



BLUE RIBBON COMMISSION ON PUBLIC SAFETY

September 7, 2018

TO: Supervisor Sheila Kuehl, Chair
Supervisor Hilda L. Solis
Supervisor Mark Ridley-Thomas
Supervisor Janice Hahn
Supervisor Kathryn Barger

FROM: The Honorable Stephen G. Larson
Chair, Blue Ribbon Commission on Public Safety

Mark Delgado
Executive Director, CCJCC

SUBJECT: Blue Ribbon Commission on Public Safety – September 2018 Update (Item No. 2, Agenda of August 15, 2017)

On August 15, 2017, your Board approved a [joint motion](#) by Supervisor Kathryn Barger and Supervisor Janice Hahn to establish a Blue Ribbon Commission on Public Safety (Commission). The Commission was tasked with conducting a robust and in-depth analysis of department-specific strategies, challenges, and opportunities presented by Public Safety Realignment (AB 109), Proposition 47, and Proposition 57.

Your Board requested the Commission to provide quarterly progress reports to your Board. This report provides an update on the work of the Commission and its subcommittees during July and August 2018.

Subcommittee Updates

As discussed in previous reports, five ad hoc subcommittees were established by the Commission. They are tasked with analyzing specific topics and reporting back to the full Commission with findings and/or recommendations for consideration.

Ad Hoc Subcommittee on Violent Crimes Statutes

This subcommittee was established to conduct an analysis of violent crimes that may be considered for inclusion under California Constitution Section 32, Article 1, which relates to Proposition 57 parole eligibility.

- **Update:** The “Reducing Crime and Keeping California Safe Act” has qualified as an initiative that will be placed on the November 2020 statewide ballot. Among other changes, this initiative, if passed by voters, would augment the list of violent crimes that are excluded from parole consideration under Proposition 57.

Given that this initiative addresses the issue that this subcommittee had been formed to review, no recommendations have been put forth by the subcommittee for the Commission to consider.

Ad Hoc Subcommittee on Very High Risk AB 109 Supervised Persons and Ad Hoc Subcommittee on the Analysis of Misdemeanants Under Proposition 47

The first subcommittee is tasked with reviewing Post-Release Community Supervision (PRCS) cases with very high risk individuals, identifying supervision successes and challenges, and providing recommendations to improve treatment outcomes and enhance public safety. The second subcommittee is tasked with conducting an analysis of misdemeanants under Proposition 47 with the highest recidivism rates and providing recommendations to improve rehabilitative service impacts and accountability.

- Update: The County's Chief Information Office (CIO) and the Information Systems Advisory Board (ISAB) are currently working on data analysis efforts related to the subcommittees' subject populations. The analysis will inform the subcommittee's work by providing recidivism outcomes, as well as high-level trends on the populations' involvement and engagement with social services provided by the County.

Commission Actions and Recommendations to the Board

At its August 22nd meeting, the Commission approved four motions for submission to your Board. The motions were generated by the Ad Hoc Subcommittee on Model Programs and Best Practices and the Ad Hoc Subcommittee on Flash Incarceration and Revocation Policies.

Ad Hoc Subcommittee on Model Programs and Best Practices

This subcommittee is tasked with reviewing existing services and recommending model programs and best practices to achieve successful outcomes for justice-involved populations.

The subcommittee presented two recommendations, summarized as follows, that were approved by the Commission without objection for submission to your Board:

- Motion 1 – The Commission recommends that the County provide in-custody substance use disorder (SUD) treatment services at a level that meets the needs of the County jail population.
- Motion 2 – The Commission recommends that the County review various funding sources that support services for the justice-involved population and develop processes/practices to transition individuals from one to another based on status and eligibility, as needed, to support continuity of care.

The full motions approved by the Commission are provided in Attachment I and Attachment II.

Ad Hoc Subcommittee on Flash Incarceration and Revocation Policies

This subcommittee is tasked with reviewing and developing recommendations for policies related to the effective use of flash incarceration and revocation of individuals on PRCS pursuant to AB 109.

The subcommittee presented two recommendations, summarized as follows, that were approved by the Commission without objection for submission to your Board:

- Motion 3 – The Commission recommends that the County explore opportunities to implement a Custody Liaison Program in which Probation staff and other County/community partners conduct jail in-reach with individuals on Post-Release Community Supervision (PRCS) who are serving time in county jail in order to increase their engagement with their case plans and improve connections to services.
- Motion 4 – The Commission recommends that the County develop data collection protocols and metrics for evaluating outcomes relative to flash incarceration and revocation and the services and programs designed to help the PRCS population.

The full motions approved by the Commission are provided in Attachment III and Attachment IV.

Next Steps

In its two remaining meetings, the Commission will continue to review and discuss pertinent material with the aim of generating additional findings and recommendations for your Board.

Pursuant to the Board motion establishing the Blue Ribbon Commission, the Commission sunsets upon submission of its annual report to your Board. That report will be submitted to your Board in November following the Commission's final meeting on October 24th. The report will:

- provide an overview of all the meetings since the Commission's launch, including information reviewed by the Commission and subcommittees; and
- document all recommendations and motions considered and/or approved by the Commission (including the four motions discussed in this report).

If you have any questions or need additional information, please contact Mark Delgado, Executive Director of CCJCC, at (213) 974-8399 or via email at mdelgado@ccjcc.lacounty.gov.

Attachments

c: Board of Supervisors Executive Office
Chief Executive Office
County Counsel

Blue Ribbon Commission on Public Safety
Ad Hoc Subcommittee on Model Programs and Best Practices

In-Custody Substance Use Disorder (SUD) Treatment

Issue

At any given time, over 70% of the County jail population is estimated to be in need of substance use disorder (SUD) treatment services (approximately 12,000 inmates). While the County began delivery of in-custody SUD treatment services in 2017 and continues to identify expansion opportunities, the current capacity of 500 SUD treatment slots does not meet treatment needs in the county jail system. Expanding SUD treatment capacity would better meet the needs of the existing population already in the county jail system, and would also align with priority goals to reduce recidivism, advance public safety, and improve health outcomes.

Subcommittee Discussion/Analysis

In-custody mental health (MH) treatment is required by regulation, but SUD treatment is not. This has resulted in disparities in access to these services in the custody setting. Additionally, the MH and SUD systems are distinct Medi-Cal carve outs in California and thus are distinct systems of care. As a result, it cannot be assumed that because someone is receiving MH services that they are also receiving SUD services. There is a common misperception that providing MH treatment means that SUD treatment is also being provided, which is often not the case. As a result, there is a need to prioritize SUD treatment at parity with the focus on MH and physical health services in the criminal justice population.

The California Society of Addiction Medicine (CSAM) lists SUD treatment in an incarcerated setting as a general standard, including the use of medications for addiction treatment in in-custody settings. SUD treatment is also an essential benefit under the Affordable Care Act (ACA).

Motion

The Blue Ribbon Commission on Public Safety recommends that the County:

- 1) Provide in-custody SUD treatment services – including the delivery of medications for addiction treatment, counseling, and recovery support services – at a level consistent with federal parity requirements across the health system, so that equivalent efforts are made to link inmates with SUD treatment as with MH and physical health service in the correctional and post-release community treatment settings.
- 2) Develop policies and procedures to ensure that all inmates – including those on restricted status – receive all medically necessary and appropriate health care services related to addiction and related disorders as appropriate for their conditions, including withdrawal management, treatment of addiction related medical conditions, treatment of addiction that includes evidence based psychosocial treatments, a comprehensive range of medications for addiction treatment specifically including opioid agonist pharmacotherapies, and education related to harm reduction and abstinence. Individuals who receive maintenance opioid agonist medications for opioid use disorder in the

community should have access to these medications in corrections. Individuals at risk for opioid overdose should have access to naloxone upon release.

- 3) Work with the Department of Health Services – Correctional Health, the Sheriff’s Department, and other partner agencies to identify resources to scale up SUD treatment services to the level of need and facilitate successful re-entry into the community, including necessary custody space requirements and security staffing and linkages to community-based SUD treatment upon release.

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Blue Ribbon Commission on Public Safety
Ad Hoc Subcommittee on Model Programs and Best Practices

Coordination of Funding Sources

Issue

Individuals involved in the justice system present treatment/rehabilitative needs that may not be tied to their case status. It is important that services can be accessed at multiple access points, that county partners effectively leverage multiple funding streams, and that transition plans between programs/funding be considered to promote continuity of care.

Subcommittee Discussion/Analysis

Recent justice reform efforts and County actions have helped expand the local infrastructure for providing rehabilitative and support services to justice-involved individuals. However, funding streams to support that infrastructure – such as AB 109, Proposition 47, and SB 678 – can offer different focus areas. It is important that individuals in need of services be able to access them at multiple access points and with continuity.

As an example, in 2014, in recognition of the fact that a change in case status does not necessarily equate to a change in service needs, the Board approved a motion authorizing AB 109 funds to be used to provide services to individuals who were terminated from AB 109 supervision/custody in order to ensure needed services were not discontinued prematurely.

Along these lines, there is opportunity for the County to ensure that the County utilizes funds in an effective and efficient manner to provide services needed and to promote continuity of care, as appropriate.

Motion

The Blue Ribbon Commission on Public Safety recommends that the County:

- 1) Promote policies and plans that enable justice-involved individuals' treatment needs to be met, regardless of their case status.
- 2) Conduct a review of core funding sources supporting the delivery of treatment/rehabilitative services and applicable eligibility criteria.
- 3) Develop policies and procedures that promote a coordinated and seamless transition between services provided via different funding sources, as appropriate, so that the provision of needed services is uninterrupted by a case status change.

Blue Ribbon Commission on Public Safety
Ad Hoc Subcommittee on Flash Incarceration and Revocation Policies

Custody Liaison Program

Issue

A high number of Post-Release Supervised Persons (PSPs) face multiple returns to custody due to violations, and there are often challenges in engaging them in the treatment and rehabilitative services needed. One strategy to help engage individuals with their case plan is to enhance jail in-reach opportunities and connect with individuals while they are in custody through the development of a Custody Liaison Program.

Subcommittee Discussion/Analysis

Effective jail in-reach, including adequate assessment of needs, creation of service plans and connection to appropriate services, is best done by a multi-disciplinary team consisting of Probation, trained social work professionals, other justice partners, community based providers, and people who share lived experiences with AB 109 supervised people.

Jail in-reach for AB 109 supervised persons in county jail during their returns to custody could increase an individual's engagement with his/her case plan and connection to services. Such an approach could be achieved with a team meeting, assessing, and referring an individual to appropriate services in custody, and assisting as the supervised person transitions back into the community.

Custody liaisons would be co-located in jail facilities and would provide orientation, assessments, linkages to in-jail services, and linkages to services upon release in cooperation with the assigned Field DPO of Record. Custody liaisons could perform this function in conjunction with other partners, offering additional support to supervised individuals.

Currently, Probation already aims to connect with supervised persons on a limited scale at the Twin Tower's Community Reentry Resource Center (CRRC) when individuals are being released from jail. This proposed effort would supplement the existing CRRC program. This proposed effort would engage individuals prior to their release and ensure a warm hand off into the community.

The subcommittee recognizes that resources would be needed to implement this strategy. The County should look at existing programs that have experience in this type of work and consider expanding their capacity, such as drug treatment and mental health services in custody.

Motion

The Blue Ribbon Commission on Public Safety recommends that the County:

- 1) Explore opportunities to implement a Custody Liaison Program – with teams comprised of Probation staff and County/Community partners – that would conduct jail in-reach with supervised persons in custody in order to increase their engagement with their case plans and improve connections to services.

- 2) Develop a data collection plan and evaluation process to measure the efficacy of the Custody Liaison Program.
- 3) Identify resources needed and potential resource options to implement the Custody Liaison Program.

Blue Ribbon Commission on Public Safety
Ad Hoc Subcommittee on Flash Incarceration and Revocation Policies

Data Collection Protocols and Metrics Related to Flash Incarceration and Revocation

Issue

There is no data available to make an objective evaluation of the effectiveness of the Flash Incarceration and Revocation Policies.

Subcommittee Discussion/Analysis

Subcommittee members have requested data and asked if Probation or any other county department collects data or has otherwise studied outcomes of individuals on Post-Release Community Supervision (PRCS), including program outcomes and outcomes for those who have been flash incarcerated or had their probation revoked.

The subcommittee has learned that data on outcomes, success and failure, has not been collected or is otherwise not available.

The subcommittee is tasked with making recommendations about policy around Flash Incarcerations and Revocations, but cannot make an informed decision without information about the effectiveness of current policy. This information would help county policy-makers make better informed decisions about which programs are effective and which are not.

Data collected should include information about how often probation officers are requesting imposition of jail sentences through Flash Incarceration or Revocation and under what circumstances. It should include information about how much jail time probation officers are requesting.

This data must be gathered in such a way that it does not infringe on the privacy rights of probationers and should be available to the public.

Motion

The Blue Ribbon Commission on Public Safety recommends that the County:

- 1) Develop data collection protocols and metrics for evaluating outcomes relative to Flash Incarceration and Revocation and the services and programs designed to help the PRCS population.
- 2) Collect data concerning Flash Incarcerations and Revocations per the established protocol and that the data be reviewed by an independent entity not involved or associated with the implementation of AB109. This independent entity should receive input from the various county agencies involved in the implementation of AB 109, as well as community based organizations and formerly incarcerated people.
- 3) Prioritize services in the community that address the specific needs of supervised individuals based on the data collected.