

## COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

### MINUTES OF THE **May 17, 2017** MEETING

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

### **MEMBERS AND ALTERNATES PRESENT**

Chair Pro Tem: Terri McDonald, County Chief Probation Officer

Erika Anzoategui for Janice Fukai, County Alternate Public Defender

Scott Bixby, President, South Bay Police Chiefs Association

\*Elvira Castillo for Robin Toma, Executive Director, County Human Relations Commission

\*Elvira Castillo for Cynthia Banks, Director, County Department of Workforce Development, Aging and Community Services

Kelly Emling, Acting County Public Defender

Peter Espinoza, Director, Office of Diversion and Reentry

Michael Garcia, Assistant Supervising Judge, Criminal Division, Superior Court

Donna Groman for Michael Levanas, Presiding Judge, Juvenile Superior Court

Bob Guthrie, President, Los Angeles County Police Chiefs Association

Christa Hohmann, Directing Attorney, Post Conviction Assistance Center

Dan Jeffries for Mike Feuer, Los Angeles City Attorney

Derric Johnson for Mark Ridley-Thomas, Supervisor, Second District and Chairman of the County Board of Supervisors, Chairman of CCJCC

\*Kelly Jones for Eric Garcetti, Mayor, City of Los Angeles

\*Mary Laihee for Debra Duardo, Superintendent, County Office of Education

David Marin, Field Office Director, U.S. Immigration and Customs Enforcement

Mary Marx for Jonathan Sherin, Director, County Department of Mental Health

Jonathan McCaverty for Mary Wickham, County Counsel

Edward McIntyre for Rodney Gibson, Chair, County Quality & Productivity Commission

\*Julian Melendez for Charlie Beck, Chief, Los Angeles Police Department

Don Meredith for Joe Gardner, President, County Probation Commission

William Montgomery for Scott Minnix, Director, County Internal Services Department

\*Joseph Nicchitta for Sachi Hamai, County Chief Executive Officer

Sam Ohta, Assistant Supervising Judge, Criminal Division, Superior Court

Sam Ohta for Scott Gordon, Supervising Judge, Criminal Division, Superior Court

Chris O'Quinn, Chief, Southern Division, California Highway Patrol

\*Felicia Orozco for Richard Llewellyn, Interim Los Angeles City Administrative Officer

Earl Perkins for Michelle King, Superintendent, Los Angeles Unified School District

Ezekiel Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program

Robert Philibosian, Peace Officers Association of Los Angeles County

\*Susan Sullivan Pithey for Xavier Becerra, California Attorney General

Christopher Rogers, Acting County Coroner – Chief Medical Examiner

Devallis Rutledge for Jackie Lacey, District Attorney and Vice Chair of CCJCC

\*Jody Sharp for Jim McDonnell, Sheriff

**\*Not a designated alternate**

**I. CALL TO ORDER / INTRODUCTIONS**

Terri McDonald, County Chief Probation Officer

The meeting was called to order at 12:00 noon by Los Angeles County Chief Probation Officer Terri McDonald, Chair Pro Tem.

Self-introductions followed.

**II. APPROVAL OF THE MINUTES**

Terri McDonald, County Chief Probation Officer

There were no requests for revisions to the minutes of the April 19, 2017 meeting. A motion was made to approve the minutes.

**ACTION: The motion to approve the minutes of the April 19, 2017 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.

Victim Restitution Collection Efforts

The Restitution Collection Task Force develops processes for the collection of victim restitution from AB 109 populations as authorized by the Board of Supervisors. Pursuant to the Task Force's work, in January 2016 the Probation Department initiated the collection of restitution from individuals serving the mandatory supervision period of a split sentence. The Probation Department also began collecting from individuals on Post-Release Community Supervision (PRCS) in December 2016.

The Task Force continues to work toward the development of an integrated restitution collection system that will ultimately support collection by the Sheriff's Department from individuals in custody pursuant to a Penal Code (PC) 1170 (h) sentence.

Later this month, the District Attorney's Office will request the authority to accept a state grant that will fund modifications to the Treasurer and Tax Collector's CARS system to support integrated collections and tracking among multiple departments. The Task Force has notified the Board of Supervisors of its intent to negotiate a contract for such modifications with this funding. After contract approval and completion of the proposed system enhancements – targeted for June 2018 – the Sheriff's Department will be able to initiate collections on behalf of victims.

## Youth Diversion Subcommittee

The Youth Diversion Subcommittee continues to work toward developing a coordinated approach to youth diversion across the county, with an objective of minimizing youth contact with the juvenile or criminal justice system. The subcommittee has now met on five occasions since its March 2<sup>nd</sup> kick-off. The early focus has been on gathering information on diversion models and hearing perspectives on the issue.

The subcommittee is currently conducting listening sessions with youth, law enforcement, and community organizations as part of a process to identify core components and processes that partners believe should be incorporated into a diversion plan. The plan for scaling effective diversion practices in the county will be submitted to the Board of Supervisors in September.

## Annual Drug Court Conference – June 8, 2017

CCJCC's 14<sup>th</sup> Annual Drug Court Conference will be held on June 8<sup>th</sup> at the California Endowment. The conference provides information and training on best practices for delivering substance use disorder treatment and other rehabilitative services to justice-involved populations.

Topics planned include: The Department of Public Health's implementation of the new substance use disorder treatment delivery system; opioid addiction issues; Proposition 64; cognitive behavioral therapy for justice-involved individuals; and coordinated services for homeless individuals.

Conference information is available on the CCJCC website ([goo.gl/jPyNEh](http://goo.gl/jPyNEh)), and registrations are now being accepted.

**ACTION: For information only.**

## **IV. MEDICAL MARIJUANA DISPENSARIES (MMD)**

Dr. Bridget Freisthler, Ph.D., Luskin Department of Social Welfare, University of California, Los Angeles

Joe Nicchitta, Countywide Coordinator of the Office of Cannabis Management, appeared before the committee and introduced Dr. Bridget Freisthler, Ph.D., of the Luskin Department of Social Welfare, University of California, Los Angeles. Dr. Freisthler has been a professor there since 2004.

Mr. Nicchitta noted that Dr. Freisthler is a newly appointed professor and Associate Dean of Research and Faculty Development at The Ohio State University, College of Social Work, where she will start in the summer.

Dr. Freisthler was invited to this meeting to present on research that she has performed regarding Medical Marijuana Dispensaries (MMDs) and their impact on neighborhoods.

In 2012, 476 MMDs were found to be operating in the City of Los Angeles. The following characteristics of their locations were noted at that time:

- There were more dispensaries in areas with a higher percentage of Latinos in the local population.
- There was a higher percentage of dispensaries in areas of land that were commercially zoned.
- More dispensaries were in places with a greater density of alcohol-related outlets.

In 2013, Proposition D was passed in the City of Los Angeles, which limited the number of MMDs to no more than 135.

In 2014, when there were still 413 MMDs operating in the city, the following changes were noted concerning the movement of dispensaries:

- Dispensaries were moving to areas with a higher percentage of African Americans in the local population.
- Dispensaries were moving from places that had a higher percentage of just commercial zoning land.

There are two major policy issues related to MMDs that Dr. Freisthler's research has focused on. The first is whether MMDs are related to crime and the second is whether MMDs have an impact on marijuana abuse/dependence or use.

### Policy Issue 1

The following three studies have been conducted concerning whether MMDs are related to crime:

- Study 1: Sacramento in 2009 – This data was cross-sectional in nature.
- Study 2: Long Beach from January 2012 to December 2013 – This study was conducted during a period when the City of Long Beach was closing dispensaries.
- Study 3: Denver from January 2013 to October 2015 – This study focused on the transition from medical marijuana to recreational marijuana and what effect this may have on crime.

### Findings

The following findings resulted from these three studies:

- Study 1 did not find a cross-sectional relationship between dispensaries and property or violent crime (Kepple & Freisthler, 2012).

- Study 2 and Study 3 found that where there were more dispensaries, there was higher property crime in adjacent areas (Freisthler et al., 2016, 2017).
- Study 2 found that where there were more dispensaries, there was higher violent crime in adjacent areas (Freisthler et al., 2016). Dr. Freisthler noted that this finding applied to the study in Long Beach, but not to the one in Denver.

The conclusion of the findings was that a concentration of MMDs in one area resulted in an increase in crime in neighboring areas, but not in the areas where the MMDs are located. This could be due to security measures in place at many dispensaries.

### Policy Issue 2

The second policy issue is whether dispensaries are related to marijuana abuse/dependence or use.

Availability theory holds that increased access will result in increased use among local populations. This has been demonstrated in alcohol markets.

A study done for all of California found that higher rates of abuse and dependence were found in areas with greater densities of dispensaries. However, this did not apply to adjacent areas.

Whereas an increase in crime occurred in adjacent areas, the increased marijuana use is related to more local effects.

### Conclusions

Dr. Freisthler summarized the following conclusions from her presentation:

- Dispensaries are located in and are moving to areas with higher racial and ethnic minority populations.
- There is higher crime in areas that are adjacent to dispensaries.
- There are higher rates of abuse and dependence, more current use, and more frequent use in places with greater marijuana availability.

### Questions

Chief Chris O'Quinn of the California Highway Patrol inquired as to how "adjacent area" was defined. Dr. Freisthler stated that the census block group was looked at as a specially defined area. Areas with dispensaries were compared with those that did not have them.

Robert Philibosian of the Peace Officers Association of Los Angeles County asked if the studies indicate who the perpetrators of the crimes were. Dr. Freisthler stated that, as

these are population level studies, there isn't information on individual perpetrators.

Violent and property crimes as defined by the FBI Uniform Crime Reports were used in the studies. The data was aggregated so it was not separated by specific crimes for the purpose of the studies.

Chief McDonald asked if any of the jurisdictions in the studies began employing best practices to address the issues that were found in the studies. Mr. Nicchitta noted that the City of Denver is working on approaches to address the effects referenced in the studies. The city also has a very robust data collection program that will allow for long-term studies.

**ACTION: For information only.**

**V. OFFICE OF DIVERSION AND REENTRY (ODR)**

Judge Peter Espinoza, Director, Office of Diversion and Reentry,  
County Department of Health Services

Dr. Kristen Ochoa, Medical Director, Office of Diversion and Reentry,  
County Department of Health Services

Judge Peter Espinoza, Director of the Office of Diversion and Reentry (ODR), County Department of Health Services, appeared before CCJCC to provide an overview of ODR. Judge Espinoza was joined in this presentation by Dr. Kristen Ochoa, Medical Director of ODR and a Forensic Psychiatrist from UCLA.

ODR was created by a Board motion in 2015 that was sponsored by Supervisor Mark Ridley-Thomas and Supervisor Sheila Kuehl. It was tasked with addressing issues of the mentally ill population in the County Jail and diverting individuals from the justice system.

The population of people that ODR serves often have serious mental illness, substance use disorders, or co-occurring disorders, and are homeless or at risk of becoming homeless.

ODR is also involved in a number of reentry projects working with the Probation Department and other departments.

Judge Espinoza introduced Dr. Ochoa to provide information about the Misdemeanor Incompetent to Stand Trial (MIST) program and the ODR Housing program.

**Misdemeanor Incompetent to Stand Trial (MIST)**

The Misdemeanor Incompetent to Stand Trial (MIST) program began in October 2015. The program focuses on individuals that have been charged with misdemeanors and are found to be incompetent to stand trial. This population is often chronically homeless and they have serious mental health disorders.

Because the charge is a misdemeanor, they don't go to state hospital but instead receive their treatment in the jail. The goal of MIST is to have these individuals treated in the community, while still under an active Court order. Once they are restored to competency, they can then continue to attend Court dates.

There were originally 180 people in the MIST program in October 2015. There had been an increase in 2016 up to 225, but the number has since dropped. As of April of this year, there were 155 participants.

ODR's Community Based Restoration (CBR) provides community treatment services to the participants. A spectrum of services are provided that vary depending on the needs of the individuals.

As of April of this year, there were 130 people in CBR that would be in the jail if not for the MIST program. Since the start of the program, 367 individuals have been released into CBR.

### ODR Housing

The ODR Housing program diverts people directly from the jail into permanent, supportive housing and intensive case management services. Unlike the MIST program, this is not just for misdemeanants.

The individuals in the ODR Housing program are people with mental health and/or substance use disorders.

Dr. Ochoa noted that many of the participants in MIST and ODR Housing are connected to care through the Department of Mental Health's (DMH's) Countywide Resource Management (CRM).

Individuals may enter into the ODR Housing program through a pretrial pathway or through a jail linkage pathway. The former involves individuals that are processed through Department 123 of the Clara Shortridge Foltz Criminal Justice Center. Assistant Supervising Judge Sam Ohta serves as the Judge in this courtroom.

Eligible defendants in Department 123 are granted a term of probation that includes participating in ODR's housing and intensive case management services.

The jail linkage pathway is not a pretrial Court process but is instead more of a reentry model where individuals are connected to services as they are leaving jail.

Dr. Ochoa reported that there have been 246 ODR pretrial clients and 324 ODR jail linkage clients, for an overall total of 570 ODR Housing program participants since August 2016.

## MIST and ODR Housing

With 367 MIST-CBR participants and 570 ODR Housing participants, that brings the total number of the two programs to 937 as of April 2017.

In response to a query about how long the individuals can remain in housing, Dr. Ochoa stated that the housing is permanent.

Dr. Ochoa stated that one of the challenges to growing the programs is capacity for housing placement. Judge Espinoza added that ODR consists of 10 people, which also places limits on how much can be done.

In the future, ODR would like to expand diversion efforts to the Compton Courthouse, which is the second busiest judicial district in the county.

Mary Marx from DMH remarked that Dr. Ochoa and ODR have been great partners and that the cooperation has been very productive.

## Additional Programs

Judge Espinoza discussed the following additional programs that ODR is involved with:

### *Sobering Center*

The Dr. David L. Murphy Sobering Center opened in January 2017 in downtown Los Angeles. This is intended to be a welcoming, safe, and secure environment for short term (under 24 hours) monitoring and management of persons under the influence of alcohol and drugs.

The Sobering Center provides an alternative destination to jail and hospital emergency departments by allowing law enforcement, outreach and engagement teams, and downtown partners to divert chronically inebriated individuals. The center provides medically supervised detox and sobering-up services. There are also case managers that can offer assistance to the individuals that are brought there.

Supervisor Mark Ridley-Thomas was a strong supporter of the creation of this center and was present for its grand opening.

### *Law Enforcement Assisted Diversion (LEAD)*

ODR was awarded a \$5.9 million grant from the Board of State and Community Corrections (BSCC) for the Law Enforcement Assisted Diversion (LEAD) pilot program.

This is an ODR-led collaboration between the Sheriff's Department, District Attorney's Office, 17 other Los Angeles County departments, the City of Long Beach, the Long Beach Police Department, and the Long Beach City Prosecutor.

LEAD is a community-based diversion program that aims to improve public safety and reduce future criminal behavior by people with multiple periods of incarceration for low level drug and prostitution offenses.

In lieu of an arrest, LEAD will offer case management and housing to 300 people in a five (5) mile area around the Long Beach Boulevard corridor in South Los Angeles. This includes areas within both the Second and Fourth County Supervisorial Districts.

Judge Espinoza explained that this area was selected because the City of Long Beach already has a very robust and progressive human trafficking diversion program in existence.

LEAD is currently in the planning and training phase. Enrollment is slated to begin in October 2017.

### SB 678 Clinical Services

ODR has been working in collaboration with the Probation Department to provide services to felony probationers with the goal of successful reintegration into society and reduced recidivism.

Participants will receive the following:

- Comprehensive mental health, substance use, and housing services;
- A clinical assessment; and
- A treatment plan will be tailored to individual mental health and substance use needs and there will be a linkage to providers.

An ODR team will provide assurance of service fidelity and appropriate relevant training on how to best serve this group.

This program is expected to begin in the summer.

### SB 678 Reentry Support Services

The population served by this program is expected to be larger than that served by SB 678 Clinical Services. The target population is medium to high-risk 18 to 25-year-olds, although ODR is prepared to potentially serve anyone on felony probation.

This program provides Reentry Support Intensive Case Management Services (ICMS) specifically tailored to the justice population. ICMS includes navigation services, referral and connection to substance abuse, mental health, and physical health services, financial education, and employment and education support services.

Other supportive services include mentorship, cognitive behavioral therapy, support groups, anger management, transportation support, family reunification, legal services, and restorative justice programming.

Judge Espinoza noted that ODR is hoping to include collaborations with local community colleges to support this population.

### Pay for Success

Los Angeles County's first Pay for Success project will launch on July 1, 2017, by expanding the ODR Housing program. This project was created at the direction of the Board of Supervisors.

ODR has partnered with The Hilton Foundation and United Healthcare in this effort.

Up to 300 units of permanent supportive housing will be provided to homeless individuals who are currently in custody and have a mental health and/or substance use disorder.

The Pay for Success program ties payment for service delivery to the achievement of measurable outcomes. The payer for outcomes – typically a government entity – agrees to provide funding if and when the services delivered achieve a pre-agreed-upon result. Success is measured through housing stability and reductions in recidivism. The partners provide the initial funding and are reimbursed if the objectives are achieved.

### LA Jail Overdose Education and Naloxone Distribution

This is a collaboration with Correctional Health Services' new Medically Assisted Treatment Program for substance use disorders. The goal is to reduce deaths from opioid overdose among recently incarcerated individuals.

This effort targets inmates that are at-risk of an opioid overdose post-release.

Phase 1 includes 200 women in substance use treatment programs. This phase will provide education on opioid overdose prevention, recognition, and response with rescue breathing, and an opioid overdose reversal medication, Naloxone.

Program participants will receive intranasal Naloxone with their belongings on reentry.

### In-custody SUD Treatment

Judge Espinoza reported that 500 beds will be opened countywide in June of this year for in-custody substance use disorder treatment. He stated that Holly McCravey from the Department of Health Services Correctional Health is leading this effort.

### Proposition 47 Proposal

ODR applied for a \$20 million grant from the BSCC. An announcement will likely be made in July of this year as to whether they have been awarded this grant.

The funding would be used to improve health and employment outcomes and reduce recidivism among justice-involved individuals with mild to moderate substance use and mental health disorders. ODR would expand substance use disorder treatment housing, enhance access to mental health services, and develop new reentry-focused intensive case management, housing, and wraparound services.

Ten (10) town hall meetings were held in collaboration with the Mayor's Office of Reentry to assess needs and service gaps. One of these town halls was held with 50 male and female inmates in the Los Angeles County Jail. Judge Espinoza thanked the Sheriff's Department for arranging this.

#### *Proposition 47 Jobs and Services Task Force*

This is a collaboration between ODR, the County CEO's Office, and the Los Angeles Chamber of Commerce to help Proposition 47 eligible residents access employment and training services, as well as wrap-around support services such as mental health, health care, housing, and substance abuse counseling.

The Task Force has identified strategy, system structure, and funding sustainability recommendations to help Los Angeles County reach the goal of placing members of the reentry population on the pathway to sustainable employment.

#### *Women's Integrated Services Program (WISP)*

Judge Espinoza noted that this is a program developed by Chief McDonald when she was consulting for ODR prior to becoming Chief Probation Officer.

Between December 2016 and March 2017, 170 women at the Century Regional Detention Facility (CRDF) have participated in in the Women's Integrated Services Program (WISP).

This is the first step toward a plan to implement case management and reentry planning for all female inmates. ODR supports three (3) social workers who meet with women within 3 to 5 days of entry into the facility to conduct a psychosocial assessment and develop a reentry plan, which includes health, mental health, substance use, family/social support, housing, benefits, and employment.

Community workers provide follow-up and linkage to services post-release.

The response from inmates has been overwhelmingly positive. ODR is currently developing a WISP evaluation to refine the design and assess impact.

#### *Public Defender Mental Health Clinical Program Manager*

ODR has provided funding for a Mental Health Clinical Program Manager position within the Public Defender's Office.

The Mental Health Clinical Program Manager will have the following duties:

- Shape and oversee the Public Defender Social Worker Program.
- Plan, assign, oversee, and evaluate the work of subordinate staff, specifically seeking to implement their vision of holistic representation to move clients away from the criminal justice system and improve their lives by connecting them to services and support.
- Design and execute a program tailored to support Public Defender attorneys and clients.
- Represent the Public Defender's Office as a collaborative representative in coordinating work with other departments and agencies, ensuring proper alignment to avoid duplication of efforts.
- Monitor and ensure quality service by Public Defender Social Workers to improve coordination of care for defendants with mental health and/or substance use disorders.

#### *Crisis Intervention Training (CIT)*

The goals of Crisis Intervention Training (CIT) are to reduce use of force in the field, improve linkage of persons with mental illness and substance use disorders to services rather than booking and incarceration, and reduce recidivism.

ODR provides funding to support the Sheriff's Department CIT program, which plans to provide a 32-hour training to 2,161 patrol personnel over the next six (6) years.

The core training elements include:

- Mental health signs and symptoms;
- Appropriate medications and their side effects;
- Use of verbal de-escalation techniques;
- Active listening skills, and
- Improved police tactics using safe restraint techniques that result in reduced use of force.

#### *Mental Health Evaluation Teams (MET)*

The Sheriff's Department currently partners with DMH in offering specially-trained field units, called a Mental Evaluation Team (MET), to deal with mentally ill community members in crisis.

ODR provides MET funding to both the Sheriff's Department (\$1.439 million for Fiscal Year 2016/2017) and DMH (\$388,000 for Fiscal Year 2017/2018).

In Fiscal Year 2015/2016, the MET program responded to 958 calls for service and 79% of those calls resulted in hospitalizations for mental health treatment. In total, 97% of all cases handled by MET resulted in diversion away from the criminal justice system.

### Tarzana Treatment Center

ODR provides partial funding for 40 beds at the Tarzana Treatment Center, a co-occurring mental health and substance use disorder residential treatment program.

The target population consists of adults aged 18 and older that have been incarcerated prior to admission into the jail and who meet criteria for a moderate to severe substance use disorder. They must also qualify for the residential treatment level of care under the American Society of Addiction Medicine (ASAM) criteria for Levels 3.1, 3.3, or 3.5.

The program can also serve individuals with a co-occurring mental health disorder with functional impairment who could benefit from mental health treatment.

The average length of stay in the program ranges from 60 to 90 days.

### Permanent Steering Committee

The ODR Permanent Steering Committee meets every other month. The next meeting is scheduled for June 21, 2017.

These meetings are convened by the Chief Executive Office and co-chaired by District Attorney Jackie Lacey and the Director of ODR, Judge Espinoza.

The purpose of these meetings is to advise ODR and to drive forward recommendations so that diversion occurs seamlessly across intercepts.

Recent topics that have been addressed include the following: In-depth diversion program updates and opportunities for feedback; a grant application discussion on LEAD and Proposition 47; overview of mental health and substance use disorder services level of care placements; health and justice data planning; and harm reduction.

### Health and Justice Data

ODR provides data and analysis related to persons in Los Angeles County who have mental health and substance use disorders and who are also involved in the criminal justice system.

ODR, in partnership with the CEO's Research and Evaluation Services (RES) unit, uses the Enterprise Linkages Project (ELP) to provide timely and routine health and justice information.

### Other ODR Projects

Judge Espinoza noted the following additional ODR projects at the end of his presentation:

#### ODR Funded Collaborations

- 211 LA County
- Substance Treatment And Reentry Transition (START)
- Mentally Ill Offender Crime Reduction (MIOCR)

#### Diversion Programs

- Olive View-UCLA Medical Center Inpatient Psychiatric Unit-Diversion from Custody to Hospital Care

#### Health Agency and Countywide

- Whole Person Care
- Homeless Initiatives

#### National Initiative

- Stepping Up

**ACTION: For information only.**

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

There were no public comments.

### **VII. ADJOURNMENT**

The meeting was adjourned at 1:00 p.m.