

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

MINUTES OF THE October 7, 2015 MEETING

Kenneth Hahn Hall of Administration

500 West Temple Street, Room 140

Los Angeles, California 90012

MEMBERS AND ALTERNATES PRESENT

Chair: Michael Antonovich, Mayor, County of Los Angeles

Calvin Aubrey, Chief, Southern Division, California Highway Patrol

Ronald Brown, County Public Defender

Douglas Bys for Michelle Carey, Chief U.S. Probation Officer

Mark Fajardo, County Coroner – Medical Examiner

Wesley Ford for Cynthia Harding, Acting Director, County Department of Public Health

Janice Fukai, County Alternate Public Defender

*David Herzog for Eileen Decker, U.S. Attorney

Christa Hohmann, Directing Attorney, Post Conviction Assistance Center

*Dan Jeffries for Mike Feuer, Los Angeles City Attorney

*Robert Leventer for Michael Levanas, Presiding Judge, Juvenile, Superior Court

*Karen Loquet for James Jones, Director, County Internal Services Department

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

Mary Marx for Marvin Southard, Director, County Department of Mental Health

Mark Matsuda, President, South Bay Police Chiefs Association

Jonathan McCaverty for Mary Wickham, Interim County Counsel

James McGlynn for Sherri Carter, Superior Court Executive Officer

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

Emilio Mendoza for Philip Browning, Director, County Department of Children and Family Services

Don Meredith for Cyn Yamashiro, President, County Probation Commission

*Alex Mishkin for Eric Garcetti, Mayor, City of Los Angeles

*Tyler Munhall for Miguel Santana, Los Angeles City Chief Administrative Officer

Fred Nazarbegian for Richard Sanchez, County Chief Information Officer

Sam Olivito for Mark Waronek, Executive Board Member, California Contract Cities Association

*Chief Eric Parra for Jim McDonnell, Sheriff

Earl Perkins for Ramon Cortines, Superintendent, Los Angeles Unified School District

Robert Philibosian for Isaac Barcelona, Chair, County Economy and Efficiency Commission

*Ray Regalado for Cynthia Banks, Director, County Department of Community & Senior Services

Ray Regalado for Robin Toma, Executive Director, County Human Relations Commission

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

*Gina Sanders for Charlie Beck, Chief, Los Angeles Police Department

Jim Smith, President, Los Angeles County Police Chiefs Association
Lance Winters for Kamala Harris, California Attorney General
Erin Zapata for Carlos Canino, Special Agent in Charge, U.S. Bureau of Alcohol,
Tobacco, Firearms and Explosives

***Not a designated alternate**

I. CALL TO ORDER / INTRODUCTIONS

Mayor Michael Antonovich, County Supervisor, Fifth District

The meeting was called to order at 12:05 p.m. by Mayor Michael Antonovich, Chair of CCJCC.

Self-introductions followed.

II. APPROVAL OF THE MINUTES

Mayor Michael Antonovich, County Supervisor, Fifth District

There were no requests for revisions to the minutes of the August 19, 2015 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the August 19, 2015 meeting was seconded and approved without objection.

III. COUNTY JAIL SYSTEM UPDATE

Chief Eric Parra, Custody Services Division, Sheriff's Department

Chief Eric Parra of the Sheriff's Department Custody Services Division provided an overview of recent actions taken by the County Board of Supervisors that impact upon the future County jail system.

The Board of Supervisors recently approved the construction of a 3,885 bed Consolidated Correctional Treatment Facility to be located in the downtown area of Los Angeles. Additionally, it approved a repurposing of the Mira Loma facility so that it will serve as a 1,600 bed women's reentry center. The Men's Central Jail will be closing down throughout this process.

The Sheriff's Department is in the early stages of determining design and program features, as well as the best use of the beds, so it is premature at this time to provide any specific details of how these facilities will look once the work has been completed.

Updates on the progress of the construction and conversion efforts will be provided to this committee at future meetings.

ACTION: For information only.

IV. PRIORITY ENFORCEMENT PROGRAM (PEP)

Chief Eric Parra, Custody Services Division, Sheriff's Department

Chief Parra next provided an update on the development of policies and procedures related to the Priority Enforcement Program (PEP).

As a reminder, on May 12, 2015, the Board of Supervisors voted to terminate the 287(g) program, which had been in place in this County since 2005. This program had allowed U.S. Immigration and Customs Enforcement (ICE) agents to operate in the County's jails in order to identify inmates that are deportable. In addition, the 287(g) program had trained and deputized custody assistants to work as ICE agents within the jail system.

The Board also passed a separate motion expressing its support for a new initiative from ICE known as the Priority Enforcement Program (PEP). The Board requested that the Sheriff's Department continue cooperating with the U.S. Department of Homeland Security in implementing PEP.

Efforts by the Sheriff's Department to develop policies and procedures related to the implementation of PEP were discussed at previous CCJCC meetings held on June 17th and July 15th of this year.

Sheriff's Department representatives have met with numerous advocacy groups, held three public meetings on this issue, have received feedback from the offices of the Board of Supervisors, and have had discussions with the Sheriff's Departments of the six surrounding counties. In addition, there have been ongoing meetings with representatives from ICE.

After careful consideration of all of the input and information that was obtained from numerous organizations and individuals, the Sheriff has agreed upon policies and procedures that are intended to maximize public safety and public trust.

The adopted policy focuses on serious and violent felons that are eligible for release to ICE custody. This enables dangerous individuals to be removed from the community while also conveying a message that local law enforcement is not targeting everyone who is in the country illegally. The concern is that many people will be afraid to report crimes or cooperate with the police if there is a belief that anyone in the country illegally will be turned over to ICE and deported.

The Trust Act, which is a state law that lists criteria that qualifies an inmate for ICE custody, is used by the Sheriff's Department in determining which individuals are eligible for release to ICE.

ICE agents are now given a list of all inmates that will be released from jail in the next seven days. ICE identifies the individuals on the list that they wish to speak to. If ICE provides the Sheriff's Department with a detainer on the inmate and the inmate meets the Trust Act criteria, ICE may take custody of the inmate when the person is released.

If ICE completes the necessary paperwork before the individual would normally be released, then that person will be transferred to ICE custody. However, if there is a delay and the request is not made, the individual will not be held beyond the time of the person's normal release.

The Sheriff's Department is instituting a new procedure where an inmate that is the subject of a PERC detainer¹ will be notified so that the person may contact an attorney or advocacy group for representation and to understand any rights that they may have. The County Counsel's Office is assisting the Sheriff's Department in formulating the correct verbiage.

In summary, the Sheriff believes that the new PEP policies and procedures reflect the correct balance among different concerns. Chief Parra noted that future changes can be made as needed.

Mayor Antonovich acknowledged and thanked Sheriff McDonnell for his leadership on this issue.

ACTION: For information only.

V. WOMEN's REENTRY COURT (WRC)

Ricardo Basurto-Davila, Office of Health Assessment & Epidemiology,
Department of Public Health
Deena Pourshaban, Office of Health Assessment & Epidemiology,
Department of Public Health

Ricardo Basurto-Davila and Deena Pourshaban of the Office of Health Assessment & Epidemiology of the County Department of Public Health (DPH) appeared before CCJCC to make a presentation on the Women's Reentry Court (WRC) Health Impact Assessment that was conducted by DPH.

Background

Mr. Basurto-Davila reported that recent studies have found that about 40% of preventable deaths can be attributed to genetic predisposition or inadequate access to quality health care. This raises the question of what accounts for the remaining 60%.

To address the 60%, experts in public health have begun to focus on Social Determinants Of Health (SDOH), which the World Health Organization defines as conditions in which persons are born, grow, live, work, and age.

In keeping with this effort, DPH created the Health Impact Evaluation Center (HIEC) in 2013. The mission of the center is to work across sectors to inform decisions that affect

¹ Pacific Enforcement Resource Center (PERC) detainees are automatically flagged when an inmate is booked. This is done through biometrics and fingerprints. When the PERC detainer is flagged on an individual who is brought in, it is automatically placed in the detainee's file jacket.

health. The tasks of the center include developing relationships with agencies in other sectors, increasing awareness of SDOH, and conducting Health Impact Assessments.

A Health Impact Assessment, or HIA, is a systematic process to determine the potential effects of a policy, program, or project on the health of a population. The key features of an HIA are:

1. It is usually conducted outside of the health sector;
2. Input from stakeholders is critical;
3. In focusing on SDOH, findings are relevant to both health and non-health stakeholders; and
4. The HIA provides recommendations to decision-makers.

HIEC's recent and ongoing work includes:

- Abolish Chronic Truancy – This is in progress and the key partner is the District Attorney's Office. It is hoped that this will be expanded to other key partners.
- Women's Reentry Court – This is the subject of today's presentation. The HIA was completed in May 2015. Key partners included the District Attorney's Office, Public Defender's Office, and the Probation Department, among others.
- Parks After Dark – This was completed in September 2014. Key partners included Parks and Recreation and the Sheriff's Department.
- Giving free bus passes to students – This was completed in October 2013. The key partner was the School Attendance Task Force.

Additional information can be found at: <http://publichealth.lacounty.gov/pa>.

Women's Reentry Court (WRC) Health Impact Assessment (HIA)

Ms. Pourshaban noted that women represent the largest growing segment of people incarcerated both in jails and state prisons in the United States. In California, the recidivism rate for women is 49%.

Women in the criminal justice system face unique challenges, including histories of physical and sexual abuse, limited education and employment opportunities, and co-occurring disorders (which is a dual diagnosis of mental health issues and substance use disorder).

The Second Chance Women's Reentry Court (WRC) program is one of several court-based diversion programs in the county. It was implemented in May 2007 and provides comprehensive treatment services to female felony offenders in lieu of custody. Its goal is to address the challenges mentioned above and improve reentry for the participants.

The WRC uses the drug court model, cognitive behavioral treatment, and gender responsive treatment. Other evidence-based practices include:

- 6-month residential treatment;
- Followed by 6 to 12-month outpatient services;
- Mental health and substance use disorder treatment; and
- Housing, employment, and family reunification services.

A woman in the program is allowed to bring her child with her and the child is also able to receive mental health services.

Funding for the WRC was projected to end in June 2015. Stakeholders in the program asked HIEC to conduct an HIA to inform decision-makers about the impact of the program.

The main collaborators in this effort were HIEC (which led the study), the District Attorney's Office, Probation Department, Prototypes (program treatment provider), Public Defender's Office, Sheriff's Department, and the Department of Public Health Substance Abuse Prevention and Control (SAPC).

The HIA framework utilizes a variety of qualitative and quantitative methods. The study tasks included:

- Data collection from a variety of sources
- Review of literature and agency reports
- Stakeholder engagement

The latter included site visits to both the Prototypes facility and the Central Regional Detentional Facility of the women's jail, focus groups, and key informant interviews.

The focus groups consisted of women who had graduated from the program and those participating in education-based incarceration. Key informant interviews involved speaking with experts in the field of criminal justice.

Results: Recidivism

The assessment found that women who graduated from the WRC program had a lower rate of recidivism compared to women in state prison. Specifically, the three-year rate of recidivism for WRC graduates is 18% while the three-year rate for women in prison is 49%.

Ms. Pourshaban stated that this finding supports evidence in the academic literature which indicates that specialty diversion courts have lower recidivism rates than incarceration.

Results: Costs

The daily cost of the WRC residential treatment was found to be similar to that of incarceration (\$114 per day versus \$118 per day, respectively). However, the costs over a two-year period show a notable difference – The costs for the WRC program are roughly half of that for incarceration (\$33,000 to \$44,000 for the WRC versus \$86,000 for incarceration).

The cost savings over a two-year period are primarily due to the fact that women are only enrolled in residential treatment for six months. Much of the treatment is on an outpatient basis, and the outpatient treatment services are significantly less expensive. Additionally, there are costs savings due to lower recidivism among the WRC participants.

Results: Employment

WRC graduates experienced a ten-fold increase in employment after graduating from the program. Focus group participants indicated that employment is a key factor in reducing recidivism and improving health outcomes.

Ms. Pourshaban noted that the academic literature has shown that unemployed ex-offenders are three times more likely to recidivate.

Results: Housing

WRC graduates experienced a 54% decrease in homelessness. Focus groups identified housing as a key mechanism to reducing recidivism. Further, unhealthy and unsafe housing environments post-release increases the chances of continuing criminal behavior.

Findings in academic literature state that many women who are released from jail are homeless or lacking a safe, drug free housing environment.

Results: Relationships

Key informant interviews and focus groups that were conducted highlighted that family and alumni support while in the WRC program develops a social network and support system for reentry back into the community.

Academic literature shows that incorporating family components into reentry programming enhances health outcomes.

Results: Mental Health

The study found that gender-specific treatment is likely to improve mental health. At discharge, there was an 8% increase in mental illness diagnoses and a 48% increase in

medication prescriptions. Many of the WRC participants had not previously been diagnosed with their mental health issues and they were not receiving treatment for their underlying trauma.

UCLA also conducted an evaluation of this program and found that the WRC reduces Post Traumatic Stress Disorder (PTSD) with its participants.

Focus group participants highlighted that mental health challenges were addressed by coping skills courses.

Main Recommendations

The HIA of the WRC program resulted in the following three main recommendations:

1. **Funding** – The WRC should be sustained beyond June 2015. The study found that the WRC program improves health outcomes and results in cost savings.
2. **Integrated Care Model** – The integrated treatment care model that addresses co-occurring mental illness and substance use disorder should be adopted more widely for women in the criminal justice system.
3. **Monitoring and Reporting** – County agencies should track outcomes of incarcerated populations and invest in evaluation of diversion programs.

Acknowledgments and Questions

Ms. Pourshaban acknowledged her fellow author of the HIA study, Katherine Butler, all of the collaborating agencies and organizations that participated, and the members of the HIEC.

Los Angeles County Public Defender Ron Brown inquired as to the current status of funding for the WRC program. Ms. Pourshaban stated that DPH has funding for the program through the end of the fiscal year.

Mark Delgado, Executive Director of CCJCC, further explained that the funding that ended on June 30th was from the California Department of Corrections and Rehabilitation (CDCR) and provided residential treatment for parolees in the program. DPH has been able to identify funding for these and the other participants in the current fiscal year. Discussions are currently taking place to obtain renewed funding from CDCR, which has expressed interest in reaching an agreement on a new contract.

Robert Philibosian of the County Economy and Efficiency Commission observed that the Executive Summary of the study says that the WRC program has provided services to 333 formerly incarcerated women since its inception in 2007. He expressed concern that this number is small in comparison to the population of female offenders in the county's criminal justice system. Ms. Pourshaban stated that the Public Defender's Office has expressed an interest in expanding this program to other areas of the county.

ACTION: For information only.

VI. HUMAN EXPLOITATION AND TRAFFICKING TEAM

Commander Stephen Smith, Sheriff's Department

Captain Merrill Ladenheim, Sheriff's Department

Commander Stephen Smith and Captain Merrill Ladenheim of the Sheriff's Department appeared before CCJCC to provide an overview of a recently created departmental taskforce established to combat human trafficking and the Commercial Sexual Exploitation of Children (CSEC).

Los Angeles County Sheriff Jim McDonnell has made combating human trafficking one of his top priorities. Commander Smith noted that it is the third largest international crime industry, behind illegal drugs and arms trafficking, and accounts for about \$32 billion every year. About \$15.5 billion of that is generated in industrialized countries.

Between 14,500 and 17,500 people are trafficked in the United States each year, and the average age that a teen enters the sex trade is about 12 to 14 years of age.

Three of the U.S. Federal Bureau of Investigation's (FBI's) 13 highest child sex trafficking areas are located in California. These are Los Angeles, San Diego, and San Francisco.

The Sheriff's Department developed a three prong approach to addressing human trafficking and, in particular, CSEC activity. The first part is to rescue the individual and treat the minor as a victim as opposed to a suspect. This includes providing medical treatment and wrap-around services that involves cooperation with government and community partners.

In furtherance of this, the Sheriff's Department has worked with the Department of Children and Family Services (DCFS), Probation Department, and other county, state, and federal agencies to develop a first responder protocol. This is intended to bring needed resources to the minor at the point of first contact.

The second prong is to arrest and prosecute the traffickers. These are the individuals that are profiting from the crime and will continue to victimize more people.

The third prong is to address the demand side by arresting and prosecuting the individuals that pay for sex with the victims. Without the money coming in from these people ("Johns"), the criminal enterprise would not exist.

As part of the overall efforts to combat human trafficking, the Sheriff's Department has created the Human Exploitation and Trafficking Team that will be led by Captain Ladenheim.

Captain Ladenheim emphasized that collaboration and co-location among impacted agencies is needed in order to address this problem. This also includes cooperation among units within organizations. For example, within the Sheriff's Department the gang unit participates in efforts to combat human trafficking because many of the pimps are gang members.

Similarly, cooperation among jurisdictions is important in dealing with a crime as broad as this. A lot of activity involved with human trafficking takes place online, so experts in cyber crime on the federal, state, and local levels are working together in this arena.

Captain Ladenheim noted that Sheriff's Department cyber analysts have created software designed to seek out CSEC internet activity. This software is available for use by other law enforcement agencies.

The Sheriff's Department recently received a three-year grant to address both sex and labor trafficking crimes. This will provide for comprehensive services and allow for other county departments to strategically reallocate existing operations to improve efficiency.

An example of where collaboration and comprehensive services can make a difference is with the foster care system. The department has found that about 70% of CSEC victims have had contact with the foster care system. Therefore, the Sheriff's Department has given DCFS representation on the task force.

Further, deputies in the field are being educated as to how to identify CSEC activity. When an at-risk juvenile in the foster care system goes missing, DCFS and Sheriff's Department personnel cooperate to find the individual and prevent the person from becoming a victim. The sharing of information and co-locating of deputies increases the chances of finding the person as well as providing needed services.

Other law enforcement entities with representation on the taskforce include the Probation Department, District Attorney's Office, municipal police departments, the State Attorney General's Office, and the U.S. Immigration and Customs Enforcement (ICE), among others.

The Sheriff's Department will train officers from municipal police departments that participate on the taskforce so they will be able to apply their expertise in their cities and have connections with experts from other agencies.

Captain Ladenheim noted that the State Attorney General's Office has a unit that investigates illicit assets recovered from illegal activity, which will greatly assist the taskforce with combating labor trafficking.

Altogether, about 50 Sheriff's Department personnel have been allocated to the task force, along with 25 from outside agencies. Additional partners are being sought.

With the formation of this team, it is expected that the number of victims of human trafficking found in the county will begin to grow significantly. (So far this year, there have been 32 CSEC victims identified.)

Mayor Antonovich asked about reports that human traffickers have been using the public transportation system to facilitate criminal activity. Commander Smith stated that the Metropolitan Transit Authority (MTA) is working with law enforcement to address this and a public awareness campaign alerts people on trains and buses to be aware of suspicious activity. This is the “Don’t Be Silent” campaign that the Board of Supervisors has supported.

Hospitals and probation camps will also assist in screening for possible CSEC victims.

Mayor Antonovich noted that motels have been used for CSEC activity.

Commander Smith stated that law enforcement is working with chain operators of hotels and motels to address this. He stated that hotel/motel chains and insurance companies are pressuring lower level operators to crack down on this criminal activity.

Larger hotel/motel chain operators have an incentive to avoid a bad public image and insurance companies have an incentive to avoid liabilities, so both can force local operators to insure that there is no human trafficking or CSEC activity in the hotels/motels that they are responsible for.

Members of the taskforce recently made a presentation to the Western U.S. Coalition of Hotel Owners on this subject. This group was very receptive to the message and invited the taskforce members to make this presentation at the national convention.

In response to an inquiry about training for patrol officers, Commander Smith reported that the Sheriff’s Department is developing a training piece within its department. Additionally, a portion of the grant that was received will provide for the regional training of law enforcement officers.

Earl Perkins of the Los Angeles Unified School District (LAUSD) stated that his organization has been working to address this issue within its schools and educate administrators, teachers, and students as to the danger. LAUSD has an ongoing campaign with law enforcement agencies and is interested in expanding its collaboration with the Sheriff’s Department and the taskforce.

Commander Smith thanked Mr. Perkins and also noted that some of the grant funding will be used by the LAPD to combat human trafficking and CSEC activity in the City of Los Angeles.

VII. OTHER MATTERS / PUBLIC COMMENT

There were no public comments.

VIII. ADJOURNMENT

The meeting was adjourned at 12:51p.m.