches were accurately documented. The Amended Order mandates that the Department follow its policies and state law in 90% of all searches. The Department's policy requires a *minimum* of *two* random searches of youths' rooms on the living unit per shift (Required Searches). Based on this policy there should be four total searches per living unit per day.

Methodology

The Office of Inspector General requested documentation relating to all searches conducted in November and December 2024, and January 2025.⁹ In response, the Probation Department provided search logs for 1267 searches in the living units at LPJH for November 2024, 1609 searches in December 2024, and 1559 in January 2025.¹⁰ At BJNJH, there were 1455 searches in November 2024, 1329 in December 2024, and 689 in January 2025.

For LPJH, the Office of Inspector General selected and reviewed a representative sample of 89 searches for November 2024, 91 for December 2024 and 90 for January 2025. For BJNH, a sample of 90 searches for November 2024, 90 searches for December 2024, and 84 for January 2025.¹¹ The Office of Inspector General determined compliance primarily based on information provided in the Probation Department's search logs.

Findings

The Office of Inspector General found that Probation Department staff at BJNJH and LPJH failed to meet the requirements of the Amended Order, which requires that the Department comply with its search policy when conducting the Required Searches at LPJH and BJNJH. The Office of Inspector General however, did find that both juvenile halls accurately documented the searches it conducted, and therefore is in compliance with the Amended Order for accurate documentation of searches.

⁹ Although only mandated to commence collecting and reviewing information in January 2025, the Office of Inspector General included information it already had regarding searches for November and December 2024.

¹⁰ In addition to daily unit searches by unit staff, there are also occasional searches by Special Enforcement Operations (SEO) officers or unit staff, typically based on suspicion(s) and/or observed activities reported by unit staff. At BJNJH, SEO or unit staff conducted 97 such searches in November 2024, 88 in December 2024, and 123 in January 2025. There were no reported additional at LPJH for November, December and January.

¹¹ In constructing the samples described in this report, the Office of Inspector General followed current government audit standards to obtain a statistically valid sample and used a research randomizer to select incidents. (Off. of the Comptroller of the United States, U.S. Accountability Office (2018), <https://www.gao.gov/yellowbook>.)

Los Padrinos

As noted above, the Probation Department policies require each unit to be searched twice per shift, for a total of 4 searches per day. Of the sampled searches at LPJH in November 2024, the Probation Department conducted the required 4 searches per day only *once*, and twice the Department conducted 3 searches per day (2%.) The majority of the Department's searches (78) consisted of only 2 searches per day, (88%), and only 1 search of the unit per day, 8 times (8%.)

For December 2024, of the sampled searches, not once did the Probation Department conduct the required 2 searches per shift for each day. The majority of the Department's searches (77) consisted of only 2 searches of the unit for the day (87%), only 1 unit search per day, 9 times (10%), and 3 unit searches for the day, 5 times (5%).

For January 2025, of the sampled searches, not once did the Probation Department conduct the required 2 searches per shift for each day. The majority of the Department's searches (79) consisted of only 2 searches of the unit for the day (87%), 3 searches of the units 3 times (10%), and only 1 unit search, 3 times (3%).

Barry J. Nidorf

Of the sampled unit searches at BJNJH in November 2024, only *once* did the Probation Department conduct the required 2 searches per shift for each day. The majority of the Department's searches (78) consisted of 3 searches of the unit for the day (87%), 2 searches of the units, 9 times (10%), and once only 1 unit search (2%).

For December 2024, of the sampled unit searches at BJNJH, only once did the Probation Department conduct the required 2 searches per shift for each day. The majority of the Department's searches (80) consisted of 3 searches of the unit for the day (89%), 1 search of the unit per day, once (6%), and 2 searches of the unit 4 times (4%).

For January 2025, of the sampled unit searches at BJNJH, the Probation Department conducted the required 2 searches per shift for each day only 3 times (4%). The majority of the Department's searches (79) consisted of 3 searches of the unit for the day (94%), 2 searches of the unit, once (1%), and 1 search of the unit per day, once (1%).

Conclusion

The Office of Inspector General continues to recommend that the Probation Department properly review CCTV video recordings for misconduct involving uses of force and investigating and determining whether staff engaged in misconduct. The Office of Inspector General also continues to recommend that Department field staff be reassigned to the juvenile facilities to provide appropriate supervision of the youths.

- c: Guillermo Viera Rosa, Chief Probation Officer
- Fesia Davenport, Chief Executive Officer
- Edward Yen, Executive Officer
- Dawyn R. Harrison, County Counsel
- Wendelyn Julien, Executive Director, Probation Oversight Commission