

**COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE  
MINUTES OF THE NOVEMBER 20, 2013 MEETING**

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 140  
Los Angeles, California 90012

**MEMBERS AND ALTERNATES PRESENT**

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

\*Neeraj Bhatwagaz for Eric Garcetti, Mayor, City of Los Angeles  
Dan Bower, Chief, Southern Division, California Highway Patrol  
James Brandlin, Assistant Supervising Judge, Criminal, Superior Court  
Ronald Brown, County Public Defender  
Daniel Calleros, President, Southeast Police Chiefs Association  
\*Dardy Chen for William Fujioka, County Chief Executive Officer  
Paul Cooper for Jim McDonnell, President, Los Angeles County Police Chiefs  
Association  
Peter Espinoza, Judge, Superior Court  
Mark Fajardo, County Coroner – Medical Examiner  
Xiomara Flores-Holguin for Philip Browning, Director, County Department of Children  
and Family Services  
Janice Fukai, County Alternate Public Defender  
Karen Joynt for John Krattli, Acting County Counsel  
Jackie Lacey, District Attorney  
Terri McDonald for Lee Baca, Sheriff and Vice Chair of CCJCC  
Don Meredith, President, County Probation Commission  
William Montgomery for James Jones, Director, County Internal Services Department  
Michel Moore for Charles Beck, Chief, Los Angeles Police Department  
Fred Nazarbegian for Richard Sanchez, County Chief Information Officer  
Earl Perkins for John Deasy, Superintendent, Los Angeles Unified School District  
Robert Philibosian for Isaac Barcelona, Chair, County Economy and Efficiency  
Commission  
Jerry Powers, County Chief Probation Officer  
Jeffrey Prang, California Contract Cities Association  
Joseph Santoro, Independent Cities Association  
David Singer, United States Marshal  
Mitch Tavera for Robert Fager, President, South Bay Police Chiefs Association  
Robin Toma, Executive Director, County Human Relations Commission  
\*Robin Toma for Cynthia Banks, Director, County Department of Community & Senior  
Services  
John Viernes for Jonathan Fielding, Director, County Department of Public Health  
Lance Winters for Kamala Harris, California Attorney General  
\*Janice Yu for Miguel Santana, Los Angeles City Chief Administrative Officer

**\*Not a designated alternate**

**MEMBERS NOT PRESENT OR REPRESENTED**

Bruce Barrows, California League of Cities  
Jeffrey Beard, Secretary, California Department of Corrections and Rehabilitation  
Andre Birotte, U.S. Attorney  
Steven Bogdalek, Special Agent in Charge, U.S. Bureau of Alcohol, Tobacco, Firearms  
and Explosives  
Michelle Carey, Chief U.S. Probation Officer  
Sherri Carter, Superior Court Executive Officer  
Arturo Delgado, Superintendent, County Office of Education  
Mitchell Englander, Los Angeles City Council, 12<sup>th</sup> District  
Mike Feuer, Los Angeles City Attorney  
Christa Hohmann, Directing Attorney, Post Conviction Assistance Center  
Sean Kennedy, Federal Public Defender  
William Lewis, Assistant Director in Charge, Los Angeles Division, Federal Bureau of  
Investigation  
David Marin, Field Office Director, U.S. Immigration and Customs Enforcement  
Edward McIntyre, Chair, County Quality & Productivity Commission  
Michael Nash, Supervising Judge, Juvenile, Superior Court  
Charlaine Olmedo, Supervising Judge, Criminal, Superior Court  
Ezekiel Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program  
Richard Propster, Peace Officers Association of Los Angeles County  
Jim Smith, President, San Gabriel Valley Police Chiefs Association  
Marvin Southard, Director, County Department of Mental Health  
Mike Webb, County Prosecutors Association  
David Wesley, Presiding Judge, Superior Court  
Anthony Williams, Special Agent in Charge, U.S. Drug Enforcement Administration

**I. CONVENE/INTRODUCTIONS**

Mark Ridley-Thomas, County Supervisor, Second District

The meeting was called to order at 12:00 noon by Los Angeles County Supervisor Mark Ridley-Thomas, Chairman of CCJCC.

Self-introductions followed.

**II. APPROVAL OF THE MINUTES**

Mark Ridley-Thomas, County Supervisor, Second District

There were no requests for revisions to the minutes of the September 18, 2013 meeting. A motion was made to approve the minutes.

**ACTION: The motion to approve the minutes of the September 18, 2013 meeting was seconded and approved without objection.**

**III. CHAIRMAN'S REPORT**

Supervisor Ridley-Thomas has served as Chairman of CCJCC for the past year. Supervisor Don Knabe will assume the role of Chairman beginning in December.

The Supervisor observed that this committee has moved forward on a number of items this year, which include the development of an operational definition of recidivism, drawing attention to human trafficking, addressing the prevalence of gun violence, and continuing to refine the implementation of AB 109.

This morning, California Attorney General Kamala Harris held a press conference in which she announced the launch of a new initiative designed to curb recidivism in California through partnerships between the California Department of Justice's new Division of Recidivism Reduction and Re-Entry and the state's counties and District Attorneys.

Supervisor Ridley-Thomas attended the press conference along with other members of this committee. He noted that a number of the issues that were referenced are matters that have been discussed in CCJCC meetings this year, including rehabilitation, reentry, and the development of a uniform definition of recidivism. He expressed optimism that the establishment of the new Division within the Attorney General's Office will help to further efforts to effectively address these matters, especially as they relate to the implementation of AB 109.

The Supervisor stated that work to eliminate human trafficking, particularly as it pertains to the sexual exploitation of children, is a high priority for this county. He alerted the committee to a rally and march against the sex trafficking of children that will take place on Thursday, November 21, 2013, at 6:30 p.m. The march will go from Long Beach Boulevard in Compton to Carlin Avenue in Lynwood, which is along one of the major corridors where this crime is taking place.

Supervisor Ridley-Thomas stated that he has appreciated the opportunity to serve as the Chairman of CCJCC for this past year, and he extended his thanks to the members of this committee for their work and dedication.

**IV. 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.

Mr. Delgado thanked the Chairman for his leadership and the members of this committee for their participation and collaboration in addressing the many issues that have come before this committee in the past year. He stated that CCJCC functions due to the guidance of the Board of Supervisors and the work of the agencies that comprise the criminal justice system. The accomplishments of this committee are a reflection of their diligence and commitment.

Activities undertaken by this committee in 2013 have included: (1) Information sharing and presentations on emerging issues; (2) Facilitation of subcommittees, task forces, etc.; (3) Project implementation; and (4) Grant administration and implementation.

A partial list of CCJCC meeting agenda items this year includes public safety realignment, the Superior Court's consolidation plan, custody reentry strategies (Reentry Center and Substance Abuse Disorder Treatment Model), information systems enhancements (JAIMS), California's prison population reduction order by the Federal Three-Judge Panel, legislative updates, recidivism measurement, gun violence reduction, ex-offender identification needs, crimes against the homeless, and juvenile justice (Informal Juvenile Traffic Court and Disproportionate Minority Contact).

Mr. Delgado provided a review of the following key accomplishments in 2013:

#### Public Safety Realignment

- The Public Safety Realignment Team (PSRT) has provided ongoing AB 109 implementation coordination both directly through the following work groups:
  - Legal Work Group
    - Handled a significant increase in Post Release Community Supervision (PRCS) revocation matters.
    - Developed and implemented a plan for parole revocations. The Los Angeles Superior Court assumed responsibility for parole revocations as of July 1, 2013.
  - Treatment Work Group
    - Expanded the co-location concept at the HUBs to improve accessibility to services (substance use disorder assessment and health care services).
    - Implemented enhancement to the reentry program, including intensive treatment programming for co-occurring offenders.
  - Law Enforcement Work Group
    - Developed regional task forces and a co-location model with the Probation Department.
    - Worked with the California Department of Justice on a statewide PRCS database that is expected to be made available in early 2014.
    - Implemented a Complex Case Committee to review cases where there

are repetitive violations and absconding individuals.

- Other accomplishments by PSRT in 2013 include:
  - Monthly progress reports to the Board of Supervisors: Data collection and reporting to ensure coordination.
  - Compliance Checks: Developed a “best practices” document for countywide dissemination.
  - Creation of a Community Based Organization (CBO) Advisory Group.

#### Criminal Justice Evaluation Efforts

- An operational, working definition of recidivism was developed. This provides both a framework for local measurement and contributes to the statewide discussion on the issue.
- An Information Technology (IT) infrastructure is being developed to capture the data that is needed to conduct criminal justice evaluations.
  - A work plan for the Justice Automated Information Management System (JAIMS) was developed and a funding line item has been secured.
  - Capacity is being built for long-term, ongoing analysis.
- A process has been initiated for an Evaluation Services Master Agreement list of consultants for evaluation services.

#### Ex-Offender Identification Task Force

- At the Chairman’s direction, CCJCC addressed ex-offender identification issues and developed a number of processes for adults and juveniles to obtain needed identification documents.

#### Human Trafficking Task Force

- A presentation on the Los Angeles County Commercial Sexual Exploitation Of Children (CSEC) Task Force was made at the March 20<sup>th</sup> CCJCC meeting.
- A presentation on the City of Los Angeles Prostitution Diversion Program was made at the August 21<sup>st</sup> CCJCC meeting.
- On September 3<sup>rd</sup>, the County Board of Supervisors passed a motion, presented by the Chairman, which urges the State Legislature to toughen penalties on those that solicit sex from underage prostitutes.

### Gun Violence Task Force

- In response to the Chairman's Board Motion in January of this year, the County Chief Executive Office, in consultation with CCJCC, convened a multi-agency task force to review efforts to decrease the incidence of gun violence in Los Angeles County.
  - The task force generated a report with over 20 recommendations to address gun violence issues in the County and the stigma associated with mental illness.
  - The report was presented to CCJCC at the September 18<sup>th</sup> meeting.

### Forensic Science Task Force

- CCJCC expanded the focus of the DNA Task Force to address the broader range of forensic science issues. To signify this change, the task force was renamed as the Forensic Science Task Force.

### Information Systems Advisory Body

- Semi-Annual reports were presented to CCJCC on February 20<sup>th</sup> and August 21<sup>st</sup>. In addition to JAIMS, referenced under Criminal Justice Evaluation Efforts, notable highlights include:
  - Electronic probable cause declarations
  - Electronic subpoena program
  - Initiative to develop a Master Criminal Charge Table
  - Desktop inmate video conferencing for the Public Defender's Office and Alternate Public Defender's Office
  - Electronic delivery of PRCS Terms and Conditions to the Sheriff's Department (CopLink) and ISAB (CCHRS)

### Superior Court Restructuring

- Due to budget constraints, the Superior Court implemented a restructuring plan in 2013.
- A status report on the proposed restructuring was presented at the January CCJCC meeting.
- Subsequent meetings with impacted criminal justice agencies were held on changes, planning efforts, etc.
- A presentation on the Court's final consolidation plan was made at the May CCJCC meeting.

- On behalf of CCJCC, Chairman Ridley-Thomas sent a letter to the Governor and legislative leaders advocating for an increase in funding for State Trial Courts

### Legislative Updates

- Presentations on legislative updates were made on March 20<sup>th</sup>, May 15<sup>th</sup>, and September 18<sup>th</sup>.

### State Prison Population Reduction Order

- CDCR made a presentation at the January CCJCC meeting on efforts by the State to end the Federal Court order.
- CDCR provided an update at the August CCJCC meeting on the State's appeal and efforts to meet the Federal Court order by the end of the year deadline.

### Annual Drug Court Conference

- The 10<sup>th</sup> Annual Los Angeles County Drug Court Conference was held on Thursday, May 16, 2013, at The California Endowment.

### Grant Administration and Implementation

- During the year, CCJCC implemented and/or administered a number of grants that support the efforts of this committee, including the Women's Reentry Court and the Adult Reentry Comprehensive Services (ARCS) program.

### ACA/Criminal Justice Convening

- An all-day forum on the Affordable Care Act and its impact on the criminal justice system was held on October 28, 2013 (see Agenda Item V).
  - The title was "Increasing Safety and Reducing Costs Under Realignment & the Affordable Care Act."
  - Approximately 40 representatives from the Criminal Justice and Health systems were in attendance.

### Moving Forward

Mr. Delgado next provided a summary of issues that this committee will be addressing moving forward. These include:

- Public Safety Realignment
  - Continue enhancement for reentry planning
  - Continue to dialogue on jail capacity needs/population management

- strategies
  - Rollout of the PRCS statewide database
  - Ensure focus on victim services
- Evaluation Efforts
  - Build the JAIMS system
  - Establish an Evaluation Services Master Agreement
- Ex-Offender Identification Project
  - Implement juvenile and adult processes countywide
- Human Trafficking
  - Law enforcement coordination strategies
  - Legislative advocacy
- Forensic Sciences Task Force
  - Present evidence retention guidelines to CCJCC in early 2014 for countywide distribution
- Legislative Tracking and Advocacy
  - State prison population reduction issues
  - Legislative advocacy
- ACA Implementation
  - Enrollment efforts
  - Implementing strategies for leveraging ACA resources for criminal justice populations
- Unanticipated Issues in 2014

Mr. Delgado again thanked the Chairman for his leadership and the members of CCJCC for their commitment and resources that they have devoted to the issues that the committee is engaged in. He added that a formal annual report will be made available in 2014.



**V. AFFORDABLE CARE ACT AND ITS IMPACT ON THE CRIMINAL JUSTICE SYSTEM**

Mark Delgado, Executive Director, Countywide Criminal Justice Coordination Committee

Mr. Delgado next addressed the committee on the Affordable Care Act (ACA), its implications for the criminal justice system, and potential next steps for leveraging ACA so as to serve the needs of the criminal justice population.

Mr. Delgado noted that many County Departments have already been working hard to implement ACA, both for the general population and as it pertains to the criminal justice system.

On October 28, 2013, CCJCC assisted in organizing a countywide convening on ACA and its impact on the criminal justice system. This day-long forum was sponsored by California Forward, Californian's for Safety and Justice, and the California Endowment, among others.

A number of operational issues emerged that require continued follow-up and discussion among criminal justice agencies. Many of the representatives in attendance at the ACA presentation agreed that an ongoing forum for further discussions would be beneficial.

In particular, one of the recommendations that resulted from presentation was the need for an ACA Criminal Justice Task Force to focus on opportunities to leverage ACA coverage. For example, ACA may offer coverage options to offenders who are currently uncovered and are in need of treatment services.

A motion was made to create an ad hoc ACA Criminal Justice Task Force.

**ACTION: The motion to create an ad hoc ACA Criminal Justice Task Force was seconded and approved without objection.**

**NOTE: This topic was moved up on the Agenda from Item VIII to Item V.**

**VI. LOS ANGELES COUNTY CONFIDENTIAL VOTER REGISTRATION PROGRAM**

Efrain Escobedo, Manager, Governmental & Legislative Affairs, Registrar Recorder-County Clerk

Efrain Escobedo, Manager of Governmental and Legislative Affairs of the Registrar Recorder - County Clerk's Office, appeared before CCJCC to make a presentation on the process for qualified public safety related personnel to keep their voter registration confidential. Mr. Escobedo stated that there are currently 107 confidential voter registrations.

In January 2007, Senate Bill 506 passed allowing California public safety officers to apply for confidential voter registration status if a life threatening circumstance exists to the applicant or a member of his/her family.

Public Safety Officers are defined in Government Code Section 6254.24 and include, but are not limited to: Active or retired peace officers, specified employees of the Department of Corrections and Rehabilitation, and Federal and State judges.

Confidential registration status removes the applicant's residence address, telephone number and email address from public record. This information is replaced by a mailing address which is public record. This level of confidentiality will be in effect for a period of two years. The officer may submit a new application for confidentiality upon expiration.

Any person granted confidentiality will become a permanent vote-by-mail voter for all subsequent elections. If the officer no longer wishes to be a permanent vote-by-mail voter, he/she must notify in writing the county elections official and their registration status will no longer be confidential.

To apply for Confidential Voter Registration status, the applicant must complete and submit to the Los Angeles County Registrar the Application for Confidential Voter status and the Confidential Voter registration form.

Mr. Escobedo also distributed information on the Inmate Voting Program, which ensures that voter information and material are readily available at designated County Jail facilities. He thanked the Sheriff's Department for their partnership in this program.

Assistant Chief Moore inquired as to whether the Registrar-Recorder's Office has reached out to public safety employment organizations in order to inform public safety officers about the Confidential Voter Registration Program.

Mr. Escobedo responded that they have publicized the program with public safety employment organizations. He next introduced Carol Williams, Coordinator of the program, who stated that they receive a lot of requests for information, but many individuals who have made inquiries have not returned applications.

Judge James Brandlin, Assistant Supervising Judge of Criminal, advised that he was an original sponsor for SB 506 following the murder of a Court Commissioner. He thanked the Registrar-Recorder's Office for their participation and assistance with this program.

Judge Brandlin observed that Elections Code Section 2166.7, which is the law that allows for confidential voter registration by public safety officers, requires that the application be renewed every two years. He recommended that the two-year renewal period be eliminated so that the confidentiality status would be indefinite. He suggested that this committee could make this recommendation to the Board of Supervisors for further consideration as a legislative proposal.

Supervisor Ridley-Thomas supported the spirit of the motion and offered an amendment that CCJCC request the County CEO's Division of Intergovernmental Relations and External Affairs to evaluate the pros and cons of this approach so that accessibility of the program can be increased while maintaining accuracy of voter registration information.

**ACTION: The motion, as amended, was passed without objection. The proposal to eliminate the requirement to renew Confidential Voter Registration status every two-years is referred to the County CEO for analysis.**

Assistant Sheriff Terri McDonald asked that Mr. Escobedo speak with Chief Buddy Goldman of the Sheriff's Department so that information on the program (i.e., a website address, FAQs, etc.) can be distributed throughout the department.

## **VII. PROPOSITION 36 UPDATE**

Judge William C. Ryan, Los Angeles Superior Court

Judge William C. Ryan of the Los Angeles Superior Court appeared before CCJCC to provide a status update on Proposition 36 resentencing petitions.

On November 6, 2012, the voters of California passed Proposition 36, which revised the Three Strikes Law in the following manner:

1. Revised the three strikes law to impose a life sentence only when the new felony conviction is "serious or violent," with certain exceptions.
2. Authorizes resentencing for offenders currently serving life sentences (with certain exceptions) if their third strike conviction was not serious or violent and if the judge determines that the resentence does not pose an unreasonable risk to public safety.

The Los Angeles Superior Court determined shortly after the law's passage that one judge would handle the petitions for resentencing. As a result, all Proposition 36 petitions for resentencing are heard in Judge Ryan's courtroom in the Clara Shortridge Foltz Criminal Justice Center

A Proposition 36 implementation committee was formed consisting of the Superior Court and its justice partners. This group addressed threshold issues and reached collaborative resolutions.

The implementation committee agreed to treat the petitions for resentencing like petitions for writs of habeas corpus in that Judge Ryan screens the petitions initially.

If the inmate appears to be eligible for consideration, Judge Ryan issues an order to show cause to the District Attorney's Office. The Deputy District Attorney will then decide whether to respond or oppose the resentencing. If the District Attorney opposes

resentencing, the defense will then have a chance to file a reply.

The next major procedural issue to work out involved the order in which to process the petitions. It was decided that the petitions from the oldest and most infirm inmates would be handled first. Following that, the petitions are triaged with the District Attorney's Office reviewing them and determining which ones have the best prospects for being resentenced. The ones for which there are questions are deferred until later.

Next, a mechanism was needed for obtaining the inmates' records from the California Department of Corrections and Rehabilitation (CDCR) without overwhelming them with multiple subpoenas from several agencies. The committee agreed that the District Attorney's Office would make the request. In exchange, CDCR agreed that they would accept the subpoenas by fax rather than through personal service, and that they would respond within 15 working days. A process was also arranged for quickly informing CDCR of when an inmate has been resentenced.

Resentencing of inmates began in mid-February of this year. For inmates that were released from prison due to resentencing, transition plans were developed to assist with reentry into the community.

Judge Ryan reported that a prehearing status conference was created for those cases where the District Attorney's Office opposes resentencing. Once Judge Ryan reviews the arguments and issues a tentative ruling, the District Attorney's Office may drop their opposition or continue. This process has proven to be cost effective in that it has avoided the need to bring in experts where there is no opposition to the tentative ruling.

To date, 1,391 petitions have been filed, 1,050 orders to show cause have been issued, and 272 inmates have been resentenced. A year ago, only 45 petitions had been filed, no orders to show cause had been issued, and no inmates had been resentenced. Also to date, the District Attorney's Office has preliminarily opposed resentencing of approximately 600 inmates.

There are currently 26 cases in which the defense has filed a reply to the District Attorney's opposition, and those cases are ready for the status conference. Thus far, five status conferences have been held and Judge Ryan has issued tentative rulings in each of them. The District Attorney's Office has submitted on the tentative rulings in four cases and has requested an evidentiary hearing in one case.

Judge Ryan noted that he regularly responds to letters from inmates inquiring about the petition process. This has helped to educate them so that they better understand the procedures and requirements.

In response to a question concerning the 1,050 orders to show cause that have been issued, Judge Ryan stated that none have yet resulted in petitions being denied because, in the first group, the District Attorney's Office either did not oppose or opposed with conditions that the inmate(s) agreed to (or the conditions were not found

to be necessary).

Los Angeles County District Attorney Jackie Lacey reported that the Chief Justice of the California Supreme Court recently convened a conference to discuss methods for expediting the Proposition 36 petition process. She noted that some of the frustration experienced thus far has been due to the difficulty in obtaining correct and accurate records. As an example, she stated that there are some files kept by the prisons, such as disciplinary files, that her office has not been able to readily access.

District Attorney Lacey stated that a positive resolution to a problem of records access was reached in Los Angeles County in that the Superior Court has granted her office and the Public Defender's Office priority access in line to review microfiche documents.

Judge Ryan added that he and Los Angeles Superior Court Presiding Judge David Wesley signed an order yesterday giving public agencies priority access to Court archives.

Supervisor Ridley-Thomas inquired as to all of the services that are available to assist resentenced inmates with reentry. He suggested that a future presentation on this topic should include details on how this aspect of the resentencing and reentry process is proceeding.

Judge Ryan noted that Proposition 36 does not provide for Post Release Community Supervision (PRCS) if the inmate is released. In some cases, however, the inmate has agreed to accept services where the District Attorney's Office has agreed not to oppose the petition. He suggested that a legislative solution may be needed to ensure that needed reentry services are available.

**ACTION: For information only.**

**VIII. PUBLIC SAFETY REALIGNMENT**  
Jerry Powers, Chief Probation Officer

Chief Jerry Powers of the Los Angeles County Probation Department appeared before CCJCC to make a presentation on the two-year public safety realignment implementation status report. Chief Powers chairs CCJCC's Public Safety Realignment Team (PSRT). This presentation is in advance of the formal two-year implementation status report, which will be presented to the Board of Supervisors in December.

Chief Powers observed that no other county in the state has produced a two-year implementation report, and only four of the other counties have completed a one-year report.

In the first two years of public safety realignment implementation, a total of 18,392 individuals have been released to the county on PRCS status. This includes 11,617 in

year one and 6,775 in year two. There are currently 1,931<sup>1</sup> outstanding warrants, and 1,049 individuals have been deported. There are currently 8,033 active cases.

Projecting forward through June 2014, it is expected that the total number of active cases will remain around 8,000. The number will not likely begin to drop until October 2014. Over time, as the number of individuals in prison eligible for PRCS declines, the number of PRCS individuals supervised by Probation will decrease accordingly.

The number of individuals sentenced to County Jail pursuant to Penal Code Section 1170(h) was 8,473 in year one and 7,934 in year two. The monthly number sentenced now appears to be generally stable, ranging between the mid-600s to the early 700s.

The number of split sentences in year one was 483 and the number in year two was 452. This remains usually under 50 per month and hit a low of 18 in September.

With regard to arrests of PRCS individuals, about 57% of the year one cohort have not been arrested and 43% were arrested. Of those arrested, some were arrested multiple times. With the year two cohort, 79% have not been arrested and 21% were. However, since the year two cohort of individuals have been out of prison for a shorter period of time than the year one cohort, it is expected that they would have a lower rate of arrests.

The total number of revocation cases thus far is 3,471. In year one the total number of cases was 625 and the total number of individuals was 570. This spiked up in year two where the total cases were 2,846 and the total number of individuals was 2,327. There has been a steady increase over the two year period. In September there were 447 revocations, which is an increase from 304 in August.

Chief Powers observed that drug and alcohol related offenses account for many of the new charges against PRCS individuals that are arrested and convicted following termination from supervision after 12 months. Of the top eight conviction charges, five are directly drug or alcohol related.

The Probation Department currently has 130 vacant positions related to PRCS supervision. A total of 233 authorized positions have so far been filled.

As expected, as more probation officers have been hired, the average caseload ratios per officer have been declining. For example, in year one, the average of cases to probation officers was 131 to 1. In year two, the average caseload ratio fell to 72 to 1. It is expected that this ratio will be down to 50 to 1 or less by June of next year.

The percentage of individuals on PRCS in Los Angeles County in comparison to the rest of the state has remained at or near 30% since the inception of the program. This is consistent with the percentage of the general population in the county versus the state.

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<sup>1</sup> Does not include warrants issued for deported PSPs.

A higher percentage of high risk individuals have been returned to Los Angeles County in comparison to other counties. Specifically, 67% of the individuals returned to this county were assessed as high risk compared to 53% statewide. Similarly, 30% of the individuals returned to the county were assessed as moderate risk compared to 27% statewide, and 3% of the individuals returned to this county were assessed as low risk compared to 17% statewide.

Chief Powers surmised that this disparity may be due to a difference in sentencing practices in the counties. If the individuals sentenced to prison from Los Angeles County consist of a larger percentage of high risk individuals than smaller counties, then it would be expected that there would be a larger percentage of high risk individuals returning to this county on PRCS status.

One of the consequences of having more high risk individuals to supervise is that their criminogenic needs are greater. These needs include, but are not limited to, cognitive, education, substance abuse, financial, employment, and housing.

Los Angeles County continues to have a low percentage of split sentences in comparison to other counties. During the first year of implementation, 5% of the AB 109 sentences in the county were split sentences. Other counties have had much higher rates of split sentences.

Los Angeles County Alternative Public Defender Janice Fukai inquired as to the reasons why one may wish to see a higher percentage of split sentences. Chief Powers stated that, from a public safety standpoint, it is preferable to release an individual from custody with supervision and access to treatment and services.

Ms. Fukai also inquired as to the nature of the revocations. That is, are most revocations due to new crimes or technical violations? Chief Powers stated that he will obtain this information for her.

Assistant Chief Michel Moore of the Los Angeles Police Department (LAPD) reported that LAPD statistics suggest that the revocations are mostly due to new crimes. Chief Powers noted that many technical violations would likely be addressed with flash incarcerations as opposed to revocations.

Robert Philibosian of the County Economy and Efficiency Commission inquired as to the status of state funding for public safety realignment. Chief Powers stated that the funding is now constitutionally guaranteed as a result of the passage of Proposition 30. The County of Los Angeles received about \$270 million in the last fiscal year, and it will likely be over \$300 million in the current fiscal year. Statewide, a little over a billion dollars has been allocated for public safety realignment.

Chief Powers expressed his view that the funding is not large enough. The funding required for treatment, supervision, and incarceration expenses is very high.

Assistant Chief Moore asked if the large percentage of high risk individuals on PRCS is influencing the low percentage of individuals being given split sentences. Chief Powers stated that it could be an issue, but was unsure.

Assistant Sheriff Terri McDonald noted that the high risk individuals on PRCS status are a different cohort than the individuals that are sentenced under Penal Code Section 1170(h), so there is not likely a significant correlation between the high risk status of individuals on PRCS and the low prevalence of split sentences. She added that the Sheriff's Department intends to have a database driven risk assessment score for everybody in the jail.

Assistant Chief Moore stated that one partial explanation that has been given for the low percentage of split sentences is that many individuals are being placed on felony probation in lieu of split sentences. He noted that legislative efforts to have a one year supervision period placed on N3s released from jail have thus far not been successful, but that this legislative change is very much needed.

District Attorney Lacey inquired if there are more individuals on probation overall. Chief Powers stated that this does not appear to be the case, but he also reported that fewer individuals are being sentenced due crime being down. In context, there are fewer individuals on probation now than five or ten years ago, but that may be due to fewer people being sentenced.

Supervisor Ridley-Thomas stated the California Department of Justice's new Division of Recidivism Reduction and Re-Entry may be able to contribute to the discussion about split sentences and the role it has with respect to reducing recidivism and rehabilitation/reentry strategies. This committee can work with that new Division on this and related matters going forward.

**ACTION: For information only.**

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

### Public Comments

Public comments were made by the following two individuals:

Carlos Maraquin  
Annabella Mazariegos

## **X. ADJOURNMENT**

The meeting was adjourned at 1:09 p.m.