

**LOS ANGELES COUNTY
BLUE RIBBON COMMISSION ON PUBLIC SAFETY**

MINUTES OF THE August 22, 2018 MEETING

Hall of Justice
Media Conference Room
211 West Temple Street
Los Angeles, California 90012

COMMISSION MEMBERS PRESENT

Chair: Judge Stephen Larson, Partner, Larson O'Brien
Co-Chair: Troy Vaughn, Executive Director, Los Angeles Regional Reentry
Partnership

Erika Anzoategui, Chief Deputy, Alternate Public Defender's Office
Jenny Brown, Acting Chief Deputy, Public Defender's Office
Kellyjean Chun, Bureau Director – Prosecution Support Operations,
District Attorney's Office
Hon. Michael Davitt, President, California Contract Cities Association
Judge Peter Espinoza, Director, Office of Diversion and Reentry
Judge Scott Gordon¹, Supervising Judge – Criminal Division,
Los Angeles Superior Court
Josh Green, Criminal Justice Program Manager, Urban Peace Institute
Chief Bob Guthrie, President, Los Angeles County Police Chiefs Association
Cherylynn Hoff, Human Services Administrator II, Los Angeles County Department of
Workforce Development, Aging and Community Services
Chief Stephen Johnson, Detective Division, L.A. County Sheriff's Department
Jamie Kyle, Community Advocate, The Reverence Project
Deputy Chief Sean Malinowski, Los Angeles Police Department
Chief Probation Officer Terri McDonald, Los Angeles County Probation Department
Brian Moriguchi, President, Professional Peace Officers Association (PPOA)
Priscilla Ocen, Professor, Loyola Law School
Jose Osuna, Principal Consultant, Osuna Consulting
Dr. Christopher Thompson, Department of Mental Health
*Andrea Welsing for Dr. Barbara Ferrer, Director, Department of Public Health

***Designated proxy**

COMMISSION MEMBERS NOT PRESENT

Peter Bibring, Director of Police Practices/Senior Staff Attorney,
ACLU of Southern California
Mark Holscher, Partner, Kirkland & Ellis
John Raphling, Senior Researcher, Human Rights Watch

¹ Judge Gordon arrived during the discussion of the third motion under Agenda Item IV.

Robert Sass, Vice President, Association for Los Angeles Deputy Sheriffs
Brendon Woods, President, California Public Defenders Association

I. CALL TO ORDER/INTRODUCTIONS

The meeting was called to order at 1:32 p.m. by Judge Stephen Larson, Chair of this Commission.

Self-introductions followed.

II. APPROVAL OF THE MINUTES OF THE JUNE 27, 2018 MEETING

There were no requests for revisions to the minutes of the June 27, 2018 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the June 27, 2018 meeting was seconded and approved without objection.

III. ADMINISTRATIVE UPDATES

Judge Larson reported that new individuals have been assigned to represent the Los Angeles Police Department (LAPD) and the Department of Mental Health (DMH) on this Commission. The LAPD is now being represented by Deputy Chief Sean Malinowski; DMH is now being represented by Dr. Christopher Thompson.

Mark Delgado, Executive Director of the Countywide Criminal Justice Coordination Committee (CCJCC), reviewed the upcoming Commission schedule:

- Following today's meeting, there are two remaining scheduled Commission meetings. These meetings will be held on the following dates:
 - Wednesday, September 26, 2018
 - Wednesday, October 24, 2018
- Subcommittees will continue to meet, but they are encouraged to provide any remaining recommendations early enough to be placed on the agenda for the meeting on September 26th.
- The next progress report to the Board of Supervisors is due on September 7th. This report will document any actions taken at today's meeting.
- The final report to Board of Supervisors will be submitted following the meeting on October 24th. The recommendations taken up by this Commission will comprise the core of the report.

Judge Larson requested that Mr. Delgado distribute to the members a listing of the deliverables in the original [Board motion of August 15, 2017](#) that created this Commission.

Members were asked to review the deliverables and determine if there are recommendations that address any or all of them that should be presented for the Commission's consideration. These recommendations would be in addition to the work that is being done by the subcommittees.

Josh Green asked if there is an example of a report to the Board that is similar to the format that is envisioned for the final report from this Commission. Mr. Delgado stated that he will inquire about this to see if there is a previous report that can be used as a model for the final report of this Commission.

ACTION: For information only.

IV. UPDATES AND REPORT BACKS FROM AD HOC SUBCOMMITTEES AND RELATED ACTIONS

Judge Larson reported that the Agenda for today has four motions that have been moved forward from the subcommittees for consideration by this Commission.

Ad Hoc Subcommittee on Model Programs and Best Practices

The Ad Hoc Subcommittee on Model Programs and Best Practices has advanced two motions for consideration by this Commission.

Troy Vaughn, Co-Chair of this Commission, addressed the first motion, which can be accessed at the following link:

[Motion 1: In-Custody SUD Treatment](#)

The motion reads as follows:

The Blue Ribbon Commission on Public Safety recommends that the County:

1. Provide in-custody SUD treatment services – including the delivery of medications for addiction treatment, counseling, and recovery support services – at a level consistent with federal parity requirements across the health system, so that equivalent efforts are made to link inmates with SUD treatment as with MH and physical health service in the correctional and post-release community treatment settings.
2. Develop policies and procedures to ensure that inmates receive all medically necessary and appropriate health care services related to addiction and related disorders as appropriate for their conditions, including withdrawal management,

treatment of addiction related medical conditions, treatment of addiction that includes evidence based psychosocial treatments, a comprehensive range of medications for addiction treatment specifically including opioid agonist pharmacotherapies, and education related to harm reduction and abstinence. Individuals who receive maintenance opioid agonist medications for opioid use disorder in the community should have access to these medications in corrections. Individuals at risk for opioid overdose should have access to naloxone upon release.

3. Work with the Department of Health Services – Correctional Health, the Sheriff’s Department, and other partner agencies to identify resources to scale up SUD treatment services to the level of need and facilitate successful re-entry into the community, including necessary custody space requirements and security staffing and linkages to community-based SUD treatment upon release.

Mr. Vaughn provided the background on this motion and the issues pertaining to it that were discussed by the subcommittee.

Judge Larson added that no formal vote was taken by the subcommittee on this motion, but no objections were raised in moving it forward for consideration by this Commission.

The only change that was made by the subcommittee was at the request Chief Stephen Johnson, who asked that the language recognize the need for custody resources (security staffing and space), in addition to treatment resources, in order to accommodate the additional programming. This language was added to the motion.

Priscilla Ocen requested that language be added to clarify that individuals on restricted status will not be denied the services that are referenced in the motion.

Following a discussion on this issue, the following amendment was proposed to the first part of the second paragraph of the motion:

- Add the word “all” before the word “inmates” and add “including those on restricted status” following the word “inmates” so that the first part of paragraph reads as follows:
2. Develop policies and procedures to ensure that all inmates – including those on restricted status – receive all medically necessary and appropriate health care services related to...

Kellyjean Chun made a motion amend the motion with this added language to the second paragraph.

ACTION: The motion to amend the motion as stated was seconded and approved without objection.

Mr. Vaughn made a motion to approve this motion as amended.

ACTION: The motion to approve this motion as amended was seconded and approved without objection.

This recommendation to the Board of Supervisors will be included in the Commission's final report.

Mr. Vaughn next addressed the second motion, which can be accessed at the following link:

[Motion 2: Coordination of Funding Sources](#)

This second motion from the Ad Hoc Subcommittee on Model Programs and Best Practices reads as follows:

The Blue Ribbon Commission on Public Safety recommends that the County:

1. Promote policies and plans that enable justice-involved individuals' treatment needs to be met, regardless of their case status.
2. Conduct a review of core funding sources supporting the delivery of treatment/rehabilitative services and applicable eligibility criteria.
3. Develop policies and procedures that promote a coordinated and seamless transition between services provided via different funding sources, as appropriate, so that the provision of needed services is uninterrupted by a case status change.

As with the first motion, no formal vote was taken by the subcommittee on this motion, but no objections were raised in moving it forward for consideration by this Commission.

Mr. Vaughn provided the background on this motion and the issues pertaining to it that were discussed by the subcommittee. He noted that the county has multiple sources of funding, with each having their own requirements and standards for eligibility. This motion recognizes the importance that services not be discontinued due to a person's case status.

Brian Moriguchi inquired as to who is being referenced by the term "justice-involved" individuals. Mr. Vaughn replied that it refers to individuals who have had contact with the justice system, either through arrest or probation supervision.

Chief Johnson suggested that a glossary be developed to accompany the recommendations that this Commission sends to the Board of Supervisors. Judge Larson agreed and advised that the glossary can be discussed at this Commission's final meeting.

Cherylynn Hoff requested that the subcommittee discussion/analysis portion of the motion include SB 678 as an example of a funding source. The relevant portion of the discussion/analysis portion of the motion would then read as follows:

- Recent justice reform efforts and County actions have helped expand the local infrastructure for providing rehabilitative and support services to justice-involved individuals. However, funding streams to support that infrastructure – such as AB 109, Proposition 47, and SB 678 – can offer different focus areas. It is important that individuals in need of services be able to access them at multiple access points and with continuity.

Mr. Vaughn made a motion to approve the motion with the added language in the discussion/analysis section.

ACTION: The motion to approve this motion with the added language was seconded and approved without objection.

This recommendation to the Board of Supervisors will be included in the Commission’s final report.

Ad Hoc Subcommittee on Flash Incarceration and Revocation Policies

The Ad Hoc Subcommittee on Flash Incarceration and Revocation Policies has also advanced two motions for consideration by this Commission, referred to in this meeting as Motion 3 and Motion 4.

Judge Peter Espinoza addressed Motion 3, which can be accessed at the following link:

[Motion 3: Custody Liaison Program](#)

This motion from the Ad Hoc Subcommittee on Flash Incarceration and Revocation Policies reads as follows:

The Blue Ribbon Commission on Public Safety recommends that the County:

1. Explore opportunities to implement a Custody Liaison Program – with teams comprised of Probation staff and County/Community partners – that would conduct jail in-reach with supervised persons in custody in order to increase their engagement with their case plans and improve connections to services.
2. Develop a data collection plan and evaluation process to measure the efficacy of the Custody Liaison Program.
3. Identify resources needed and potential resource options to implement the Custody Liaison Program.

A version of this recommendation was presented at the June 27th meeting of this Commission. It was not approved at that meeting and was instead referred back to the subcommittee for further discussions.

The subcommittee subsequently refined the motion and developed a final version. There were no objections raised in moving the final version forward to this Commission for consideration.

Mr. Green inquired if there is any jail in-reach currently in place. Judge Espinoza stated that there is, but not to the extent presented in this motion and not as collaborative as what is envisioned. Chief McDonald reported that Parole has an in-reach program in the state prison system.

Mr. Green also inquired as to who the lead agency/department of the in-reach teams would be. Judge Espinoza stated that this issue was not discussed. Jenny Brown of the Public Defender's Office added that the subcommittee viewed this as a collaboration between Probation and community groups in which both would be involved.

Judge Espinoza made a motion to approve the motion.

ACTION: The motion to approve this motion was seconded and approved without objection.

This recommendation to the Board of Supervisors will be included in the Commission's final report.

Mr. Delgado addressed Motion 4, which can be accessed at the following link:

[Motion 4: Data Collection on Success/Failure of Flash Incarceration and Revocation Policies](#)

This motion from the Ad Hoc Subcommittee on Flash Incarceration and Revocation Policies reads as follows:

The Blue Ribbon Commission on Public Safety recommends that the County:

1. Develop data collection protocols and metrics of success or failure of policies around Flash Incarceration and Revocation and the services and programs designed to help the PRCS population.
2. Collect data concerning Flash Incarcerations and Revocations per the established protocol and that the data be reviewed by an independent entity not involved or associated with the implementation of AB109. This independent entity should receive input from the various county agencies involved in the implementation of AB 109, as well as community based organizations and formerly incarcerated people.

3. Prioritize services in the community that address the specific needs of supervised individuals based on the data collected.

No formal vote was taken by the subcommittee on this motion, but no objections were raised in moving it forward for consideration by this Commission.

In providing the background information on this motion, Mr. Delgado noted that a number of subcommittees have sought to determine how to measure the effectiveness of different strategies and the outcomes that result from those strategies. This motion seeks to collect data related to flash incarceration and revocation policies.

Chief McDonald expressed concern about the language in the first paragraph that references “success or failure of policies.” She noted that this may be difficult for a researcher to understand. It may be difficult to measure success and failure, and she suggested referencing outcomes instead.

Chief Bob Guthrie and Jose Osuna, who both serve on the Ad Hoc Subcommittee on Flash Incarceration and Revocation Policies, had no objections to the suggested change by Chief McDonald.

Following further discussion, the following amendment was proposed to the first paragraph of the motion:

1. Develop data collection protocols and metrics ~~of success or failure of policies~~ around for evaluating outcomes relative to Flash Incarceration and Revocation and the services and programs designed to help the PRCS population.

In addition, the title for the motion would be changed to read: “Data Collection ~~on Success/Failure of~~ Protocols and Metrics Related to Flash Incarceration and Revocation Policies”

Chief McDonald made a motion to amend the motion with this changed language to the second paragraph and title.

ACTION: The motion to amend the motion as stated was seconded and approved without objection.

Mr. Vaughn made a motion to approve this motion as amended.

ACTION: The motion to approve this motion as amended was seconded and approved without objection.

This recommendation to the Board of Supervisors will be included in the Commission’s final report.

Ad Hoc Subcommittee on Violent Crimes Statutes

Mr. Delgado noted that the [Reducing Crime And Keeping California Safe Act](#), which was discussed at the meeting of this Commission on March 28, 2018, has qualified for the November 2020 ballot.

Among other changes, this ballot initiative would augment the list of crimes that are excluded from parole consideration under Proposition 57. As such, given that the vote on this ballot measure will address the issue that the Ad Hoc Subcommittee on Violent Crimes Statutes had been formed to consider, the subcommittee does not have any recommendations.

Ad Hoc Subcommittee on Very High Risk AB 109 Supervised Persons & Ad Hoc Subcommittee on the Analysis of 100 Misdemeanants Under Proposition 47

These two subcommittees are being addressed together with regard to obtaining the data that is needed.

Mr. Delgado reported that the County's Chief Executive Office (CEO) and Chief Information Office (CIO) are continuing to conduct a data analysis project related to the two subject populations of these subcommittees.

The objective is to have a presentation at the Commission meeting in September in which the final version of the analysis can be discussed. The Commission can also vote on any appropriate recommendations for submission to the Board of Supervisors.

V. ITEMS NOT ON THE POSTED AGENDA TO BE PRESENTED OR PLACED ON THE AGENDA FOR ACTION AT A FUTURE MEETING

There will be a presentation on data collection at the next Commission meeting from the CIO. This will include the analysis on very high risk AB 109 supervised persons and 100 misdemeanants under Proposition 47 referred to in the previous agenda item.

The next meeting will also include any new motions from subcommittees or members that will be considered by the Commission.

VI. PUBLIC COMMENT

There were no public comments.

VII. ADJOURNMENT

The meeting was adjourned at 2:30 p.m.

The next meeting is scheduled for Wednesday, September 26, 2018, at 1:30 p.m.