



COUNTY OF LOS ANGELES PROBATION DEPARTMENT

9150 EAST IMPERIAL HIGHWAY – DOWNEY, CALIFORNIA 90242
(562) 940-2501



RAY LEYVA
Interim Chief Probation Officer

March 16, 2020

Sent via email: jsolanojimenez@publiccounsel.org

Jose Solano Jimenez
Public Counsel
610 S. Ardmore Avenue
Los Angeles, Ca 90005

SUBJECT: CALIFORNIA PUBLIC RECORDS ACT- REQUEST FOR RECORDS

Dear Mr. Jimenez,

This is in response to your e-mail dated February 21, 2020, in which you are seeking records pursuant to the California Public Records Act ("CPRA").

Specifically, you request the following:

Please provide us with copies of the records specified below for school years 2016-17, 2017-18, 2018-2019 and 2019-20. Each numbered paragraph should be considered a separate request under the California Public Records Act.

Request No. 1: The number of probation officers assigned at all school sites in Los Angeles County (including all alternative education settings, independent study programs, and juvenile day reporting centers), and the school sites they are assigned to.

a: The number of youths each probation officer supervises at each school (on a given day and over the course of the academic year).

Department response to No. 1: The Los Angeles County Probation Department ("Department") does not track this data in a manner as detailed in your request. Although the Department has a duty to provide you with public records not otherwise subject to a claim of exemption or privilege, the Department is not required to create a document under the California Public Records Act.

Request No 2: The total budget allocated to probation personnel and support at all school sites in Los Angeles County.

Department response No 2: The Los Angeles County Probation Department ("Department") does not track this data in a manner as detailed in your request. Although the Department has a duty to provide you with public records not otherwise subject to a claim of exemption or privilege, the Department is not required to create a document under the California Public Records Act.

Request No 3: Any training materials, manuals, protocols, job descriptions and/or other written documents governing the responsibilities and authorities of a probation officer conducting supervision and support in schools.

Department response No. 3: After conducting a diligent search, there are no responsive documents. There is no specialized training specifically for school-based deputies.

Request No 4: The number of probation violations issued for a school-based incident (including any incidents that occur at a school, or are related to school attendance, enrollment, or academic performance) to youth, disaggregated by:

- a. Welf. & Inst. Code § 236, 602, 654, 654.2, 725, and 790, or other;
- b. Underlying penal code that formed basis of probation jurisdiction;
- c. Underlying reason for probation violation;
- d. Whether supervised by field or school-based probation officer;
- e. School of attendance;
- f. Age/Grade;
- g. Gender;
- h. Race/Ethnicity;
- i. Disability status, including learning disabilities and existence of an Individualized Education Plan;
- j. Socioeconomic status;
- k. English Learner status;
- l. Foster youth/Dependency court involvement; and m. Housing stability status.
- m. Housing stability status

Department response No 4: The Los Angeles County Probation Department ("Department") does not track this data in a manner as detailed in your request. Although the Department has a duty to provide you with public records not otherwise subject to a claim of exemption or privilege, the Department is not required to create a document under the California Public Records Act.

Request No 5: The number of youths under probation supervision, disaggregated by:

- a. Welf. & Inst. Code § 236, 602, 654, 654.2, 725, and 790, or other;
- b. Underlying penal code that formed basis of probation jurisdiction;
- c. Whether supervised by field or school-based probation officer;
- d. School of attendance;
- e. Age/Grade;
- f. Gender;
- g. Race/Ethnicity;
- h. Disability status, including learning disabilities and existence of a Individualized Education Plan;
- i. Socioeconomic status;
- j. English Learner status,
- k. Foster youth/Dependency court involvement; and
- l. Housing stability status.

Department response No 5: The Los Angeles County Probation Department ("Department") does not track this data in a manner as detailed in your request. Although the Department has a duty to

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provide you with public records not otherwise subject to a claim of exemption or privilege, the Department is not required to create a document under the California Public Records Act.

Response to No. 6: The number of youths under probation custody released from juvenile probation camp and hall facilities.

- a. The number of youths that were referred to a comprehensive high school upon release.**
- b. The number of youths that were referred to an alternative education setting upon release.**
- c. The number of youths that were referred to a juvenile day reporting center school upon release.**

Department response No. 6: The Los Angeles County Probation Department ("Department") does not track this data in a manner as detailed in your request. Although the Department has a duty to provide you with public records not otherwise subject to a claim of exemption or privilege, the Department is not required to create a document under the California Public Records Act.

In addition, Pursuant to Government Code section 6254, subdivision (k) records may not be disclosed pursuant to a Public Records Act request if the disclosure of which is exempted or prohibited pursuant to other federal or state law. This request is non-disclosable pursuant to Welfare and Institutions Code 827, which prohibits the dissemination of information in a juvenile's case file. Further, Welfare and Institutions Code 827, subdivision (e) states that "a juvenile case file means a petition filed in any juvenile court proceeding, reports of the probation officer, and all other documents filed in that case or made available to the probation officer in making his or her report, or to the judge, referee, or other hearing officer, and thereafter retained by the probation officer, judge, referee, or other hearing officer." The records requested would fall under "juvenile case file" and, therefore, cannot be disclosed through a Public Records Request. (See *Wescott v. Yuba County* (1980) 104 Cal.App.3d 103, 105, which held that Welfare and Institutions Code 827 controls over Public Record Act requests.) As such, release of the information contained in these files would require a court order.

Please be advised that by the instant letter the County of Los Angeles Probation Department preserves all applicable privileges/objections and waives nothing.

If you have any questions, you may contact me at (562) 940-2827.

Sincerely,



Chereise Martin
Administrative Services Manager II
Civil Litigation Unit