

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

MINUTES OF THE JULY 7, 2010 MEETING

Kenneth Hahn Hall of Administration

500 West Temple Street, Room 739

Los Angeles, California 90012

MEMBERS PRESENT

Chair: Gloria Molina, County Supervisor for the First District and
Chair of the County Board of Supervisors

Lee Baca, Sheriff and Vice Chair of CCJCC
Peter Espinoza, Supervising Judge, Superior Court
Janice Fukai, County Alternate Public Defender
Lois Gaston, California Contract Cities Association
Gigi Gordon, Directing Attorney, Post Conviction Assistance Center
Michael Judge, County Public Defender
Al Leiga, Chair, County Quality & Productivity Commission
Andrea Ordin, County Counsel
Scott Pickwith, President, Los Angeles County Police Chiefs Association
Richard Propster, Peace Officers Association of Los Angeles County
Lakshmanan Sathyavagiswaran, County Coroner – Medical Examiner
Greg Savelli, President, South Bay Police Chiefs Association
Robin Toma, Executive Director, County Human Relations Commission

ALTERNATES

*Francesca Anello for Marvin Southard, Director, County Department of Mental Health
*Richard Barrantes for Larry Waldie, Undersheriff
*Margo Baxter for Steve Cooley, District Attorney
*Reaver Bingham for Donald Blevins, County Chief Probation Officer
*George Cardona for Andre Birotte, U.S. Attorney
Susan Cichy for John Clarke, Superior Court Executive Officer
Ed Eng for Isaac Barcelona, Chair, County Economy and Efficiency Commission
Xiomara Flores-Holguin for Trish Ploehn, Director, County Department of Children and
Family Services
*Jon Goldberg for Tim Landrum, Special Agent in Charge, U.S. Drug Enforcement
Administration
*Eric Harden for John Torres, Special Agent-in-Charge, U.S. Bureau of Alcohol,
Tobacco, Firearms and Explosives
William Montgomery for Tom Tindall, Director, County Internal Services Department
*Cecile Ochoa for Dennis Tafoya, County Affirmative Action Compliance Officer
Steven Olivas for Antonio Villaraigosa, Mayor, City of Los Angeles
Earl Perkins for Ramon Cortines, Superintendent, Los Angeles Unified School District
Bruce Riordan for Carmen Trutanich, Los Angeles City Attorney
*Robin Toma for Cynthia Banks, Director, County Department of Community & Senior
Services

John Viernes for Jonathan Fielding, Director, County Public Health Department
Brenda Wells for Mike Webb, County Prosecutors Association
Jacqueline White for William Fujioka, County Chief Executive Officer

***Not a designated alternate**

MEMBERS NOT PRESENT OR REPRESENTED

Mark Arnold, Judge, Superior Court
Charles Beck, Chief, Los Angeles Police Department
Edmund Brown, California Attorney General
Michelle Carey, Chief U.S. Probation Officer
Lili Hadsell, President, San Gabriel Valley Police Chiefs Association
Anthony Hernandez, Director, County Department of Coroner
Gabriella Holt, County Probation Commission
Sean Kennedy, Federal Public Defender
Richard Kirschner, Judge, Superior Court
Steve Martinez, Assistant Director in Charge, Los Angeles Division, Federal Bureau of Investigation
Charles McCoy, Presiding Judge, Superior Court
Michael Nash, Supervising Judge, Juvenile Court
Ezekiel Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program
Darline Robles, Superintendent, County Office of Education
Richard Sanchez, County Chief Information Officer
Miguel Santana, Los Angeles City Chief Administrative Officer
Stephanie Sautner, Judge, Superior Court
Patricia Schnegg, Assistant Supervising Judge, Superior Court
Greig Smith, Los Angeles City Council, 12th District
Thomas Sonoff, President, Southeast Police Chiefs Association
Warren Stanley, Southern Division Commander, California Highway Patrol
Adam Torres, United States Marshal
Michael Tynan, Judge, Superior Court
Frank Venti, President, Independent Cities Association
Mitch Ward, League of California Cities, Los Angeles County Division

CCJCC STAFF

Mark Delgado, Executive Director
Kenna Ackley
Cynthia Machen
Craig Marin

GUESTS/OTHERS

Matthew Cate, Secretary of California Department of Corrections and Rehabilitation
Dardy Chen, County CEO's Office
Carol Clem, Public Defender's Office
Richard Fajardo, Second District, County Board of Supervisors
Sharon Harada, Probation Department
Michael Harris, The Haywood Burns Institute

Cherylynn Hoff, County Community & Senior Services
Julio Lima, Los Angeles School Police Department
Ana Maria Luna, Judge, Superior Court
Cheryl Newman, Sheriff's Department
Anna Pembedjian, Fifth District, County Board of Supervisors
Kathy Prizmich, California Department of Corrections and Rehabilitation
Todd Rogers, Sheriff's Department
John Ruegg, Information Systems Advisory Body
Vicky Santana, First District, County Board of Supervisors
Sheila Shima, County CEO's Office
Cheri Thomas, LAUSD
Earl Thomas, Los Angeles City Attorney's Office
Jaclyn Tilley Hill, County Quality and Productivity Commission
Ruth Wong, County Quality and Productivity Commission
Alexander Yim, Sheriff's Department

I. CONVENE/INTRODUCTIONS

Gloria Molina, County Supervisor, First District

The meeting was called to order at 12:00 noon by Los Angeles County Supervisor Gloria Molina, Chair of CCJCC.

Self-introductions followed.

II. APPROVAL OF THE MINUTES

Gloria Molina, County Supervisor, First District

There were no requests for revisions to the minutes of the June 2, 2010 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the June 2, 2010 meeting was seconded and approved without objection.

III. DISPROPORTIONATE MINORITY CONTACT (DMS) SUBCOMMITTEE

Sharon Harada, Chief, Juvenile Field Services Bureau, Probation Department

Sharon Harada, Chief of the Juvenile Field Services Bureau of the County Probation Department, appeared before CCJCC to present the Disproportionate Minority Contact (DMC) Reduction Project's Year-Three Progress Report.

On behalf of Chief Probation Officer Donald Blevins, Ms. Harada thanked Supervisor Molina, her staff, and the County Board of Supervisors for their continuing support of the Probation Department's efforts to address DMC. She also thanked the partner agencies that have worked with the Probation Department on this issue, as well as The Haywood Burns Institute, which has served as the grant consultant and expert on DMC. She introduced Michael Harris of The Haywood Burns Institute, who assisted in this

presentation.

DMC refers to the overrepresentation of minority youth who come into contact with the juvenile justice system relative to their numbers in the general population. Contact refers to all stages of the juvenile justice system, from an initial encounter with law enforcement to all subsequent decision points.

A three-year DMC grant was awarded to the Probation Department in January 2007. A multi-agency CCJCC subcommittee was formed to carry out the provisions of the grant. This subcommittee consists of representatives from the Probation Department, Sheriff's Department, District Attorney's Office, Public Defender's Office, Superior Court, LAPD, County Police Chiefs Association, and the grant consultant. In addition, representation from two community agencies has been added.

This grant, a DMC Enhanced Technical Assistance Project Federal Formula Grant (DMC-TAP), focuses on assisting agencies with understanding and identifying DMC and on equipping agencies with tools and resources needed to provide leadership in developing and/or strengthening community-based DMC reduction activities.

The Juvenile Justice and Delinquency Prevention Act of 2002 reauthorized the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to administer the Formula Grants program, which supports state and local delinquency prevention/intervention efforts and juvenile justice system improvements.

In order to receive DMC-TAP grants, state and local jurisdictions must address the disproportionate number of juvenile members of minority groups who come into contact with the juvenile justice system.

OJJDP recommends the following five steps in efforts to reduce DMC: (1) Identification; (2) Assessment; (3) Intervention; (4) Evaluation; and (5) Monitoring.

Mr. Harris observed that, from 2001 through 2007, the referral rates for overall juvenile detention revealed an increase in DMC. It was noted that many of the zip codes contributing most to juvenile detention during this period were in South Los Angeles. By knowing the geographic breakdown of where the youth are coming from, it allows the Probation Department to focus efforts where the need is greatest.

Implementation of the DMC-TAP grant was divided into the following separate phases for each year:

- Phase I – DMC Infrastructure and Education (2007).
- Phase II – Stakeholder Collaboration and Plan Development (2008).
- Phase III – Implementation of DMC Reduction (2009).

In 2007, the following accomplishments were achieved during Phase I:

- Developed a DMC Workplan; and
- Drafted *Final Report of Findings and Recommendations 2007* with preliminary findings.

In 2008, the following accomplishments were achieved for Phase II:

- Other partner agency data collaboration;
- Stakeholder engagement in order to develop the DMC reduction plan;
- Review of data – match Phase II with Phase I preliminary findings (variance and validity); and
- Pilot Risk Assessment Instrument (Detention).

Phase III implementation of the countywide DMC Reduction Plan in 2009 involved engagement with juvenile justice partners and engagement with communities.

Accomplishments include the following:

- Established an Executive Committee;
- Implemented Call Notification and Warrant Hold pilot projects with the Superior Court (at the Eastlake and Los Padrinos locations);
- Met with Juvenile Bench Officers regarding DMC (including proposed pilot projects and county DMC statistics); and
- The Haywood Burns Institute obtained approval to conduct further analysis of probation violations.

Mr. Harris stated that the Warrant Hold pilot project showed promising results. One of the major causes for youth going to juvenile hall is warrants. The Warrant Hold project attempted to address this by having the Court hold the warrant for a period of 2 to 10 days if a young person failed to attend a Court hearing. This would allow for the individual to be contacted and instructed to appear in Court. At the Los Padrinos Court, this resulted in 63% fewer warrants being issued during a three-month period. At the Eastlake Court, 37% fewer warrants were issued.

The Call Notification pilot project was not as successful. This involved calling young people to remind them of the hearing. There was no significant difference in appearance rates between the control courtroom and the courtroom for which the Call Notification pilot project was implemented.

As a result of these pilot projects, The Haywood Burns Institute has recommended that the Warrant Hold project be expanded, but it does not recommend continuing the Call Notification project.

With respect to community engagement, Ms. Harada stated that the following three actions were taken in 2009:

1. Enhanced membership of the CCJCC DMC subcommittee with two additional community representatives (Center of Empowerment of Families and the Archdiocese's Office of Restorative Justice);
2. Developed community forum surveys with The Haywood Burns Institute in order to implement community forums in year four; and
3. Conducted training of Field Probation Managers to implement the community forums countywide.

The next steps in the process of addressing DMC include continuing the implementation of recommendations in the DMC Reduction Plan, implementing a support project grant awarded by the Corrections Standards Authority, continuing community engagement, and identifying a Probation Department vehicle to sustain work into the future.

Ms. Harada noted that certain Probation Department employees will be required to conduct community engagement forums as part of their performance evaluation process.

The Probation Department will also analyze data of cross-over youth (Dependency and Delinquency) in an effort to address DMC among that population.

ACTION: For information only.

IV. CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION (CDCR)

Secretary Matthew Cate, California Department of Corrections and Rehabilitation

Secretary Matthew Cate of the California Department of Corrections and Rehabilitation (CDCR) appeared before CCJCC to provide an update on prison/parole operations and reform proposals.

Secretary Cate noted that he had an opportunity to visit the Women's Reentry Court this morning and observe proceedings. He praised Judge Michael Tynan and others associated with that program for their efforts to rehabilitate female offenders.

One of the major issues that CDCR is addressing is that of prison overcrowding. Currently, CDCR is under an order from a Federal Court to reduce the prison population by 40,000 inmates over two years. This ruling has been appealed to the U.S. Supreme Court, which has agreed to hear the appeal in December of this year. It is not likely that a decision on the case will be issued until the Spring of 2011.

The state prison population reached a high of 174,000 in 2005 to 2006. Since that time, the number has been reduced to 166,000. In addition, there are now 8,500 inmates that are being held out-of-state.

California currently has about 110,000 parolees. About 8,000 to 10,000 people go off of parole every month, while another 8,000 to 10,000 are added to parole every month. Of

this total, about 3,000 new parolees arrive in Los Angeles County every month.

Last year, the state passed SB 18 3X, which provided for various changes in the state's parole system. CDCR is implementing those changes, which includes the introduction of Non-Revocable Parole (NRP).

NRP allows certain low-level parolees to be placed on a non-supervised version of parole where the parolee does not report to a parole agent. Those individuals that are placed on NRP are still subject to search and seizure, but their parole cannot be revoked, and any new arrests would need to go through the court process on a new criminal case.

Secretary Cate estimated that potentially up to 14,000 parolees may be eligible for NRP. This will allow parole officers to focus more on parolees that are considered to be high-risk (i.e., violent, sex offenders, etc.). He anticipates that the ratio of serious offenders to parole agents will drop from about 70 to 1 to 45 to 1.

The current Budget Act has provided funding for Parole to place 1,000 Global Position Monitoring (GPS) units on high-risk gang offenders, which will facilitate the monitoring of these offenders.

Additionally, fugitive apprehension teams have been doubled. These teams apprehend parolees that have eluded supervision and take proactive measures to prevent offenders from absconding.

The County of Los Angeles has been awarded a Reentry Court grant from the state, which will likely provide over \$600,000. The exact total will depend upon the California Emergency Management Agency.

The State of California has a \$19 billion deficit this year. Since CDCR and Health and Human Services are the two largest general fund agencies in state government, both may be facing cuts as the state attempts to reduce spending.

Governor Schwarzenegger has proposed reducing the prison population by having the counties assume custody of inmates with 18 months or less to serve in their sentences. The state would shift some of the subsequent cost savings to the counties as reimbursement.

Local governments and law enforcement agencies have expressed opposition to this proposal, both in terms of public safety and from a fiscal standpoint. The state and local jurisdictions are continuing to discuss this matter, as well as counter proposals, and no resolution has yet been agreed to.

Secretary Cate emphasized the importance of cooperation between the state and county and expressed his desire to foster closer partnerships with local governments and law enforcement agencies in addressing issues of mutual concern.

Michael Judge, Los Angeles County Public Defender, inquired about the possibility of reinstating restitution centers in this county. He noted that two restitution centers had previously been in operation here. Inmates assigned to work in the centers had a third of their earnings used to defray the cost of running the center, another third went toward restitution, and the final third went into their personal savings. This allowed the individuals to pay the cost of restitution and have money to use for housing and other needs upon their release.

The Department of Corrections did not consider restitution fines to qualify for admission to the centers, so the centers were ultimately closed because they were not operating at full capacity. Mr. Judge asked if CDCR would be willing to deem that those individuals with direct restitution orders and those with restitution fine obligations are both eligible for participation in a restitution center.

Secretary Cate expressed support for this suggestion. He recommended that Mr. Judge speak with him further so that they may determine if this matter can be resolved through an executive decision or, alternatively, by obtaining support from the Legislature to make any needed statutory changes.

Lois Gaston of the California Contract Cities Association inquired as to the number of prisoners that are out-of-state and the number of individuals with NRP status that have been returned to prison.

Secretary Cate responded that there are currently 8,500 prisoners out-of-state and that CDCR is hoping to increase this to 10,500 in the next year or two.

In addition, he observed that AB 900 was passed by the State Legislature several years ago and provides funding for CDCR construction. Work has begun on the first two AB 900 construction projects, both of which are mental health facilities.

With respect to the question about individuals on NRP, Secretary Cate stated that the issue is still being studied. NRP has not been in place for very long, so it is unknown how many have been returned to prison. However, given that these are not high-risk offenders, CDCR expects that their recidivism rate will be less than that of other parolees.

Supervisor Molina thanked Secretary Cate for his visit and presentation.

ACTION: For information only.

V. IMPROVEMENT OF PRE-HOSPITAL CARE AND TRANSPORT OF 5150 DETAINEES

Sheila Shima, Deputy CEO, Los Angeles County

Sheila Shima, Los Angeles County Deputy CEO for Health and Mental Health Services, appeared before CCJCC to provide a report on efforts to address 5150 transport issues.

Individuals in the community who are placed on a Welfare and Institutions Code (WIC) Section 5150 hold (involuntary psychiatric hold) in the field are currently transported to hospital care by law enforcement. Due to concerns expressed about this process, the County Board of Supervisors passed a motion in February of this year that instructed the County CEO to explore alternative options to law enforcement transport.

The CEO has identified representatives for an executive level group to oversee a report on improving pre-hospital care and transport of Section 5150 individuals. Among others, this work group includes representation from Department of Mental Health, Department of Health Services, the Mental Health Commission, the Sheriff's Department, County Fire Department, LAPD, the Emergency Medical Services Commission, the Hospital Association of Southern California, the County Ambulance Association, the National Alliance on Mental Illness, and Disability Rights California.

The committee has met once, on June 30th, and formed five subgroups that will focus on various aspects of this issue. These include matters such as legal questions, financial costs, transportation options, training, psychiatric bed capacity, tracking mechanisms, and available resources.

A motion was made to establish the 5150 transportation study group as an ad hoc CCJCC work group that will continue the effort of developing alternative transport options for 5150 detainees. In addition, the work group will report back to CCJCC on September 1, 2010, with recommendations for approval prior to the report back to the Board of Supervisors.

Ms. Shima stated that the study group will also be seeking to include additional representatives from other organizations and departments, such as the County Counsel's Office, Police Chiefs' Association, Peace Officers' Association, and others with expertise in this area.

ACTION: The motion to establish the 5150 transportation study group as an ad hoc CCJCC subcommittee was seconded and approved without objection.

VI. COMMISSION ON ALCOHOL AND OTHER DRUGS

Judge Ana Maria Luna, Chair, Proposition 36 Executive Steering Committee

Judge Ana Maria Luna, Chair of the Proposition 36 Executive Steering Committee, appeared before CCJCC to provide an update concerning representation on the County Commission On Alcohol and Other Drugs.

At the previous CCJCC meeting on June 2, 2010, Judge Luna addressed this committee about the newly formed County Commission On Alcohol and Other Drugs, which is a merger of the County Commission on Alcoholism and the County Narcotics and Dangerous Drugs Commission.

In response to a request that CCJCC nominate a representative to participate on the commission, a motion was passed requesting that the names of potential nominees be submitted for consideration.

Judge Luna reported that Chief Alexander Yim of the Sheriff's Department Correctional Services Division was nominated to serve as the CCJCC representative on the commission.

Chief Yim joined the Sheriff's Department in 1982 and has worked in the Correctional Services Division since 2004, first as a Commander and then, as of 2008, as the Division Chief. The Correctional Services Division is composed of the Inmate Reception Center (IRC), Medical Services Bureau, Transportation Bureau, Food Services Unit, and inmate support systems designed to address rehabilitative opportunities, including in custody substance abuse treatment programs and the Community Transition Unit.

A motion was made to approve the nomination of Chief Alexander Yim as CCJCC's representative to the Commission on Alcohol and Other Drugs and that his name be forwarded to the Board of Supervisors for approval.

ACTION: The motion to approve the nomination of Chief Alexander Yim as CCJCC's representative to the Commission on Alcohol and Other Drugs and forward this nomination to the Board of Supervisors for approval was seconded and approved without objection.

VII. OTHER MATTERS/PUBLIC COMMENT

Dr. Lakshmanan Sathyavagiswaran, County Coroner – Medical Examiner, requested that law enforcement agencies inform the Coroner's Office of any new weapons or device that they utilize, such as a new taser. This information is needed in identifying wounds or marks that the examiners may not be familiar with.

Sheriff Lee Baca stated that he will create a task force that will conduct a countywide assessment of all law enforcement agencies. The Coroner's Office will be provided with the resulting list.

There were no additional matters or public comments.

VIII. ADJOURN

There being no further business, the meeting was adjourned at 12:40 p.m.