

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE
MINUTES OF THE MAY 15, 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

Greg Blair for William Mitchell, Superior Court Executive Officer
Dan Bower, Chief, Southern Division, California Highway Patrol
James Brandlin, Assistant Supervising Judge, Criminal, Superior Court
Daniel Calleros, President, Southeast Police Chiefs Association
Paul Cooper for Jim McDonnell, President, Los Angeles County Police Chiefs
Association
Kelly Emling for Ronald Brown, County Public Defender
Robert Fager, President, South Bay Police Chiefs Association
*Ali Farahani for Richard Sanchez, County Chief Information Officer
Xiomara Flores-Holguin for Philip Browning, Director, County Department of Children
and Family Services
Janice Fukai, County Alternate Public Defender
Christa Hohmann, Directing Attorney, Post Conviction Assistance Center
*David Marin for Timothy Robbins, Field Office Director, U.S. Immigration and Customs
Enforcement
*Tony Massengale for Robin Toma, Executive Director, County Human Relations
Commission
Georgia Mattera for William Fujioka, County Chief Executive Officer
*Jon McCaverty for John Krattli, Acting County Counsel
Teri McDonald for Lee Baca, Sheriff and Vice Chair of CCJCC
Don Meredith, President, County Probation Commission
William Montgomery for Tom Tindall, Director, County Internal Services Department
Margarita Perez for Jerry Powers, County Chief Probation Officer
Earl Perkins for John Deasy, Superintendent, Los Angeles Unified School District
Robert Philibosian for Isaac Barcelona, Chair, County Economy and Efficiency
Commission
Devallis Rutledge for Jackie Lacey, District Attorney
Joseph Santoro, Independent Cities Association
Lakshmanan Sathyavagiswaran, County Coroner – Medical Examiner
*Peter Shutan for Carmen Trutanich, Los Angeles City Attorney
Jim Smith, President, San Gabriel Valley Police Chiefs Association
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

Cynthia Banks, Director, County Department of Community & Senior Services
Bruce Barrows, California League of Cities
Jeffrey Beard, Secretary, California Department of Corrections and Rehabilitation
Charles Beck, Chief, Los Angeles Police Department
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
Arturo Delgado, Superintendent, County Office of Education
Mitchell Englander, Los Angeles City Council, 12th District
Peter Espinoza, Judge, Superior Court
Sean Kennedy, Federal Public Defender
William Lewis, Assistant Director in Charge, Los Angeles Division, Federal Bureau of
Investigation
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
Jeffrey Prang, California Contract Cities Association
Richard Propster, Peace Officers Association of Los Angeles County
David Singer, United States Marshal
Marvin Southard, Director, County Department of Mental Health
Antonio Villaraigosa, Mayor, City of Los Angeles
Mike Webb, County Prosecutors Association
David Wesley, Presiding Judge, Superior Court
Anthony Williams, Special Agent in Charge, U.S. Drug Enforcement Administration

CCJCC STAFF

Mark Delgado, Executive Director
Abigail Ea
Craig Marin
Michelle Pangborn
Glee Quiaot
Ana Silva
Erika Williams

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 April 17, 2013 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the April 17, 2013 meeting was seconded and approved without objection.

III. CHAIRMAN'S REPORT

There were no updates reported.

IV. PROBATION DEPARTMENT REENTRY REPORT

Reaver Bingham, Deputy Chief Probation Officer

Reaver Bingham, Deputy Chief of the Los Angeles County Probation Department, appeared before CCJCC to provide a report on the Probation Department's strategies and programs in place to serve individuals placed under the County's supervision due to AB 109. At the previous meeting on April 17, 2013, Supervisor Ridley-Thomas requested that the Probation Department report on their efforts to provide reentry services to this population.

The Probation Department's reentry strategy is composed of the following four primary components:

1. Coordinated Risk Assessments
2. Strategic Linkages
3. Evidence-Based Supervision
4. Strategic Partnerships

The Coordinated Risk Assessments include the Level of Service/Case Management Inventory (LS/CMI), Addiction Severity Index (ASI), Adult Short Assessment (ASA), and Eligibility Screening. The LS/CMI is an evidence-based risk assessment that the Probation Department administers. ASI is administered by the Department of Public Health Substance Abuse Prevention and Control (SAPC), the ASA is administered by the Department of Mental Health (DMH), and Eligibility Screening is administered by the Department of Public Social Services (DPSS).

These assessments help to inform the Probation Department's individual case plans and strategic linkages. Through the assessments, a determination is made as to what services are needed, and the individual is then connected to the appropriate department/agency.

The third strategy that is utilized with respect to reentry is evidence-based supervision. The individual's LS/CMI score will determine the tier that the level of supervision will be based on.

Mr. Bingham emphasized that, while the Probation Department has the lead on reentry and supervision, strategic partnerships are an essential part of a successful reentry strategy. As such, the Probation Department works in close collaboration with other government departments and agencies, as well as Community Based Organizations (CBOs).

The supportive services that are made available include substance abuse treatment, mental health treatment, housing services, employment readiness and placement, transportation, and systems navigation.

There are three primary stages where AB 109 reentry strategies are implemented. The first is at the Pre-Release Center, which occurs when the individual is still in prison. An initial assessment is made based on pre-release packets provided by the California Department of Corrections and Rehabilitation (CDCR). The Probation Department next adds conditions of supervision based on individual needs identified in the packet. DMH also screens the case to determine any mental health needs, and housing referrals and transportation from CDCR are coordinated as needed.

The second stage is at the HUB, which the individual is instructed to report to within 48 hours of their release. This is the first contact that Probation has with the individual. The LS/CMI is administered at this location and the immediate needs of the individual are determined. Referrals are made as appropriate, including to co-located staff from other departments, and the case is transferred to supervision.

The third stage is supervision itself, which begins on the next business day following the HUB visit. The conditions and expectations of supervision are reinforced and regularly scheduled meetings are set based on risk level. Probation will follow-up on referrals for service, which includes making any new referrals that may have been missed earlier, and will evaluate the individual's transition into the community. Home contacts, address verifications, and field checks in coordination with law enforcement may be conducted, and intermediate sanctions and/or flash incarcerations may be utilized. Probation may recommend revocation if the individual fails to respond to sanctions, may extend the period of supervision, or may terminate the case, as appropriate.

The desired outcome of reentry is to enhance public safety by reducing recidivism, help the individual to successfully reintegrate into the community, strategically address risk factors and reinforce protective factors, increase opportunities for education and employment, and offer appropriate supportive services.

Mr. Bingham emphasized the importance of Probation's community partnerships and noted that a CBO advisory board will be created to ensure that any gaps in the reentry strategy are addressed.

Robert Philibosian of the County Economy and Efficiency Commission inquired as to the average caseload of Deputy Probation Officers (DPOs) handling individuals on Post Release Community Supervision (PRCS). Mr. Bingham stated that it varies depending upon the risk level of the individuals being supervised. Targeted caseloads are as follows: 20 to 1 for ultra high risk; 50 to 1 for high risk; 75 to 1 for medium risk; and 100 to 1 for low risk.

Mr. Philibosian also inquired as to whether funding from the state is adequate to meet the needs of the Probation Department's supervision of AB 109 individuals. Mr. Bingham stated that the position of the Los Angeles County Board of Supervisors is that state funding has not been adequate. He observed that there are still unknown factors that make it difficult to know how much funding will ultimately be needed.

Supervisor Ridley-Thomas stated that this committee will continue to monitor reentry strategies related to public safety realignment.

ACTION: For information only.

V. COURT CONSOLIDATION PLAN

Judge Victor Greenberg, Los Angeles Superior Court

Judge Victor Greenberg of the Los Angeles Superior Court appeared before CCJCC to provide an update on the Los Angeles Superior Court's Consolidation Plan. This is a follow-up to a presentation that was made by Judge James Brandlin at the CCJCC meeting on January 16th of this year.

The Governor's May budget revise does not include any additional funding for the state's trial court system. As a result, the Los Angeles Superior Court (Court) is moving forward with its Court Consolidation Plan.

As requested by this committee in January of this year, a Court Restructuring Subcommittee was formed to provide information to the Court's justice partners concerning the impact of the upcoming changes and to facilitate operational planning. In addition, Presiding Judge David Wesley has visited each Court District and met with the local justice partners and government agencies regarding the consolidation plan. Feedback has been incorporated into the finalized plan.

Judge Greenberg stated that the Court has an ongoing savings of \$110 million a year due to the budget cuts that have already been made.

In spite of these cuts, the Court was still facing a budget deficit of \$85 million in January of this year. Since that time, the Court has secured \$20 million in additional funding and anticipates an additional \$9 million, which will leave the Court with a deficit of approximately \$56 million.

The consolidation plan will incorporate the following principles/priorities:

- Meet constitutional requirements and statutory obligations;
- Maintain access to justice in all litigation types;
- Most effective use of bench officers;
- Fair and even distribution of resources within case types; and
- Investment in technology.

The consolidation plan will result in a substantially reduced workforce. It is anticipated that an additional reduction of 511 positions will be necessary. These reductions were avoided in the current fiscal year due to the state mandating that the Court use all of its remaining budget reserves.

In January of this year, it was reported that the Court would cease adjudicatory activities in the following ten courthouses: Huntington Park, Whittier, Pomona North, Malibu, West Los Angeles, Beverly Hills, San Pedro, Beacon Street, Catalina, and the Kenyon Juvenile Justice Center.

The following exceptions to this have been made:

- The Catalina courthouse will be open one day every two weeks, primarily for island residents. Non-residents and island felonies will be heard in Long Beach. A drop box will be available for filings during the nine business days the courthouse is closed.
- One courtroom at the Beverly Hills courthouse will remain open for traffic arraignments only. Any additional traffic cases or traffic trials will be distributed to different courthouses.

Much of the consolidation plan will remain the same, including the following:

- Civil harassment cases that are currently heard by judicial officers assigned to Civil Court calendars will be reassigned to Family Law courtrooms. This will add more 10,000 civil harassment hearings annually to the Family Law caseload.
- Probate matters will be centralized in the Stanley Mosk Courthouse in the downtown civic center, and Probate filings will only be accepted at that location.
- All Small Claims cases in Los Angeles County will be consolidated into the following five courthouses: (1) Stanley Mosk; (2) Alhambra; (3) Van Nuys; (4) Downey; and (5) Inglewood.
- All Unlawful Detainer cases in the county will be consolidated into the following four courthouses: (1) Stanley Mosk; (2) Pasadena; (3) Long Beach; and (4) Santa Monica.

- All traffic infractions, which have been heard in 27 courthouses, will be reassigned to be heard in 16 courthouses.
- The following changes will be applied to the Central Criminal Courts:
 - There will be a reconfiguration of the Central Arraignment Courts (CAC) to accommodate new demands from parole violation hearings as a result of AB 109. Additionally, CAC's infraction caseload will be moved to the Metropolitan Courthouse and the CAC misdemeanor caseload will be moved to the East Los Angeles Courthouse.
 - A total of 12 courtrooms in the Central Criminal Division will be closed. The cases will be redistributed among the remaining criminal courtrooms.

Judge Greenberg stated that the Court is in a position where the consolidation plan measures cannot be avoided without additional funding from the state.

In response to a query as to whether traffic citations could be handled by the cities, Judge Greenberg stated that this idea was discussed. However, this would require a systematic change from the court system to an administrative process, and many cities do not have adequate resources needed to do this. In addition, based on current statutes, those cases must be heard in court.

In response to a query concerning the possible use of video traffic trials, Judge Greenberg reported that a pilot program will be implemented in Fresno County. If this proves to be viable, it may be expanded and utilized in Los Angeles County.

Supervisor Ridley-Thomas inquired as to how this committee can assist the Court. Judge Greenberg advised that this committee can support the Court by informing both the Governor and State Legislature that the restructuring of the Court described in this presentation will have a detrimental effect on the local criminal justice system, as well as on local businesses, the economy, and the citizenry in general. Without additional funding, the Court cannot continue to provide the level of service that it has in the past.

Mr. Philibosian inquired as to whether it would be in order for this committee to pass a resolution in support of the Court's efforts to obtain additional funding. Supervisor Ridley-Thomas stated that he would entertain the motion.

A motion was made to send a letter to the Governor and State Legislature on behalf of CCJCC that will support the Court's request for additional funding from the state. This letter will be prepared by the Executive Director and signed by the Chairman.

ACTION: The motion to support the Los Angeles Superior Court's request for additional funding was seconded and approved without objection. A letter expressing this support will be sent to the Governor's Office and State Legislature on behalf of this committee.

NOTE: Following this presentation, Supervisor Ridley-Thomas left the meeting and Robert Philibosian of the County Economy and Efficiency Commission served as Acting Chairman for the remainder of the meeting.

VI. JUSTICE AUTOMATED INFORMATION MANAGEMENT SYSTEM (JAIMS)

John Ruegg, Director, Information Systems Advisory Body

John Ruegg, Director of the Information Systems Advisory Body (ISAB), appeared before CCJCC to formally present a plan for development of the Justice Automated Information Management System (JAIMS) and to seek approval from this committee.

At the previous meeting on April 17, 2013, Mr. Ruegg provided an overview of the proposal for developing JAIMS. A summary of the program was distributed to committee members.

Mr. Ruegg stated that he is seeking approval from CCJCC on the following four action items:

1. Approve the JAIMS project and endorse its development/implementation;
2. Direct ISAB and CCJCC staff to reconvene the JAIMS working group to finalize plans for JAIMS development;
3. Direct the ISAB Director to report back on the final JAIMS development plan at the August CCJCC meeting; and
4. Direct ISAB to submit a request to the CEO's Office for consideration of AB 109 funding to fund the JAIMS development.

A motion was made to approve these four action items.

ACTION: The motion to approve the four action items listed above was seconded and approved without objection.

VII. EX-OFFENDER IDENTIFICATION PROJECT

Mark Delgado, Executive Director, Countywide Criminal Justice Coordination Committee

Mark Delgado, Executive Director of the Countywide Criminal Justice Coordination Committee (CCJCC), provided a report on ex-offender identification programs and processes.

At the March 20, 2013 CCJCC meeting, Supervisor Ridley-Thomas requested that an ad hoc taskforce be empanelled to develop recommendations for addressing identification challenges faced by ex-offenders. The taskforce includes representation from the County Chief Executive Office, Registrar-Recorder/County Clerk, Department of Public Social Services (DPSS), Probation Department, Sheriff's Department, Public Defender's Office, and CCJCC.

The taskforce objectives include the following:

- Provide a status update on previously developed and proposed programs that occurred under the Chief Executive Office Public Safety Cluster's leadership;
- Develop action items to push proposed programs to implementation; and
- Expand existing programs to reach a larger population.

The target populations for the taskforce are county jail inmates, adult probationers and individuals on Post Release Community Supervision (PRCS), juvenile camp youth, and field supervised youth probationers. The following procedures have been proposed for each respective population:

For county jail inmates, the Sheriff's Department Community Transition Unit (CTU) will be responsible for noting which individuals are in need of identification. The Registrar-Recorder's Office has deputized Sheriff's Department staff to witness birth certificate applications and attest to their authenticity so that they can be submitted. This will allow certified copies of birth certificates to be generated and made available to the inmate upon their release.

For California identification, Department of Motor Vehicle (DMV) personnel will collect the applications at the Sheriff's Department Community Reentry and Resource Center prior to the inmate's release. If this is not feasible, designated CTU staff will transport inmates to the Lincoln Park DMV Office to apply for California identification. DPSS staff will determine inmate eligibility for a reduced DMV fee.

Adult probationers and PRCS individuals in need of identification will be served by Probation staff at HUBs or area offices. Probation will also have staff deputized by the Registrar-Recorder's Office to facilitate birth certificate applications. Probation staff will deliver the applications to the Registrar-Recorder's Office and receive certified copies of previously applied for birth certificates. Assigned staff will hold the identification documents until the next scheduled office visit.

The Probation Department will refer adult probationers or PRCS individuals to the local DMV for California identification. Probation staff will complete the appropriate paperwork for a reduced fee identification card.

Juvenile camp youth will be identified by Probation staff while they are in camp. The Probation Department will follow the same procedures as for adult probationers and PRCS individuals in obtaining vital records for them. The same procedures will also follow for field supervised youth probationers, except that those who need vital records will be identified at the initial intake center.

The following milestones have been reached by the taskforce:

- The Sheriff's Department Memorandum of Understanding (MOU) with the Registrar-Recorder/County Clerk has been executed;
- Sheriff's Department staff have been deputized by the Registrar-Recorder/County Clerk for birth certificate applications;
- An MOU between the County CEO, Probation Department, and Registrar-Recorder/County Clerk has been extended and expanded;
- The program model has been expanded for the youth probation population.

After reviewing current practices, the taskforce has developed the following preliminary processes and recommendations:

1. Forge a connection between the California DMV and Los Angeles County departments serving ex-offenders.
2. Secure authorization for Probation to complete Form DR 937 – Verification for Reduced Fee Identification Card.
3. Identify funding streams for:
 - Birth certificates for the adult probation population;
 - California identification cards for the adult probation population; and
 - California identification cards for the youth probation population.
4. Pilot these processes with designated funding.

The Inmate Welfare Fund is a potential source of funding for serving the jail population and AB 109 is a potential source of funding for serving the PRCS population.

In response to a query, Mr. Delgado stated that the focus of this taskforce has been on eliminating the challenges that ex-offenders face in obtaining proper personal identification.

ACTION: For information only.

VIII. CALIFORNIA BUDGET AND PRISON UPDATES

Kenna Ackley, County Chief Executive Office, Intergovernmental Relations and External Affairs

Kenna Ackley of the County Chief Executive Office's Intergovernmental Relations and External Affairs Division appeared before CCJCC to provide an overview of both the Governor's revised budget and the state's prison population reduction plan.

The Governor released his May budget revision yesterday. The focus of the Governor's budget is to reinvest in education, particularly grades K through 12, as well as the implementation of healthcare reform.

Ms. Ackley stated that the legislature will make changes to the budget proposal over the coming weeks. It is anticipated that a budget will be finalized by June 15th and signed into law.

The following public safety components of the budget were highlighted:

- The Governor restored \$72 million in allocation for SB 678, which is the Community Corrections Incentives Act of 2009. This provides funding to county probation departments that reduce the number of felony probationers that are sent to state prison.
- As Judge Greenberg noted in his presentation, no additional funding was allocated to the state's trial court system. However, Ms. Ackley reported that both Assembly Speaker John Perez and Senate President pro Tem Darrell Steinberg have discussed the importance of trial court funding.
- Trailer Bill language was added that relates to decertified Mentally Disordered Offenders (MDOs) released under AB 109. The language states that anyone released from state prison as an MDO, who is subsequently decertified by a Court, will be supervised by state parole. This language is substantially similar to County-sponsored AB 1065, which is currently in the Assembly Public Safety Committee.
- There is also Trailer Bill language clarifying that that misclassified individuals on parole or post release community supervision will not be transferred to the correct supervision scheme if the error is discovered after 60 days. In other words, the individual will remain on parole or post release community supervision, even if that is in error.
- For long term offenders sentenced to county jails under AB 109, the Governor has proposed that the state be authorized to house these individuals after they have served three years in county jail. However, this would be under the condition that the county agrees to accept an equivalent population of short term offenders in the county jail. In this way, the proposal remains cost neutral and does not increase the prison population.

On May 2, 2013, the Governor submitted the state's prison population reduction plan to the Federal three-judge panel, as ordered. In doing so, the Governor made clear that the state believes that it is already in compliance with constitutional requirements, and that this plan is not necessary. Furthermore, he stated that implementation of this plan may endanger public safety.

The purpose of the plan is to further reduce the state's prison population by approximately 9,000 inmates in order to meet the population cap set by the three-judge panel. This target must be met by the end of 2013.

Ms. Ackley noted that the Governor will continue to pursue legal strategies, including another appeal to the U.S. Supreme Court, to vacate the prison population reduction order.

The submitted prison population reduction plan includes a number of components. One is to expand capacity with additional beds, fire camps, and contracts with community correctional facilities within the state. In addition, the state would seek to slow the return of out-of-state prisoners that are housed in four private prisons and may also potentially contract with private prisons within the state.

Another component would increase prison earning credit to certain inmates that are in state prison. Additionally, the plan would increase the number of inmates that are released under medical parole, as well as establish a parole program for elderly inmates that have served a certain number of years and are determined to be at low risk to recidivate.

In creating the plan, the Governor rejected other proposals that have been discussed, such as a realignment of additional offenders to the county.

Many elements of the prison reduction plan will require legislative action in order to take effect. It is unclear at this time which measures would be accepted and which rejected by the State Legislature.

Given the need for legislative approval on many of the proposals, it is expected that the three-judge panel will respond to the submitted plan in the near future.

ACTION: For information only.

IX. OTHER MATTERS/PUBLIC COMMENT

There were no public comments.

X. ADJOURNMENT

The meeting was adjourned at 1:11 p.m.