

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

MINUTES OF THE **December 20, 2017** MEETING
Kenneth Hahn Hall of Administration
Room 140
500 West Temple Street
Los Angeles, California 90012

COMMISSION MEMBERS PRESENT

Erika Anzoategui, Division Chief, 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
Deputy Chief Justin Eisenberg, Los Angeles Police Department
Judge Peter Espinoza, Director, Office of Diversion and Reentry
Dr. Barbara Ferrer, Director, Department of Public Health
Judge Scott Gordon, Supervising Judge – Criminal Division,
Los Angeles Superior Court
Chief Bob Guthrie, President, Los Angeles County Police Chiefs Association
Mark Holscher, Partner, Kirkland & Ellis
Dr. Brian Hurley, Medical Director of Substance Use Related Care Integration,
Department of Mental Health
Chief Stephen Johnson, Custody Services Division, L.A. County Sheriff's Department
Judge Stephen Larson, Partner, Larson O'Brien (Commission Chair)
Chief Probation Officer Terri McDonald, Los Angeles County Probation Department
Brian Moriguchi, President, Professional Peace Officers Association (PPOA)
Priscilla Ocen, Professor, Loyola Law School
Jose Osuna, Principal Consultant, Osuna Consulting
John Raphling, Senior Researcher, Human Rights Watch
Robert Sass, Vice President, Association for Los Angeles Deputy Sheriffs
Troy Vaughn, Executive Director, Los Angeles Regional Reentry Partnership
(Commission Co-Chair)

COMMISSION MEMBERS NOT PRESENT

Hon. Michael Davitt, President, California Contract Cities Association
Josh Green, Criminal Justice Program Manager, Urban Peace Institute
Cherylynn Hoff, Human Services Administrator II, Los Angeles County Department of
Workforce Development, Aging and Community Services
Jamie Kyle, Community Advocate, The Reverence Project
Brendon Woods, President, California Public Defenders Association

I. CALL TO ORDER/INTRODUCTIONS

The meeting was called to order at 3:00 p.m. by Judge Stephen Larson, Chair of this Commission.

II. APPROVAL OF THE MINUTES OF THE DECEMBER 4, 2017 MEETING

The minutes of the December 4, 2017 Commission meeting were corrected to reflect Commissioner Jose Osuna's title, Principal Consultant, Osuna Consulting. A motion was made to approve the minutes as amended.

ACTION: The motion to approve the minutes of the December 4, 2017 meeting as amended was seconded and approved without objection.

III. REVIEW AND APPROVAL OF PROPOSED BYLAWS FOR THE BLUE RIBBON COMMISSION

Liliana Campos of the County Counsel's Office provided an overview of the proposed bylaws before the Commission for consideration.

Judge Larson opened discussion on the proposed bylaws concerning "Proxy/Commission Alternates" (20), "Quorum" (8, 9, & 10), and "Regular Meeting Time and Location" (5). An amendment was introduced to add a new section to the bylaws concerning "Commission Debate" (12), with language intended to help maintain decorum during Commission discussions.

The Commission discussed the feasibility of voting by proxy when a member cannot be present. Blaine McPhillips of the County Counsel's Office advised that the bylaws do not allow one member to cast a vote on behalf of another. Commission members would have the option to participate and vote in meetings via tele/video conference; however, members participating from outside of Los Angeles County would not count towards the meeting quorum. Tele/video conferencing are subject to Brown Act rules, including proper meeting notice and accessibility to the public at the remote location.

A discussion was had concerning the proposed bylaw on "Proxy/Commission Alternates." Liliana Campos of the County Counsel's Office advised that this bylaw does not limit agencies to one alternate for the term of the Commission; however, the name of the alternate must be submitted to the chair and staff prior to the regular member's absence.

Members next addressed the proposed bylaw on "Quorum to Vote." An amendment was proposed for a tiered system whereby routine business could be decided by the vote of the majority of members present. Findings and final recommendations of the commission would require a vote of the majority of the commission.

With regard to the proposed bylaw on “Regular Meeting Time and Location”, the members present selected the fourth (4th) Wednesday of each month at 1:30 p.m. as the best available time for the Commission’s regular meetings.

The Commission members also discussed the proposed bylaw on “Subcommittees.” Mr. McPhillips advised the Commission that, in regard to public transparency, any documentation generated by the Commission or ad-hoc subcommittee would become public record. Mark Delgado, Executive Director of the Countywide Criminal Justice Coordination Committee (CCJCC), offered to make staff available to the Commission to take minutes of subcommittee meetings, which could then be made available to the public. An amendment to the bylaw was proposed to include the phrase “To the extent possible, the Commission shall designate avenues for public participation in subcommittee meetings.”

A motion was made to adopt the proposed bylaws as amended during discussion.

ACTION: Following discussion, the Commission members present unanimously approved the motion to adopt the proposed bylaws with the following amendments:

- **Section 5 “Regular Meeting Time and Location” – The fourth (4th) Wednesday of each month at 1:30 p.m. was selected for the Commission’s regular meeting schedule.**
- **Section 9 “Quorum to Vote” – Section 9 shall be split into two parts to create a tiered voting system.**
 - **Findings and recommendations to the Board of Supervisors will require a majority of the entire commission.**
 - **All other votes will only require a majority of members present.**
- **Section 12 “Commission Debate” – Amending language was approved to be added to this section to help with maintaining decorum during Commission discussions.**
- **Section 21 “Subcommittees” – Amending language was approved to add the phrase “To the extent possible, the Commission shall designate avenues for public participation in subcommittee meetings.”**

IV. PLANNING DISCUSSION ON PROCESS FOR MEETING DELIVERABLES ESTABLISHED FOR THE BLUE RIBBON COMMISSION

The issue of establishing ad-hoc committees based on the categories of deliverables requested of the Commission was addressed. The Commission identified the need to establish ad-hoc committees for each of the deliverables 2, 4, 5, 6, as well as one ad-hoc committee on budgetary issues for 1, 8, and 9, for a total of five ad-hoc committees.

Judge Larson requested that all members communicate to the Executive Director as to the ad-hoc committees they have an interest in participating in. The Executive Director will confer with the Chair and Co-chair to finalize the composition of the ad-hoc committees to be shared at the next meeting. Liliana Campos of the County Counsel's Office advised that, due to Brown Act requirements, ad-hoc committees would not be able to meet until they are appointed at the next meeting.

ACTION: The commission members agreed to notify commission staff of their interest to participate in any of the five ad-hoc committees proposed. The Executive Director, Chair and Co-Chair will confer and present to the group recommendations for each ad-hoc committee at the January 24th Commission meeting.

V. INFORMATIONAL PRESENTATIONS ON COMMUNITY SUPERVISION, LAW ENFORCEMENT AND CUSTODY OPERATIONS

Chief Probation Officer Terri McDonald and Chief Deputy Reaver Bingham presented to the Commission on the Los Angeles County Probation Department's Community Supervision Operations. Presentation slides are available on the CCJCC website at the following [link](#).

Chief McDonald provided an overview of Public Safety Realignment – Governor Brown's response to a three-judge panel's order to address the issue of state prison overcrowding conditions.

Prior to Public Safety Realignment, among those sentenced with a felony of more than one year, most served time in state prison. Post-realignment, only those with a current or prior serious, violent, or sex offense, as defined in the penal code, serve their time in state prison.

Prior to realignment, 99% of offenders exited prison on parole supervision. Post realignment, those exiting custody on a current non-serious, non-violent, or non-sex offense, and who were not previously identified as a high-risk sex offender, are now supervised by Probation.

Prior to realignment, on any given day there were approximately 30,000 prisoners in state prison serving a revocation period, which averaged approximately 90 days. The Board of Parole hearings adjudicated the parole hearings, the parolee was not represented by lawyers, and the parolee could serve up to one year. The vast majority automatically got half time credit. Post realignment, the maximum time that is given is 6 months, which means they serve on average 90 days.

Prior to realignment, on any given day there were approximately 2,000 to 3,000 parole violators serving time in Los Angeles County jails. The Sheriff's Department was paid \$77.17 per day for everyone who served time on a revocation in the county jail. Post

realignment, AB 109 funds allocated to the Sheriff's Department are expected to cover costs associated with this population.

Chief Deputy Bingham provided a presentation on the County's response to Public Safety Realignment. The presentation included a review of the County's AB 109 budget history, staffing, training, and contracted services.

The presentation also included an implementation overview, a review of population trends (post-realignment and post-Propositions 47 and 57), and a review of intermediate sanction, flash incarceration, and revocation totals.

Lastly, the presentation reviewed recent voter-initiative reforms, including Proposition 47 and Proposition 57, efforts to enhance information sharing within the County and with the California Department of Corrections and Rehabilitation (CDCR), and plans for future enhancements for services.

Troy Vaughn, Executive Director, Los Angeles Regional Reentry Partnership and Commission Co-Chair, noted that the amount of money attributed to Health Right 360 seems to be low. Chief Deputy Bingham clarified that the \$13 million is only the contract for Health Right 360. Through the budget process, the Department of Mental Health (DMH) and the Department of Public Health's, Substance Abuse Prevention and Control (SAPC) program also receive money for the AB 109 population. Mr. Delgado advised that the CEO's office would be presenting on the budget process at a future meeting.

Los Angeles Police Department Deputy Chief Justin Eisenberg inquired about recidivism rates. Chief McDonald responded that the Public Policy Institute of California (PPIC) released a study recently that shows that recidivism rates in Los Angeles County are higher post-realignment than they were pre-realignment. Chief Deputy Bingham advised that the Probation Department is in the process of finalizing a contract for a study to look at recidivism from each of the entities involved in realignment.

Erika Anzoategui of the Alternate Public Defender's Office noted that the PPIC report found that people with no supervision in Los Angeles County had lower recidivism rates.

Los Angeles County Sheriff's Department Chief Stephen Johnson presented to the Commission on the Los Angeles County Sheriff's Department Law Enforcement and Custody Operations. Presentation slides are available on the CCJCC website at the following [link](#).

When AB109 was passed, it exacerbated an already overcrowded system in Los Angeles County. Since a court ruling in the 1980s, the Los Angeles County Sheriff was given specific authority to do percentage release due to the overcrowded jail system.

Captain Jeff Perry of the Sheriff's Department Community Partnerships Bureau discussed community efforts to provide access to resources in lieu of arrests. The

focus is on community policing strategies, including homeless encampment outreach services, the Law Enforcement Assisted Diversion (LEAD) program for pre-booking diversion, and Parole Compliance Teams to locate and apprehend Post Release Community Supervision (PRCS) absconders. Since its inception, the Parole Compliance Team has made approximately 5,000 arrests, 1,800 of which were absconders with active felony Probation warrants.

Lieutenant John Gannon discussed the Mental Evaluation Teams (MET), which partners a Deputy Sheriff with a mental health clinician or psychologist to respond to 911 calls to de-escalate individuals with mental illness in a time of crisis.

Chief Johnson discussed the Sheriff's Department efforts related to Proposition 47. Very few offenders are serving any time in county jail for Proposition 47 crimes due to overcrowding. Patrol stations are referring all Proposition 47 arrestees to the County 211 Information system for services and are offering services to the top ten repeat offenders who are high utilizers of County services.

Dr. Yael Hellman discussed the Sheriff's Inmate Services Bureau (ISB), which offers direct programming to inmates through fire camp, Education Based Incarceration (EBI), and religious and volunteer services. Fire camp prioritizes AB 109 inmates who are taught skills to support wilderness fire fighters. EBI coordinates all inmate academic, career technical, and life skills programming.

Karen Bernstein, Director for Care Transitions Unit for the Department of Health Services (DHS) Correctional Health Services, discussed reentry and release planning efforts, including the Homeless Initiative D2 - expanding jail in-reach, the women's integrated services program, Mentally Ill Offender Crime Reduction (MIOCR) for tri-morbid clients, and the whole person care reentry program. A release desk has been added in the jail for whole person care in coordination with the Sheriff's Department to ensure client enrollment on the way out.

Lieutenant Jill Deschamps discussed the Sheriff's Community Transition Unit (CTU), which focuses on transitioning inmates back into the community. Services include jail in-reach coordination, Affordable Care Act enrollment, vital records, Homeless General Relief, Alternative to Custody program, and the Community Re-entry and Resource Center.

Chief Johnson discussed Los Angeles County Sheriff's Department Part I Crime trends from 2011 through 2016. Topics for further conversation were outlined, including whether AB109, Proposition 47, and Proposition 57 have had any impact on crime, how to address the issue of repeatedly arrested Proposition 47 offenders, and whether the dramatic increase of inmates in need of Mental Health services is related to any of these measures.

Professor Priscilla Ocen of Loyola Law School inquired about how Los Angeles County's crime rate compares nationally. Chief Johnson responded that it is difficult to

compare ourselves nationally since there are no direct comparisons at our scale with similarly overcrowded systems.

Dr. Brian Hurley of the Department of Mental Health asked what the Sheriff's Department felt was the most urgent service gap for this population. Chief Johnson responded that services for the mentally ill are most needed.

Brian Moriguchi, President of the Professional Peace Officers Association (PPOA), inquired as to whether there are any measures to show the effectiveness of the Sheriff's Department programs that were discussed. Chief Johnson responded that re-arrest data is available and, in some cases, outcomes tied to a funding source.

ACTION: For information only.

VI. ESTABLISHMENT OF REGULAR MEETING SCHEDULE

Discussion on this item was taken up as part of agenda item three, "Review and Approval of Proposed Bylaws for the Blue Ribbon Commission."

ACTION: Following discussion, the Commission members present unanimously approved the motion to amend the proposed bylaws to establish the fourth (4th) Wednesday of each month at 1:30 p.m. for the Commission's regular meeting schedule.

VII. CONSIDERATION AND DISCUSSION OF INFORMATIONAL DOCUMENTS DISTRIBUTED TO THE COMMISSION

Mr. Delgado provided a brief description of the [PPIC study](#) that was distributed to members in advance of the meeting. PPIC has expressed that they are available to attend a future meeting to address any questions this Commission may have. Mr. Delgado also mentioned that the [definition of recidivism](#) generated by Los Angeles County was distributed per the Commission's request.

The Commission was asked to contact Mr. Delgado directly to schedule any other areas that they are interested in hearing about.

ACTION: For information only.

VIII. ADJOURNMENT

The meeting was adjourned at 5:11 p.m.

The next meeting is scheduled for Wednesday, January 24, 2018.