

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

MINUTES OF THE April 25, 2018 MEETING

Kenneth Hahn Hall of Administration

Room 140

500 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

Peter Bibring, Director of Police Practices/Senior Staff Attorney,
ACLU of Southern California

*Reaver Bingham for Chief Probation Officer Terri McDonald, Los Angeles County
Probation Department

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

Deputy Chief Justin Eisenberg, Los Angeles Police Department

Judge Peter Espinoza, Director, Office of Diversion and Reentry

*Jennifer Friedman for Brendon Woods, President, California Public Defenders
Association

Josh Green, Criminal Justice Program Manager, Urban Peace Institute

Chief Bob Guthrie, President, Los Angeles County Police Chiefs Association

Dr. Brian Hurley, Medical Director of Substance Use Related Care Integration,
Department of Mental Health

Chief Stephen Johnson, Custody Services Division, L.A. County Sheriff's Department

Jamie Kyle, Community Advocate, The Reverence Project

Brian Moriguchi, President, Professional Peace Officers Association (PPOA)

*Judge Sam Ohta for Judge Scott Gordon, Supervising Judge – Criminal Division,
Los Angeles Superior Court

Jose Osuna, Principal Consultant, Osuna Consulting

Robert Sass, Vice President, Association for Los Angeles Deputy Sheriffs

*Andrea Welsing for Dr. Barbara Ferrer, Director, Department of Public Health

***Designated proxy**

COMMISSION MEMBERS NOT PRESENT

Cherylynn Hoff, Human Services Administrator II, Los Angeles County Department of

Workforce Development, Aging and Community Services
Mark Holscher, Partner, Kirkland & Ellis
Priscilla Ocen, Professor, Loyola Law School
John Raphling, Senior Researcher, Human Rights Watch

I. CALL TO ORDER/INTRODUCTIONS

The meeting was called to order at 1:35 p.m. by Judge Stephen Larson, Chair of this Commission.

Self-introductions followed.

II. APPROVAL OF THE MINUTES OF THE MARCH 28, 2018 MEETING

There were no requests for revisions to the minutes of the March 28, 2018 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the March 28, 2018 meeting was seconded and approved without objection.

III. INFORMATIONAL PRESENTATION/DISCUSSION ON SHERIFF'S DEPARTMENT PROPOSITION 47 DATA REPORTS

Chief Stephen Johnson of the Los Angeles County Sheriff's Department made a presentation on Sheriff's Department Proposition 47 data ([Link to report](#)).

Data was presented on arrests, charges, repeat offenders, and other information related to Proposition 47, both countywide and for the Sheriff's Department, specifically from November 5, 2014 (the date that Proposition 47 went into effect) through February 28, 2018.

The report also included information on trends in the county jail population and the population of mental health inmates over time.

Following the presentation, a discussion was had concerning this report.

Dr. Brian Hurley inquired as to whether there is a causal relation between AB 109 and/or Proposition 47 and an increase in mental health inmates in the County Jail. Chief Johnson stated that it is not known if there is any causal link.

AB 109 did change the complexity of treatment services because there are now inmates in the jail that are sentenced for more than one year. This may impact the treatment that is given to those individuals given that they are incarcerated longer than other County Jail inmates.

Chief Johnson noted that not all mental health inmates/levels of care require medication. He agreed to provide this Commission with data on the number of sentenced AB 109 inmates who are receiving mental health treatment services.

ACTION: The Sheriff's Department will follow-up on this item by providing data on the number of AB 109 individuals in the County Jail who are receiving mental health services. This will be presented at the next meeting.

Inmates in the County Jail previously had medical care provided through the Sheriff's Department and mental health care was provided through the Department of Mental Health. The Board of Supervisors changed that for delivery of care and created correctional health services, which put both health and mental health medical staff in the jail under the Department of Health Services. Care is now administered in a way to provide proper management of care and continuity both in and out of custody. There is coordination between mental health and medical services, but also between the custodial setting and in the community.

The resulting enhanced screening has resulted in a higher level of awareness and reporting on the part of arresting officers and jail staff, and also brought in additional staff and resources.

Chief Johnson surmised that these changes may be a contributing factor in the rise of the number of mentally ill inmates between 2009 and 2017.

A discussion was also had on the number of individuals in County Jail that are incompetent to stand trial.

ACTION: The Sheriff's Department will follow-up on this item by providing data on the number individuals in the jail that are incompetent to stand trial, both for felonies and misdemeanors.

Jennifer Friedman suggested that the increase in the number of collaborative justice courts over time may have served as an incentive for both prosecutors and defense attorneys to identify people who suffer from mental illness or drug addiction. This may also have added to the number of individuals in the justice system being identified as mentally ill and/or having a substance use disorder.

In response to another query, Chief Johnson stated that the Sheriff's Department is seeking to determine if there are any patterns with the Proposition 47 individuals that have been rearrested numerous times. Mr. Delgado added that work is being done at the subcommittee level to obtain data on arrests, their results, the kind of service engagement that may have taken place, and the extent to which this data can be tracked.

To address the issue of repeat Proposition 47 offenders, Chief Johnson stated that the Sheriff's Department tasked each station to identify the top 10 most repeat Proposition 47 offenders in their respective areas and have deputies contact these individuals to provide them with referrals to services. If the individual in question is in custody, the station works with the community transition unit in the jail to ensure that services are offered while in custody.

In addition, Proposition 47 arrestees are given a 211 referral and informed about the 211 information system. This provides individuals with information on services available in their communities.

Further, if a mailing address is known, the Captain of each Sheriff's station corresponds with the top 10 Proposition 47 offenders in the area to let them know about 211 and available services in the region that may be able to assist them.

Chief Bob Guthrie stated that it is important to develop solutions for what to do about repeat offenders that refuse offers of treatment and services. He added that this is an issue that this Commission should consider moving forward. Prior to Proposition 47, Drug Courts had an ability to compel treatment through the threat of incarceration for non-compliance, but this is largely no longer the case.

Mr. Vaughn stated that there are lessons to be learned from efforts to address the problem of homelessness in the county. He noted that in the case of repeat offenders, it may be that many of these individuals are in need of higher levels of care which will require a commitment of resources.

Ms. Friedman stated that more information is needed about the individuals who have received in-custody mental health treatment both before and after Proposition 47 in order to determine why the number of mentally ill individuals in the jail is increasing.

In responding to Ms. Friedman, Chief Johnson stated that this is difficult to measure given that definitions and thresholds have changed over time. Attempts to analyze current and previous data is challenging because the comparisons are not exact. For example, one crime may have been eliminated and another rewritten since Proposition 47 went into effect.

Mr. Moriguchi agreed with Chief Guthrie that the Commission should address the issue of what to do when repeat offenders do not accept offers of treatment. He stated that effective treatment is not just about what programs are available, but also about how to get individuals into the programs.

Public comments were made by Mr. Joseph Maizlish and Ms. Lisa James.

IV. UPDATES AND REPORT BACKS FROM AD HOC SUBCOMMITTEES

Mr. Delgado provided a brief update on the work of the subcommittees:

Ad Hoc Subcommittee on Analysis of Violent Crimes Statutes

This subcommittee has been tasked with reviewing the list of crimes that are eligible for early release under Proposition 57 and identifying any changes that are deemed to be needed. The group continues to focus on crimes that are excluded from consideration as well as process issues such as the 30-day turnaround time for the District Attorney's Office to respond to a notice.

Efforts are also being made to attain data needed to support the work of this subcommittee.

Ad Hoc Subcommittee on Flash Incarceration and Revocation Policies

Among the issues that this subcommittee is focusing on include information sharing with CDCR and a Probation Department custody liaison to assist inmates within the jail. Information sharing can assist with supervision strategy and meeting the needs of those on supervision. The custody liaison can assist with in-reach efforts while individuals are in custody.

The subcommittee is also studying the types of services that may be available through Revocation Court, particularly for high-need populations.

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 working with the Offices of the CEO and CIO to obtain relevant data needed to complete their tasks.

The scope of the data request is being refined.

Ad Hoc Subcommittee on Model Programs and Best Practices

A number of Departments were surveyed to develop an inventory of existing services, gaps/challenges in existing services, and notable programs from other jurisdictions. Services include substance abuse disorder treatment, mental health treatment, housing, employment, and other services related to rehabilitation.

The results of the survey will continue to be refined to clarify the scope of services and the eligibility requirements.

A sample form was distributed to help guide the subcommittees in their discussions and in developing recommendations.

Mr. Vaughn added that the subcommittees should choose representatives to report back on their progress.

ACTION: For information only.

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

At the March 28, 2018 meeting of this Commission, there was a presentation on the proposed ballot initiative entitled, *Reducing Crime and Keeping California Safe Act of 2018*, which was given to support the Commission's information gathering efforts. Consistent with the Commission's goal of presenting a well-rounded discussion, Californians for Safety and Justice have been invited to present at the meeting of this Commission on May 23rd.

ACTION: For information only.

VI. PUBLIC COMMENT

There were no public comments.

VII. ADJOURNMENT

The meeting was adjourned at 3:13 p.m.

The next meeting is scheduled for Wednesday, May 23, 2018, at 1:30 p.m.