

**LOS ANGELES COUNTY  
BLUE RIBBON COMMISSION ON PUBLIC SAFETY**

MINUTES OF THE **September 26, 2018** MEETING  
Hall of Justice  
Media Conference Room  
211 West Temple Street  
Los Angeles, California 90012

**COMMISSION MEMBERS PRESENT**

Chair: Judge Stephen Larson, Partner, Larson O'Brien  
Co-Chair: Troy Vaughn, Executive Director, Los Angeles Regional Reentry  
Partnership

Erika Anzoategui, Chief Deputy, Alternate Public Defender's Office  
Peter Bibring, Director of Police Practices/Senior Staff Attorney,  
ACLU of Southern California  
Jenny Brown, Acting Chief Deputy, Public Defender's Office  
Kellyjean Chun, Bureau Director – Prosecution Support Operations,  
District Attorney's Office  
Judge Peter Espinoza, Director, Office of Diversion and Reentry  
Judge Scott Gordon, Supervising Judge – Criminal Division,  
Los Angeles Superior Court  
Josh Green, Criminal Justice Program Manager, Urban Peace Institute  
Chief Bob Guthrie, President, Los Angeles County Police Chiefs Association  
Cherylynn Hoff, Human Services Administrator II, Los Angeles County Department of  
Workforce Development, Aging and Community Services  
Chief Stephen Johnson, Detective Division, L.A. County Sheriff's Department  
Jamie Kyle, Community Advocate, The Reverence Project  
Deputy Chief Sean Malinowski, Los Angeles Police Department  
Chief Probation Officer Terri McDonald, Los Angeles County Probation Department  
Brian Moriguchi, President, Professional Peace Officers Association (PPOA)  
Jose Osuna, Principal Consultant, Osuna Consulting  
John Raphling, Senior Researcher, Human Rights Watch  
Robert Sass, Vice President, Association for Los Angeles Deputy Sheriffs  
Dr. Christopher Thompson, Department of Mental Health

**\*Designated proxy**

**COMMISSION MEMBERS NOT PRESENT**

Hon. Michael Davitt, President, California Contract Cities Association  
Dr. Barbara Ferrer, Director, Department of Public Health  
Mark Holscher, Partner, Kirkland & Ellis  
Priscilla Ocen, Professor, Loyola Law School

Brendon Woods, President, California Public Defenders Association

**I. CALL TO ORDER/INTRODUCTIONS**

The meeting was called to order at 1:36 p.m. by Judge Stephen Larson, Chair of this Commission.

Self-introductions followed.

**II. APPROVAL OF THE MINUTES OF THE AUGUST 22, 2018 MEETING**

There were no requests for revisions to the minutes of the August 22, 2018 meeting. A motion was made to approve the minutes.

**ACTION: The motion to approve the minutes of the August 22, 2018 meeting was seconded and approved without objection.**

**III. ADMINISTRATIVE UPDATES**

Following today's meeting, there is one final meeting scheduled for this Commission on October 24, 2018. It is expected that the final report to the Board of Supervisors will be submitted by November 15, 2018.

Judge Larson stated that it is important for this Commission to have an opportunity to view the final report before submission. Therefore, he suggested that it may be necessary to schedule an additional meeting after October 24<sup>th</sup>, but prior to November 15<sup>th</sup>, if the final report is not complete by October 24<sup>th</sup>.

The final report will consist of two parts. The first part will provide background on the Commission and the information that was provided to members, including presentations, reports, and available data. The second part will consist of the recommendations to the Board that were approved by this Commission.

Judge Larson asked Mark Delgado, Executive Director of the Countywide Criminal Justice Coordination Committee (CCJCC), to provide additional information on the remaining schedule and activities.

Mr. Delgado suggested that, if an additional meeting is required after October 24<sup>th</sup>, it may be scheduled for the week of November 5<sup>th</sup>. As much of the report as possible will be made available for review by October 24<sup>th</sup>.

A list of the deliverables in the original Board motion was distributed to members in the agenda packet. In addition, a handout was distributed at this meeting that summarizes the status of each of the deliverables and the actions that have been taken, where applicable.

Mr. Delgado explained that the status report is not an official report, but is only intended to provide the members with an overview of where the Commission stands with respect to each of the deliverables.

**ACTION: For information only.**

#### **IV. UPDATES AND REPORT BACKS FROM AD HOC SUBCOMMITTEES AND RELATED ACTIONS**

Mr. Delgado reported that County's Chief Executive Office (CEO) and Chief Information Office (CIO) have provided assistance to the Ad Hoc Subcommittee on Very High Risk AB 109 Supervised Persons and the Ad Hoc Subcommittee on the Analysis of 100 Misdemeanants Under Proposition 47.

A data research project was conducted in support of the Commission and these two subcommittees. The CIO obtained records on very high risk AB 109 individuals on Post Release Community Supervision (PRCS) and Proposition 47 misdemeanants with the highest number of re-bookings. This information was then used to determine the extent to which individuals had contacts with social services provided by the County so as to identify trends and patterns regarding service utilization.

Max Stevens with the County CIO appeared before the Commission to provide a presentation on the details of this data research project and the resulting findings.

The presentation can be accessed at the following link:

[Patterns of Los Angeles County Health Services Use Among Specified AB 109 and Proposition 47 Populations](#)

#### **Background**

The two populations that were analyzed in the study were:

- 448 Very High Risk AB 109 Post-Release Supervised Persons (PSPs)

This is an anonymized list of PSPs assessed by the Probation Department as *Very High Risk* based on Levels of Services/Case Management Inventory (LS/CMI) risk and needs assessment.

This population had a release from state prison and a start of supervision in calendar year 2014.

- 81 of the Proposition 47 Misdemeanants with Most Re-Bookings

This is 81 of the Proposition 47 offenders identified by the Sheriff's Department (LASD) as sustaining the most re-bookings after an initial Proposition 47 arrest.

Mr. Stevens reviewed the process of obtaining the data and the data matching process. He also noted that there are “blind spots” resulting from data gaps. For example, data trends related to service contacts cannot account for periods of incarceration. The study does not have access to correctional health records or any service records related to services and treatment provided to persons while they are incarcerated.

The CIO also does not have exhaustive incarceration records. To the extent that individuals are taken into custody in non-Sheriff's Department facilities or are arrested and don't appear in the Sheriff's Department data, the CIO cannot connect the service use to the re-offense records.

As a result, service frequencies in the report are understated to an unknown degree.

### Very High Risk AB 109 Population

With respect to Very High Risk PSPs, the Probation Department shared an anonymized list of 628 PSPs assessed to be Very High Risk. The analysis of this population was limited to the 448 who had 2014 prison release dates. The 2014 index release date was selected to ensure that all those included in the analysis could be observed in their use of County health services for three years after release.

Overall, roughly three-fifths of the population had at least one encounter with one of the three health departments<sup>1</sup> recorded in the data available. The most commonly utilized department over the three-year observation period was DMH, with 34.4% of the population having at least one encounter.

Mr. Stevens noted that there was a steady annual decrease among the Very High Risk PSPs using DMH services, but it is unclear how much of the observed decline is a by-product of the blind spots in the report.

Slightly more than one-quarter of the Very High Risk PSP study population received services<sup>2</sup> through DHS over the three years after their index release. More than three quarters of the study population's DHS patients received Emergency treatment over the three years after they were released, and these patients averaged 3.8 Emergency episodes per person over their periods of observation.

When DMH outpatient services are included in the overall calculations, more than two-fifths of the Very High Risk PSP study population received mental health treatment through DMH and DHS combined over three years after their index release dates.

The study found that 17.4% of the population utilized DPH-SAPC services over the three-year period. However, it was noted that the third year is problematic in that only

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<sup>1</sup> Department of Mental Health (DMH), Department of Health Services (DHS), and Department of Public Health Substance Abuse Prevention and Control (DPH-SAPC).

<sup>2</sup> Outpatient, Emergency, Inpatient, Psychiatric Emergency, Psychiatric Inpatient, Psychiatric Overall.

data from the first seven months was available for the third year measurement. This was due to a change in the data system at DPH-SAPC.

The addition of DPH-SAPC services to the overall mental health total reveals that almost half (48.7%) received behavioral health treatment over the three years after release. Further, more than four-fifths of the health services users in the *Very High Risk* PSP study population received some form of behavioral health treatment over three years of observation.

### Proposition 47 Misdemeanants

The Sheriff's Department produced a file of 100 Proposition 47 misdemeanants with the most re-bookings after their initial Proposition 47 booking. After the file was shared with the CEO, data cleaning procedures reduced the file down to 81 persons. Tracking was for three years following the initial Proposition 47 booking date.

Roughly 57% of the Sheriff's Department misdemeanor file used County health services over three years of observation. Approximately the same proportion of the study population used DMH and DHS services (24.7% and 25.9%, respectively). A considerably smaller portion used DPH-SAPC services (7.4%).

One-quarter of the misdemeanor group received treatment through DMH over three years of observation. The bulk of the observed DMH service use is routine treatment provided on an outpatient basis.

Slightly more than one quarter of the misdemeanor group received treatment through DHS over three years of observation. Similar to what is observed with the AB 109 population, Emergency services are the most frequent episodes for this population. More than three-fifths of the DHS patients observed used Emergency services.

### Discussion

A discussion was had among members concerning the findings of the study.

Mr. Stevens explained that the three-year time periods for the 448 AB 109 Very High Risk individuals all began in 2014, although the exact dates varied depending upon the day of release.

Ms. Stevens noted that the County is in the process of upgrading the integrated data system, which will result in more information from departments and may reduce the impact of the blind spots, or gaps, noted in the study.

Chief Stephen Johnson stated that one of the challenges in studying the Proposition 47 population is that, given that they are misdemeanants, there is no supervision data that can be captured. The only available data is the arrest data from the Sheriff's Department.

## Motion

Los Angeles County Chief Probation Officer Terri McDonald discussed a recommendation that was made jointly by the Ad Hoc Subcommittee on Very High Risk AB 109 Supervised Persons and the Ad Hoc Subcommittee on the Analysis of 100 Misdemeanants Under Proposition 47.

Subcommittee members who were present at the joint subcommittee meeting were Chief McDonald (AB 109 and Proposition 47 subcommittees), Chief Johnson (AB 109 and Proposition 47 subcommittees), Brian Moriguchi (Proposition 47 subcommittee), and Robert Sass (Proposition 47 subcommittee).

No formal vote was taken by the subcommittee, but all members present were supportive of the recommendation and moving it forward as a motion for consideration by the full Commission. No objections were raised.

The recommendation can be accessed at the following link:

### [Motion 1: Research Strategy and Data Infrastructure](#)

This is a recommendation that the County prioritize the development of short-term and long-range criminal justice research strategies that identify key research questions and metrics needed to assess outcomes; and that the development of data infrastructure continue to be prioritized to enable justice, health, and other data to be connected in order to support such research.

Specifically, the recommendation reads as follows:

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

1. Prioritize the establishment of a research strategy, in conjunction with current efforts, that identifies the key research questions and metrics needed to assess outcomes of various criminal justice policies. This strategy should outline how existing data can be utilized to answer key questions and should inform new data collection and sharing needed to realize the research. This strategy should be revisited and updated as laws and policies change to ensure that the County has a plan to continually measure outcomes and has the data needed to do so.
2. Continue to prioritize the development of data infrastructure that enables justice data to be legally and responsibly connected to data from health and other domains so that the research strategy can be implemented.
3. Identify resources needed to carry out these actions, such as staff capacity needs and partnerships with criminal justice research entities needed to help develop the short-term and long-range research strategies that maximize the use of existing data and guide the deliberate enhancements to existing systems.

Mr. Green requested that the following additions be made:

In paragraph 1, the following language should be added to the end of the first sentence: "...and County practices to improve treatment outcomes, enhance public safety, and improve rehabilitative services as well as options for detention." The full sentence would then read:

1. Prioritize the establishment of a research strategy, in conjunction with current efforts, that identifies the key research questions and metrics needed to assess outcomes of various criminal justice policies and County practices to improve treatment outcomes, enhance public safety, and improve rehabilitative services as well as options for detention.

This would import language from the deliverables mentioned in the Board motion into the recommendation itself.

Kellyjean Chun advised that, with this change, the last sentence of paragraph 1 should also be changed to read:

This strategy should be revisited and updated as laws, ~~and~~ policies, **and practices** change to ensure that the County has a plan to continually measure outcomes and has the data needed to do so.

Mr. Green agreed with this suggested change. He then made a motion to amend the motion with the suggested changes to the first and last sentences to the first paragraph.

**ACTION: The motion to amend the motion as stated was seconded and approved without objection.**

Chief McDonald made a motion to approve this motion as amended.

**ACTION: The motion to approve this motion as amended was seconded and approved without objection. John Raphling abstained from this vote.**

**This recommendation to the Board of Supervisors will be included in the Commission's final report.**

**V. ITEMS NOT ON THE POSTED AGENDA TO BE PRESENTED OR PLACED ON THE AGENDA FOR ACTION AT A FUTURE MEETING**

The Agenda for the next meeting will provide for any comments that members wish to make about the list of deliverables and/or the summary of the status of each of the deliverables that were distributed to members.

In addition, a partial draft of the final report will also be made available.

Any final motions will also be presented at the meeting on October 24<sup>th</sup>.

**VI. PUBLIC COMMENT**

There were no public comments.

**VII. ADJOURNMENT**

The meeting was adjourned at 2:29 p.m.

The next meeting is scheduled for Wednesday, October 24, 2018, at 1:30 p.m.