

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

MINUTES OF THE June 1, 2016 MEETING

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

MEMBERS AND ALTERNATES PRESENT

Chair: Supervisor Hilda Solis, First District and Chair of the County Board of Supervisors

Cynthia Banks, Director, County Department of Community & Senior Services
Reaver Bingham for Calvin Remington, Interim County Chief Probation Officer
James Brandlin, Supervising Judge, Criminal Division, Superior Court
Ronald Brown, County Public Defender
*Patricia Carbajal for Sachi Hamai, County Chief Executive Officer
*Lana Choi for Mary Wickham, Interim County Counsel
*David Cons for Eileen Decker, U.S. Attorney
Edward Eng for Isaac Barcelona, Chair, County Economy and Efficiency Commission
Janice Fukai, County Alternate Public Defender
Scott Gordon, Assistant Supervising Judge, Criminal Division, Superior Court
Donna Groman for Michael Levanas, Presiding Judge, Juvenile Superior Court
Kelly Harrington for Jim McDonnell, Sheriff
*Charles Hearn for Charlie Beck, Chief, Los Angeles Police Department
Christa Hohmann, Directing Attorney, Post Conviction Assistance Center
Karen Loquet for James Jones, Director, County Internal Services Department
Mary Marx for Robin Kay, Director, County Department of Mental Health
*Jim McGlynn for Sherri Carter, Superior Court Executive Officer
Emilio Mendoza for Philip Browning, Director, County Department of Children and Family Services
Don Meredith for Joe Gardner, President, County Probation Commission
*Felicia Orozco for Miguel Santana, Los Angeles City Chief Administrative Officer
Sharon Papa, President, South Bay Police Chiefs Association
Ezekiel Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program
Devallis Rutledge for Jackie Lacey, District Attorney and Vice Chair of CCJCC
Lakshmanan Sathyavagiswaran, County Coroner – Medical Examiner
Bill Siegl, Chief, Southern Division, California Highway Patrol
Jim Smith, President, Los Angeles County Police Chiefs Association

***Not a designated alternate**

I. CALL TO ORDER / INTRODUCTIONS

Chair Hilda Solis, County Supervisor, First District

The meeting was called to order at 12:00 p.m. by Los Angeles County Supervisor Hilda

Solis, Chair of CCJCC.

Self-introductions followed.

II. APPROVAL OF THE MINUTES

Chair Hilda Solis, County Supervisor, First District

There were no requests for revisions to the minutes of the May 4, 2016 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the May 4, 2016 meeting was seconded and approved without objection.

III. STATE LEGISLATIVE UPDATE

Patricia Carbajal, Office of Intergovernmental Relations, County CEO's Office

Patricia Carbajal of the County CEO's Office of Intergovernmental Relations and External Affairs appeared before CCJCC to provide an overview of the Governor's revised Fiscal Year 2016-2017 (FY 2016-17) state budget and also to make a presentation on current public safety legislation.

On May 13, 2016, Governor Brown released his revised budget for FY 2016-17. Subsequent to that, the State Senate and Assembly Budget Committees closed their respective budget hearings. They will be meeting as a joint conference committee to reconcile issues where they differ from each other and from the Governor's proposal.

The Governor's revised budget projects a revenue forecast that is about \$1.9 billion less than the budget projection in January. This reflects poor April income tax receipts and more sluggish sales tax receipts than expected.

Ms. Carbajal noted several issues in the revised budget that pertain to public safety. First, the Governor had proposed in January to provide \$250 million in competitive grants to those counties that have previously received only a partial award or never received an award for state correctional facility funding. Since Los Angeles County received \$100 million for the Mira Loma project, this county would not be eligible for this funding.

However, the Budget Committees of the State Senate and State Assembly have rejected this proposal and have instead proposed to redirect the \$250 million toward programs in counties and cities that the legislators believe would improve public safety and reduce recidivism in local communities.

Examples include programs that would address homeless youth, teen pregnancy prevention, drug overdoses, human trafficking, job training and educational services to ex-offenders, and other local law enforcement diversion programs.

The Senate and Assembly Budget Committees are meeting this week to try to reconcile their proposals on this matter. If an agreement is reached and the Governor approves, this county may be eligible for some of this funding.

On a separate matter, the county is continuing its efforts to obtain funding from the state for jail construction. There has been no fiscal commitment from the state for FY 2016-17, but discussions are continuing.

With regard to savings related to Proposition 47, the Governor's revised budget included a slight increase in the estimated total. A motion from the Board of Supervisors has called for the Governor's Administration to use an alternative methodology for calculating the cost savings.

The State Legislative Analyst's Office (LAO) has estimated that the potential savings under Proposition 47 could potentially be much higher than what the Governor's budget proposals have presumed. As a reminder, savings under Proposition 47 will be allocated locally throughout the state to fund various programs.

Ms. Carbajal noted that the State Legislature has until midnight on Wednesday, June 15th, to approve an enacted budget. The Governor will have the opportunity to review it and enact it before June 30th.

One final note on the budget is that if the Proposition 30 taxes aren't extended, the Governor has stated that there will be a shortfall of \$4 billion in future budgets. This issue will be addressed in a ballot measure in November.

Separate from the budget, there are a number of legislative measures pending that pertain to public safety. The State Legislature has until August 31st to pass a bill in this term for the Governor to consider.

One of the Governor's initiatives that he is trying to have qualify for the November ballot is the Public Safety and Rehabilitation Act of 2016. This is a sentencing reform initiative that is currently in the signature gathering phase.

This initiative would give the Secretary of Corrections broader authority to allow for certain non-violent offenders to get earlier parole based on their primary sentence, not including their enhancements. There is also a portion of this initiative that pertains to juveniles that is being moved forward.

If this initiative were to pass, it is estimated that about 1,700 adult offenders would be eligible for immediate release from prison.

Assembly Bill (AB) 2765, which is sponsored by this county, would expand the timeline for applying for resentencing under Proposition 47. This bill was amended on May 19th to extend the petition period by five years.

AB 2765 passed the Assembly yesterday so it will now move to the Senate. Ms.

Carbajal thanked Supervisor Solis for her assistance in this effort by making telephone calls and sending letters.

Supervisor Solis requested that information be sent to CCJCC members concerning legislation that the county has taken a position on. In addition, sample support letters could be shared with those that wish to join in backing certain legislation.

Supervisor Solis also added that the county will need to make appropriate preparations in the event that the Public Safety and Rehabilitation Act were to become law. This may create added financial and workload responsibilities on county departments. Lessons learned from the implementation of Proposition 47 should be reviewed.

A public comment was made by Mr. Joseph Maizlish.

ACTION: For information only.

IV. JUSTICE AUTOMATED INFORMATION MANAGEMENT SYSTEM (JAIMS)

Ali Farahani, Director, Information Systems Advisory Body

Ali Farahani, Director of the Information Systems Advisory Body (ISAB), appeared before CCJCC to provide an update on the Justice Automated Information Management System (JAIMS), its development status, and next steps toward implementation. ISAB is overseeing the implementation of JAIMS in Los Angeles County.

JAIMS is a statistical reporting web portal that uses anonymized consolidated criminal justice/health data to measure and analyze the impact of programs.

The data gathered is linked from multiple justice and health agencies (i.e., law enforcement, courts, prosecution, probation, defense, public health, mental health, and social services). An anonymized version of the consolidated data is then produced in a statistics reporting database.

Data sources that provide information to JAIMS include the Consolidated Criminal History Reporting System (CCHRS), Adult Probation System (APS), and the Trial Court Information System (TCIS). Specific software masks the data for privacy purposes and places the newly anonymized data into a zone from which statistical reports can be produced.

JAIMS is unique in that the system is being built with data analytics and information management for policy analysis and program evaluation as its primary focus.

Traditionally, the data systems that have been built in the county have been transactional in nature; that is, the data is collected but the ability to analyze it is not the purpose of the system. In contrast, JAIMS provides an institutional framework to use information for decision-making as well as policy and program evaluation.

JAIMS is now operational and a number of datasets are already available in the system. ISAB began by including criminal history data and is continuing to bring in data from CCHRS. This data is updated every day with a real-time connection and includes subject, booking, and case information.

Data from the Adult Probation System (APS) has also been added to JAIMS. This includes probation conditions and status. Also included are specialized data sets from the Court's Trial Court Information System (TCIS) that has sentencing data for N3 (AB 109 sentenced) individuals.

Mr. Farahani reported that the system contains location data that allows for map and Geographic Information System (GIS) analysis based on address information. Another feature of JAIMS is a dashboard that has been made available to a number of county users.

AB 109 reports are accessible from the system. These reports include current and past information on demographics, charges, and recidivism for the Post Release Community Supervision (PRCS) and the N3 populations.

As part of the process of improving JAIMS, an Executive Governance Committee will be established and led by CCJCC. This committee will take a broad, big-picture perspective on the development of JAIMS. In contrast, the JAIMS Steering Committee, which is led by ISAB, will continue to focus on day-to-day decisions concerning the operation of JAIMS.

Mr. Farahani listed the following goals for JAIMS:

- Positioning JAIMS as the CCJCC Enterprise Data Analytics platform. The system will be available for use when reports are needed or an analysis of a policy or program needs to be conducted.
- Data analytics will become a service. The user chooses what is needed and it is delivered as opposed to having to build the structure necessary to provide the information that is needed.
- Developing a consistent and accessible (from a website) Business Glossary and Taxonomy of Terms. This is needed for consistency in reporting data. Without this, certain words and terms may be defined in different ways by different users.
- Standardizing methodologies for statistically valid and reliable analytics. This is also needed for consistency in reporting data. The same methodologies need to be used in producing different reports.
- JAIMS will have packaged reports via Dashboard and make microdata (raw data) available for real-time analysis. In addition to having statistics reports available for those that need them, raw data will also be available for departments or research groups that need access to the data.

With regard to future enhancements of the system, Mr. Farahani noted that the original design was for measuring program outcomes. It will also be necessary to add “process data” to JAAMS so that it is possible to measure the probable influence of measurable and accurate variables to outcomes. The current datasets in the system were not defined and collected for every purpose.

For example, many are designed for moving a case and subject through the process, but this same data cannot necessarily be used for other purposes. It is therefore important to capture other data that is needed to answer questions that may be asked, such as the average time it takes for some event or what the cost is of that event.

Mark Delgado, Executive Director of the Countywide Criminal Justice Coordination Committee (CCJCC), stated that members of the Executive Governance Committee will be notified as to when this policy-making group will begin meeting.

Judge Donna Groman of the Juvenile Superior Court inquired as to whether JAAMS will contain information on juvenile probation and child welfare. Mr. Farahani stated that it is hoped that additional data sources will be included in the interface with JAAMS. This is needed in order to provide a holistic view of the individual. He did note that there are privacy and security issues with juvenile data that makes it more challenging, but anonymizing data may address these concerns.

Mr. Delgado added that while JAAMS is envisioned as a broad enterprise solution for data analytics, AB 109 data has been identified as the pilot by which to begin to build the system. The development of JAAMS will be a phased implementation of expanding and bringing in new data connections over time.

ACTION: For information only.

V. WHITE HOUSE DATA-DRIVEN JUSTICE INITIATIVE

Mark Delgado, Executive Director, CCJCC

Supervisor Solis reported that she introduced a motion to the Board of Supervisors that seeks to have the county participate with the President’s Administration on a multi-jurisdiction initiative to promote data-driven justice solutions. This motion was approved by the Board of Supervisors yesterday, May 31st. She asked Mr. Delgado to provide further details about this initiative.

Mr. Delgado stated that the White House has been reaching out to various jurisdictions throughout the country to identify areas that can be the basis of data-driven justice efforts. As a result of these discussions, the White House will be introducing a data-driven initiative that will focus on the following three areas:

1. Real-time data exchanges across health, criminal justice, and education systems to identify and address the needs of “super utilizers”;

2. Building tools and capacities to support mental health diversion opportunities; and
3. Utilization of risk assessment tools to identify defendants suitable for pre-trial release.

The first area concerns how jurisdictions can build real-time data integration to identify individuals with multiple cases that use local resources.

The second area involves building the tools and capacity that is needed to provide appropriate diversion or rehabilitative services to those who are identified.

The third area focuses on the utilization of risk assessment processes to help inform the kinds of interventions that are made and, in particular, to help inform the pre-trial detention and release decision processes.

The White House has invited the county to be one of the jurisdictions involved in this initiative. Following yesterday's approval of the motion by the Board of Supervisors, a five-signature letter was submitted to the White House stating the county's interest in participating.

This effort will complement current work that is underway in the county. These include the development of JAIMS, which was described in the previous presentation, efforts by the Office of Diversion and Reentry to identify frequent users of the justice system and build treatment capacity, and discussions on the potential use of a pretrial tool developed by the Arnold Foundation to help inform the Court's pretrial decision-making processes.

The White House will formally launch this initiative in the coming weeks. County representatives will travel to Washington, D.C., and will be present for this event. This committee will be kept informed as this initiative moves forward.

Supervisor Solis added that she was impressed by the presentation given by the White House on this initiative and that it may help the county to reduce costs over the long term. Additionally, by bringing together multiple efforts, this can facilitate the provision of needed services to individuals with serious dependencies and other problems. CCJCC member agencies may be contacted for ideas and suggestions that can support this initiative.

Mr. Delgado stated that this initiative may also provide an opportunity to learn from other jurisdictions that are addressing problems similar to those that the county is facing, particularly with respect to information sharing.

Supervisor Solis advised that a holistic approach is needed to intercede with many individuals in the justice system, particularly with respect to juveniles.

ACTION: For information only.

VI. RESTITUTION COLLECTION TASK FORCE

Lydia Bodin, Chair, Restitution Collection Task Force, and Deputy-in-Charge of the Restitution Enhancement Program of the District Attorney's Office

Lydia Bodin, Chair of the Restitution Collection Task Force and Deputy-in-Charge of the District Attorney's Office Restitution Enhancement Program, appeared before CCJCC to provide a progress report on the development of policies to collect restitution from AB 109 populations.

Background

As a reminder, when AB 109 shifted responsibility to the counties to incarcerate and supervise three new classes¹ of defendants beginning October 2011, no authority was granted to counties to collect restitution from these individuals.

Between 2012 and 2015, two new laws were passed to remedy this gap (Penal Code Section 2085.5 and Penal Code Section 2085.6, respectively).

In September 2015, the Board of Supervisors voted to authorize restitution collection on all three AB 109 defendant classes.

Collection from offenders on split sentences who have the ability to pay began in January 2016. The other two offender classes are still not subject to collection, but implementation is being actively worked on.

Restitution Collection Task Force

Upon a motion by the Board of Supervisors, a Restitution Collection Task Force was created and began meeting in December 2014. Members include representatives from the District Attorney's Office, Public Defender's Office, Sheriff's Department, Probation Department, County CEO, Treasurer-Tax Collector's Office, and Auditor-Controller's Office.

Ms. Bodin noted the following accomplishments of the Task Force:

- The Task Force has fully developed a collection construct for all three populations. The collection construct includes the following:
 - Rules of business;
 - Development of notification to individuals contributing to an inmate account, as required by the Board of Supervisors; and
 - Development of a persistent identifier that can cut across all involved systems.

¹ (1) Offenders in county jail and sentenced under Penal Code 1170(h); (2) Offenders in the community on a split sentence and supervised by Probation; and (3) Offenders in the community on Post Release Community Supervision (PRCS).

- The process of collecting on the split sentenced defendants includes the use of a manual system of secure information sharing between the District Attorney's Office and the Probation Department.
 - The District Attorney's Office has referred 66 restitution orders involving split sentenced offenders, with a dollar total of \$167,992, to the Probation Department since January 26, 2016.
- The Task Force is currently engaged in working out a protocol with the California Department of Corrections and Rehabilitation (CDCR) to obtain restitution balances on the PRCS population to allow for county level collection.
- The Task Force has done a basic design, including costing out, on an integrated/automated restitution system with a cross-department interface. This was made as part of a larger grant proposal that is currently pending with the California Office of Emergency Services (OES).
- Cross-training between agencies with regard to restitution collection.

Status of Project by AB 109 Offender Type

The following is the status of the project by AB 109 offender type:

1. For offenders sentenced to county jail under P.C. 1170(h), there is no collection at this time when the offender is in jail. Once this does begin, the Sheriff's Department will have the responsibility for making the collections.

These collections require a fully automated/integrated system that securely transfers information with regard to the existence of an order. As noted, the Task Force has developed a prototype of a working system of interfaces.

The Treasurer-Tax Collector's Office is working through an RFP that will encompass the new work.

2. As noted, for offenders that are released into the community on a split sentence on mandatory supervision by the Probation Department, the Probation Department has been collecting since January 2016.

The current collection process relies upon the use of a shared manual system between Probation and the District Attorney's office to communicate the existence of valid court orders.

The offender is financially evaluated when released. If the offender can pay, then the Probation Department collects.

3. For offenders that are released into the community on PRCS, a system of transferring collection balances is being worked on between the Task Force and CDCR. CDCR currently discretionarily refers defendants released on PRCS to the California Franchise Tax Board (FTB) for collection through the use of tax intercept or a court ordered debt collection at the state level.

The county has authority to collect on this group of offenders, but is not doing so at this time because CDCR is referring collections to FTB.

Considerations

Ms. Bodin discussed the following issues that will require further discussions:

- Collection of fines:
 - Only direct victim restitution is authorized by the Board of Supervisors at this time. Fine collections could be added, but this would result in a higher level of administrative fees that would have to be used for the maintenance of the system.
- What to do with offenders who leave the system with unpaid balances:
 - They could be referred to FTB, but the FTB system is a passive system in that it relies upon detection of reported wages. FTB maintains an authority to collect for ten years.
 - Notification could be given to victims that there is no collection occurring by the county and then allow the victim to enforce civil remedies in local courts. This has great disadvantages for victims.
- Collection from misdemeanants:
 - A comprehensive and integrated system could potentially be expanded to include collection from misdemeanants. Proposition 47 has eroded the ability of victims of misdemeanants to benefit from county collection systems.

Ms. Bodin concluded that the Task Force has made a lot of progress, but some tasks may still take time to accomplish.

ACTION: For information only.

VII. OTHER MATTERS / PUBLIC COMMENT

Mark Delgado announced that the 13th Annual Los Angeles County Drug Court Conference is scheduled for Thursday, June 9, 2016, at The California Endowment.

A handout was distributed with information about topics that will be covered at this year's conference and a link to a registration form for those that are interested in attending.

In reviewing the agenda topics, Mr. Delgado noted that Supervisor Solis will provide opening remarks and that Judge Brandlin and Judge Gordon will provide an overview of the Superior Court's Community Collaborative Courts.

The Annual Drug Court Conference is a no-cost training event for drug court team members and other professionals that work with the county's substance abuse and co-occurring disorders treatment programs.

There were no public comments.

VIII. ADJOURNMENT

The meeting was adjourned at 1:10 p.m.