

# COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

## MINUTES OF THE **June 20, 2018** MEETING

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 739  
Los Angeles, California 90012

### **MEMBERS AND ALTERNATES PRESENT**

Chair: Sheila Kuehl, Supervisor, Third District and Chair of the County Board of Supervisors

Erika Anzoategui for Janice Fukai, County Alternate Public Defender  
Cynthia Banks, Director, County Department of Workforce Development, Aging and Community Services  
Liliana Campos for Mary Wickham, County Counsel  
Scott Gordon, Supervising Judge, Criminal Division, Superior Court  
Jason Hasty for Debra Duardo, Superintendent, County Office of Education  
\*T. Warren Jackson for Ed Eng, County Economy and Efficiency Commission  
Dan Jeffries for Mike Feuer, Los Angeles City Attorney  
Kelly Jones for Eric Garcetti, Mayor, City of Los Angeles  
Shawn Landres, Chair, County Quality & Productivity Commission  
\*Synthia Lee for Charlie Beck, Chief, Los Angeles Police Department  
Terri McDonald, County Chief Probation Officer  
William Montgomery for Scott Minnix, Director, County Internal Services Department  
\*Daryl Narimatsu for Austin Beutner, Superintendent, Los Angeles Unified School District  
\*Bryan Oh for Richard Llewellyn, Los Angeles City Administrative Officer  
Sam Ohta, Assistant Supervising Judge, Criminal Division, Superior Court  
Eddie Rivero for Jim McDonnell, Sheriff  
Christopher Rogers for Jonathan Lucas, County Coroner – Chief Medical Examiner  
Devallis Rutledge for Jackie Lacey, District Attorney and Vice Chair of CCJCC  
Nicole Tinkham, Interim County Public Defender  
\*David Turla for Sachi Hamai, County Chief Executive Officer  
Lance Winters for Xavier Becerra, California Attorney General

**\*Not a designated alternate**

### **I. CALL TO ORDER / INTRODUCTIONS**

Chair Sheila Kuehl, County Supervisor, Third District

The meeting was called to order at 12:00 p.m. by Los Angeles County Supervisor Sheila Kuehl, Chair of CCJCC.

Self-introductions followed.

**II. APPROVAL OF THE MINUTES**

Chair Sheila Kuehl, County Supervisor, Third District

There were no requests for revisions to the minutes of the May 16, 2018 meeting. A motion was made to approve the minutes.

**ACTION: The motion to approve the minutes of the May 16, 2018 meeting was seconded and approved without objection.**

**III. EXECUTIVE DIRECTOR'S REPORT**

Mark Delgado, Executive Director, Countywide Criminal Justice Coordination Committee

Mark Delgado, Executive Director of the Countywide Criminal Justice Coordination Committee (CCJCC), provided the Executive Director's Report to the committee.

Annual Drug Court Conference

CCJCC's 15<sup>th</sup> Annual Drug Court Conference was held on June 7, 2018. Mr. Delgado thanked members of CCJCC for their support of this event, and gave a special thanks to Supervisor Kuehl for providing the opening remarks at the conference.

Attendees included bench officers, prosecutors, defense attorneys, community service providers, and mental health clinicians, among others. Over 200 individuals were present.

The conference included a full day of training on different issues related to the county's ability to provide substance use disorder, mental health, and other rehabilitative services to individuals in the justice system.

Slides of the presentations that were made at the Drug Court Conference are available on the [CCJCC website](#).

**ACTION: For information only.**

**IV. OVERVIEW OF THE PROPOSED FISCAL YEAR 2018-19 STATE BUDGET AND CORRESPONDING COUNTY ADVOCACY**

Brian Stiger, Chief Legislative Representative, County Chief Executive Office  
Patricia Carbajal, Legislative Analyst, County Chief Executive Office

Brian Stiger, Chief Legislative Representative with the County Chief Executive Office, appeared before the committee to provide an overview of the proposed Fiscal Year 2018-2019 state budget and corresponding county advocacy. Mr. Stiger was joined in this presentation by Patricia Carbajal, Legislative Analyst with the County Chief Executive Office.

On June 14, 2018, the California State Legislature passed the Fiscal Year 2018-2019 spending proposal and submitted it to the Governor for signature.

The budget contains a total of \$199.6 billion in expenditures and \$15.9 billion in reserves. The amount of the reserves is the highest in state history.

Governor Brown is expected to sign the final budget by June 30, 2018.

The County of Los Angeles advocated on over 40 proposed state budget items this year. This included items in the areas of homelessness, child welfare, social services, health/mental health, public safety, and more.

Mr. Stiger noted that this county can take positions on state budget and legislative bills either via a motion by the Board of Supervisors or through the Chief Executive Office (CEO) when there is existing Board-approved policy. He added that the Board votes on an agenda each September, and that becomes the policy for the CEO to follow.

### County-Supported Homelessness Proposal

The state budget allocates a total of \$609 million in one-time funding for homelessness programs, which includes \$500 million statewide for Emergency Aid Block Grants to local governments. The Los Angeles area Continuums of Care will receive approximately \$180 million, including \$166 million for the Los Angeles Homeless Services Authority (LAHSA) and the City of Los Angeles.

There are essentially three funding streams that will provide homelessness funding to this area:

- One funding stream will provide \$250 million to Continuums of Care, of which \$40 million is allocated to LAHSA, \$8 million to Long Beach, \$1 million to Pasadena, and \$500,000 to Glendale.
- A second funding stream provides \$100 million to Continuums of Care based on the homeless population. This includes \$41 million to LAHSA, \$1.3 million to Long Beach, \$428,000 to Pasadena, and \$125,000 to Glendale.
- The third funding stream allocates \$150 million directly to the eleven (11) largest cities in the state. This includes \$85 million to the City of Los Angeles and \$2.8 million to the City of Long Beach.

There is also an additional \$109 million for homeless funding that the county will be eligible to receive a portion of. This includes the following:

- Homeless Mentally Ill Outreach – \$50 million
- CalWORKs Housing Support – \$24.2 million
- Adult Protective Services - Home Safe Program – \$15 million

- Domestic Violence Shelters – \$10 million
- CalWORKs Homeless Assistance – \$8.1 million
- Homeless Youth and Exploitation Program – \$1 million

Los Angeles County Interim Public Defender Nicole Tinkham inquired as to whether the one-time funding will actually be used all at one time by the county or if it will be spread out over a number of years. Mr. Stiger was uncertain and stated that he would need to discuss this matter with the Director of the Los Angeles County Homeless Initiative.

Ms. Carbajal added that LAHSA would likely have input on this question with respect to the funding that goes to them.

#### County-Supported Diversion for Individuals with Serious Mental Illness

Part of the package for mental health diversion that was passed includes a grant program that will provide \$100 million over three years to help participating counties expand existing or implement new mental health diversion programs. Los Angeles County is eligible to compete for this grant funding, which is geared toward the 15 counties with the highest Incompetent to Stand Trial (IST) rates.

This grant funding will be available for encumbrance or expenditure until June 30, 2021.

Ms. Carbajal added that the state grant program will focus on diverting individuals who have committed a felony. The California Department of State Hospitals will contract with counties to help fund mental health diversion programs, which can include treatment, case management, housing support, and vocational support. She also noted that the grant requires a 20% county match.

#### Mental Health Diversion Statutes

The Health Budget Trailer Bill (AB 1810/SB 844) contains related statutory language to allow Courts to grant pre-trial diversion to individuals that meet the following criteria:

- The person has been charged with a misdemeanor or a felony; and
- There is sufficient evidence that the defendant's mental illness played a significant role in their offense.

The Court would also be required to consider the availability of treatment resources in the area and whether the defendant would pose a significant public safety risk if treated in the community.

### County-Supported State-County Partnerships on Incompetent to Stand Trial (IST)

This builds on mental health diversion efforts. It includes approximately \$15 million annually for Los Angeles County to support a partnership with the California Department of State Hospitals to locally serve up to 150 IST patients in community settings.

Ms. Carbajal stated that this is similar to a program in San Bernardino County. Dr. Mark Ghaly of the Department of Health Services added that the program in San Bernardino County is jail-based restoration, which differs from the Los Angeles County program where the individuals are in community settings.

### County-Supported Youth Reinvestment Fund

A total of \$37.3 million has been allocated to provide underserved youth with trauma informed, community-based diversion services. This amount breaks down as follows:

- \$26.3 million for youth diversion programs;
- \$10 million for social workers in public defenders' offices; and
- \$1 million for native youth diversion programs.

### Youth Diversion Grant Funding to Counties

Grant funding has been provided to counties to coordinate with local law enforcement, social services agencies, and non-profit organizations on implementing youth diversion programs. The county would act as a lead agency, and there would be pass through funds to non-profit organizations to provide community-based services to underserved communities. The maximum grant amount per local jurisdiction for the youth diversion program is \$5 million.

### Public Defenders Grant Program

Grant funding has also been allocated for public defenders' offices to add social workers to assist, defend, and support youth defendants. The maximum grant amount per local jurisdiction is \$500,000.

### County-Supported Repurposing of Local Juvenile Facilities

Ms. Carbajal reported that there were a number of proposals that the county advocated for that were not approved during this budget cycle. One was a funding proposal that would have allocated up to \$30 million in one-time grants to counties to assist with the repurposing of underutilized and outdated juvenile detention facilities.

This proposal will be reintroduced for the Fiscal Year 2019-2020 session.

### County-Supported Immigration Legal Support

Another proposal that was not approved would have provided \$24 million in one-time funding to Los Angeles County and the City and County of San Francisco to help cover public employee expenses associated with providing legal representation to indigent individuals in removal proceedings.

Los Angeles County would have received \$9 million for three years for use by the Public Defender's Office to assist nonprofit organizations and private immigration attorneys serving indigent individuals in removal proceedings.

This proposal will be reintroduced for the Fiscal Year 2019-2020 session.

### Humphrey Decision/Bail Reform

A total of \$50 million has been set-aside to implement the pending California Supreme Court decision related to bail, pursuant to the State Appellate Court's ruling in the Kenneth Humphrey case. The set-aside would provide some funding for any bail reform legislation that may pass in the coming year.

### Comments

Supervisor Kuehl advised members that they may wish to use their connections and opportunities to inform the gubernatorial candidates about the local needs of this county, particularly with respect to the issues that members are very familiar with.

**ACTION: For information only.**

## **V. OVERVIEW AND STATUS OF CURRENT PUBLIC SAFETY-RELATED LEGISLATION**

Patricia Carbajal, Legislative Analyst, County Chief Executive Office

Ms. Carbajal provided an overview of the status of current public-safety related legislation that the County of Los Angeles is supporting.

### Addressing Gun Violence In Our Communities

The county supported eight bills related to gun violence prevention, but two did not advance to the second house of the legislature. The following are the six that may still be passed in this session:

#### *County-support-in-concept of AB 1927*

Assembly Bill 1927 (AB 1927) would require the California Department of Justice to study options for allowing a person to register himself or herself on a list or database that prohibits the person from being able to purchase a firearm.

### *County-supported AB 2070*

AB 2070 would require that student outreach programming for public universities, colleges, and community colleges include information on domestic and dating violence.

### *County-supported AB 2103*

AB 2103 would require that the training for applicants for a license to carry a concealed firearm be at minimum eight hours in length and include safe handling and shooting proficiency requirements.

### *County-supported AB 2291*

AB 2291 would require schools to adopt, on or before December 31, 2019, procedures for preventing acts of bullying.

### *County-supported AB 3129*

AB 3129 would prohibit a person who is convicted on or after January 1, 2019, of specified misdemeanors relating to domestic violence that currently result in a ten-year prohibition against possessing a firearm, from ever possessing a firearm.

### *County-supported SB 1346*

Senate Bill 1346 (SB 1346) would provide that the existing prohibition on multi-burst trigger activators includes a bump fire stock or bump fire stock attachment.

### Resentencing or Dismissal of Cannabis Convictions

The county has supported AB 1793, which would establish a process for resentencing or dismissing cannabis convictions that are no longer illegal following the passage of Proposition 64.

### Juveniles and Child Welfare

The county has supported SB 1391, which would repeal provisions that allow the prosecution to file a motion to transfer a minor alleged of committing specified felonies when he or she was 14 or 15 years old from Juvenile Court to Adult Criminal Court.

In addition, the county has supported AB 2005, which would restore law enforcement's ability to report substantiated cases of child abuse and severe neglect to the California Department of Justice and close the gap in current law that omits non-familial abusers from being reported to the statewide Child Abuse Central Index.

## Bail Reform

The county supports SB 10 with amendments.

This bill would, beginning on January 1, 2020, reform the state's pretrial release procedures to require:

1. Newly established county pretrial services agencies to conduct pretrial risk assessments of arrested persons; and
2. That judges, taking into consideration the pretrial risk assessments and recommendations, set monetary bail only in limited circumstances and with the least restrictive options.

The CEO will be monitoring this legislation for amendments that would provide for more local control as well as funding mechanisms to implement SB 10.

## Questions and Comments

Ms. Tinkham inquired as to how the county intends to coordinate the grant application process.

Ms. Carbajal noted that there isn't any central grant coordinating office in the county and agreed that a central coordinating group would be useful with certain topics that impact upon a number of departments.

Dr. Ghaly added that there is coordination among departments with respect to the mental health diversion grant program.

Probation Chief Terri McDonald inquired if each of the grants discussed are through the Bureau of State and Community Corrections (BSCC). Ms. Carbajal stated that the mental health diversion grant is through the Department of State Hospitals. Dr. Ghaly added that it hasn't been determined yet who will oversee the grant process for the \$100 million. He noted that there are talks with the Department of State Hospitals to ensure that grant awards can be tailored to the different local needs of the various counties.

Judge Scott Gordon reported that the Superior Court is beginning work in preparation for the mental health diversion program. In addition to the treatment portion, the bill also focusses on the Court component as well. The linking of the individuals from the Court to the treatment services is important, as is the supervisory component while they are participating in the program. These components must also be considered in order to make the diversion efforts successful.

Supervisor Kuehl emphasized the importance for member agencies to share information and coordinate with one another concerning the matters discussed in this presentation.



Judge Gordon reported that Proposition 66 is now in its implementation stage. As a reminder, Proposition 66, which passed in 2016, changes death penalty procedures. Among other aspects of this law, it places the trial courts in charge of initial petitions. In addition to Court operations, this will also impact upon other criminal justice agencies. The Court will keep its justice partners informed as the preparations for implementing this law proceed.

In response to a query from Supervisor Kuehl, Mr. Stiger stated that there will likely be amendments to certain bills in the coming months, with a lot of activity occurring in August. It may be necessary for the CEO to obtain information quickly from departments in response to changes in legislation.

Supervisor Kuehl thanked Mr. Stiger and Ms. Carbajal for their presentations.

**ACTION: For information only.**

## **VI. OTHER MATTERS / PUBLIC COMMENT**

Ms. Tinkham reported that Dr. Kelly Lytle-Hernandez, professor of History at UCLA, will be speaking about the Million Dollar Hoods project at 11:00 a.m. on June 21<sup>st</sup> at the Los Angeles City Hall. This project maps incarceration demographics throughout the county.

At last month's meeting, Mr. Landres announced that the Quality and Productivity Commission has launched a \$500,000 performance measurement capacity building and data sharing program. He reported that the Commission has since extended the deadline for this to July 13, 2018, and he reiterated his invitation for applications from county departments that are interested in applying.

Mr. Landres also noted that the deadline for the annual Productivity and Quality Awards (PQA) entries is July 6, 2018.

A public comment was made by Mr. Harvey Zirler.

## **VII. ADJOURNMENT**

The meeting was adjourned at 12:47 p.m.