

**COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE
MINUTES OF THE FEBRUARY 19, 2014 MEETING**

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

MEMBERS AND ALTERNATES PRESENT

Chairman: Don Knabe, County Supervisor for the Fourth District and
Chairman of the County Board of Supervisors

Jackie Lacey, District Attorney and Vice Chair of CCJCC

*Reaver Bingham for Jerry Powers, County Chief Probation Officer

*Greg Blair for Sherri Carter, Superior Court Executive Officer

*Norma Bonales-Garibay for David Marin, Field Office Director, U.S. Immigration and
Customs Enforcement

Dan Bower, Chief, Southern Division, California Highway Patrol

Ronald Brown, County Public Defender

Paul Cooper, President, Los Angeles County Police Chiefs Association

Janice Fukai, County Alternate Public Defender

*Chuck Goldenberg for Mike Feuer, Los Angeles City Attorney

Eric Harden for Carlos Canino, Special Agent in Charge, U.S. Bureau of Alcohol,
Tobacco, Firearms and Explosives

Christa Hohmann, Directing Attorney, Post Conviction Assistance Center

Eve Irvine, President, South Bay Police Chiefs Association

*John Kades for Mark Fajardo, County Coroner – Medical Examiner

Georgia Mattera for William Fujioka, County Chief Executive Officer

*Holly McCravey for Jonathan Fielding, Director, County Department of Public Health

Terri McDonald for John Scott, Sheriff

Emilio Mendoza for Philip Browning, Director, County Department of Children and
Family Services

Don Meredith for Cyn Yamashiro, President, County Probation Commission

William Montgomery for James Jones, Director, County Internal Services Department

Michel Moore for Charlie Beck, Chief, Los Angeles Police Department

Fred Nazarbegian for Richard Sanchez, County Chief Information Officer

Charlaine Olmedo, Supervising Judge, Criminal, Superior Court

Earl Perkins for John Deasy, Superintendent, Los Angeles Unified School District

Ezekiel Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program

Robert Philibosian for Isaac Barcelona, Chair, County Economy and Efficiency
Commission

*Rolando Reyes for Eric Garcetti, Mayor, City of Los Angeles

*Joseph Santoro for Mario Guerra, Independent Cities Association

Marvin Southard, Director, County Department of Mental Health

Robin Toma, Executive Director, County Human Relations Commission

*Robin Toma for Cynthia Banks, Director, County Department of Community & Senior
Services

Jeffrey Tsai 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

Jeffrey Beard, Secretary, California Department of Corrections and Rehabilitation
Andre Birotte, U.S. Attorney
James Brandlin, Assistant Supervising Judge, Criminal, Superior Court
Daniel Calleros, President, Southeast Police Chiefs Association
Michelle Carey, Chief U.S. Probation Officer
Ling-Ling Chang, California League of Cities
Arturo Delgado, Superintendent, County Office of Education
Mitchell Englander, Los Angeles City Council, 12th District
Peter Espinoza, Judge, Los Angeles Superior Court
Sean Kennedy, Federal Public Defender
John Krattli, Acting County Counsel
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
Jeffrey Prang, California Contract Cities Association
Richard Propster, Peace Officers Association of Los Angeles County
Phillip Sanchez, President, San Gabriel Valley Police Chiefs Association
David Singer, United States Marshal
Mike Webb, County Prosecutors Association
David Wesley, Presiding Judge, Superior Court
Anthony Williams, Special Agent in Charge, U.S. Drug Enforcement Administration

I. CONVENE/INTRODUCTIONS

Don Knabe, County Supervisor, Fourth District

The meeting was called to order at 12:00 noon by Los Angeles County Supervisor Don Knabe, Chairman of CCJCC.

Self-introductions followed.

II. APPROVAL OF THE MINUTES

Don Knabe, County Supervisor, Fourth District

Mark Delgado, Executive Director of the Countywide Criminal Justice Coordination Committee (CCJCC), advised that the following corrections need to be made to the minutes from the meeting on January 15, 2014:

- On Page 1, under Members and Alternates Present, the minutes should state

that Chairman Don Knabe is the County Supervisor for the *Fourth District*.

- On Page 1, under Members and Alternates Present, the minutes should state that Paul Cooper is President of the Los Angeles County Police Chiefs Association.

There were no additional requests for revisions to the minutes of the January 15, 2014 meeting. A motion was made to approve the minutes as revised.

ACTION: The motion to approve the minutes of the January 15, 2014 meeting, as revised, was seconded and approved without objection.

Supervisor Knabe advised the committee that Los Angeles County District Attorney Jackie Lacey has agreed to serve as Vice Chair of CCJCC.

III. CRIMINAL JUSTICE MENTAL HEALTH TASK FORCE

Jackie Lacey, District Attorney

District Attorney Jackie Lacey addressed the committee on efforts to implement mental health diversion programs for suitable offenders.

The District Attorney's Office, along with other criminal justice agencies, is seeking innovative approaches for addressing the issue of mentally ill individuals in the criminal justice system. Mentally ill individuals may constitute 20% to 25% of the total criminal justice population.

A Criminal Justice Mental Health Task Force has been formed that includes the District Attorney's Office, Public Defender's Office, Alternate Public Defender's Office, Superior Court, Sheriff's Department, Los Angeles Police Department, Long Beach Police Department, and the Department of Mental Health. Representation from Health Services and Public Health will also be sought.

The task force will sponsor a summit in April to explore available options for linking mentally ill individuals in the criminal justice system with treatment services. Both pre-arrest and post-arrest diversion programs will be considered, along with training for law enforcement officers.

As an example, Ms. Lacey referenced a diversion program in Miami-Dade County that has been studied and may serve as a model for the type of diversion program that would be implemented in Los Angeles County.

The effective implementation of mental health diversion programs can help the individuals themselves, as well as provide assistance in addressing jail overcrowding.

Funding for the summit meeting will be sought from The California Endowment. Personnel from the GAINS Center will be asked to facilitate the discussions.

Recently, the task force was given a tour of the mental health ward of the County Jail. Ms. Lacey thanked Assistant Sheriff Terri McDonald for leading this tour.

Updates on the progress of the task force will be provided to CCJCC in the upcoming months.

ACTION: For information only.

IV. OFFICE OF THE ATTORNEY GENERAL

Jeff Tsai, Special Assistant, California Attorney General's Office

Juan Rodriguez, Special Assistant, California Attorney General's Office

Jeff Tsai, Special Assistant with the California Attorney General's Office, appeared before CCJCC to make a presentation on the California Department of Justice's new Division of Recidivism Reduction and Reentry.

The Division of Recidivism Reduction and Reentry was recently created to work with the state's counties, District Attorneys, and law enforcement agencies to curb recidivism by partnering on best practices and policy initiatives.

In particular, Mr. Tsai stated that the Division will be focusing on the following three key items:

1. Program Development – The Division will determine how best to provide assistance to each county in reducing recidivism. Different programs may be adopted in the various counties and jurisdictions, depending upon the local circumstances and needs.
2. Grants/Funding – The Division will work to identify sources of funding in the private and public sectors that can fund existing programs and the development of new programs that are intended to reduce recidivism. Potential funding will also be sought from non-profit organizations and foundations.
3. Evaluation – The Division will work with the counties to determine how to properly measure success in their efforts to reduce recidivism. This will entail determining both what kind of data is needed and how to evaluate the data. In furtherance of this, a statewide definition of recidivism will be developed and innovative technology will be used to facilitate more effective data analysis.

A questionnaire was recently sent to counties and jurisdictions throughout the state concerning each of their definitions of recidivism and the sets of data collected in support of the definition. Among the initial responses, 61% stated that they don't have any definition at all, and 48% stated that they don't have any definition and don't collect data in support of any definition of recidivism.

A full reporting on the survey results will be made available once additional responses are received and tallied.

Robert Philibosian of the Count Economy and Efficiency Commission inquired as to whether CCJCC's definition of recidivism, agreed to last year, was included in the survey responses. Mr. Delgado responded that it has been submitted, but receipt needs to be verified with the Division of Recidivism Reduction and Reentry. It was agreed that Mr. Delgado and Mr. Tsai will coordinate to ensure that the Division has received the CCJCC definition.

Dr. Marvin Southard, Director of the County Department of Mental Health (DMH), advised that a recent report indicated that access to physical healthcare upon release from incarceration may have a notable impact on recidivism. If valid, then providing released inmates with access to healthcare services, such as through the Affordable Care Act (ACA), may be another approach to reducing recidivism.

Assistant Sheriff McDonald thanked Mr. Tsai and the Office of the Attorney General for assisting the Sheriff's Department in its effort to develop a risk assessment tool. The state provided essential information for this endeavor.

Assistant Chief Michel Moore of the Los Angeles Police Department inquired as to how soon the risk assessment tool will be piloted. Assistant Sheriff McDonald stated that the next step will be to agree upon and sign a contract with U.C. Irvine to assist with the development and implementation.

Mr. Tsai stated that he looks forward to working with the criminal justice agencies of this county.

The following press release from the Office of the Attorney General, which was released on November 20, 2013, was distributed at this meeting:

<http://oag.ca.gov/news/press-releases/attorney-general-kamala-d-harris-launches-initiative-reduce-recidivism>

ACTION: For information only.

V. EMERGENCY RESPONSE TASK FORCE

Judge Charlaine Olmedo, Supervising Judge, Criminal Division
Los Angeles Superior Court

Judge Charlaine Olmedo, Supervising Judge of the Criminal Division for the Los Angeles Superior Court, appeared before CCJCC to make a presentation on the Court's emergency response planning and request a reconvening of the Emergency Response Task Force.

Given the strict statutory time frames that pertain to certain cases, the Superior Court is under immense pressure during emergencies to ensure that cases do not get dismissed and that defendants do not get released. Absent the declaration of a state of

emergency by the Governor or the Chief Justice of the California Supreme Court, the time constraints must be complied with. Further, the Court must order witnesses and out-of-custody defendants to return to Court so as to not lose jurisdiction over them. Proper instructions must also be given to individuals reporting for jury duty.

In terms of emergency preparation, last year the Superior Court participated in The Great California Shakeout, in which every courthouse participated, and the Court regularly conducts evacuation drills with its justice partners in each building. In addition, evacuation sleds have been purchased for the Clara Shortridge Foltz Criminal Justice Center (CSF). These allow injured or disabled people to be transported down the stairwells in the event of an emergency.

Emergencies that require the closure of a courthouse can happen more frequently than the general public may suspect. Aside from major emergencies such as earthquakes and building fires, relatively minor incidents such as water leaks, gas leaks, and power outages can also result in a specific courthouse being temporarily uninhabitable.

As an example, within the last six months, CSF lost water pressure throughout the building, which resulted in unsanitary conditions and required a closing of the building. Judicial officers and justice partners had to triage cases to determine which had to be heard that day. Judge Olmedo noted that she and another bench officer heard urgent cases in the cafeteria just before shutting down the building.

Another example occurred last week when the Airport Courthouse was closed due to a power outage that caused a gas leak. Because arraignments must be heard within 48 hours of the person's arrest, judicial officers had to triage cases and the Sheriff's Department had to reroute buses so that cases could be heard at another courthouse.

Judge Olmedo reported that there have been problems at the Antelope Valley Courthouse in the past due to snowy conditions making the roads impassable. The Court coordinates with the Sheriff's Department in these situations to ensure that in-custody defendants are taken to an available courthouse.

Sometimes a courthouse may need to be closed for several months, as happened to the San Fernando Courthouse due to the Northridge earthquake. This resulted in a District's worth of cases being relocated to another courthouse while refurbishing of the building was completed.

Judge Olmedo made a motion to reconvene an Emergency Response Task Force that will ensure business continuity and interagency communication among all criminal justice agencies when responding to emergencies resulting in courthouse closures. The task force will consider issues such as the transfer of cases, transportation of inmates, legal requirements, critical contacts, and avoidance of redundancies, among other related matters.

Members of the task force will include the Superior Court, District Attorney's Office, Public Defender's Office, Alternate Public Defender's Office, Los Angeles City Attorney's Office, Sheriff's Department, LAPD, Police Chiefs Association, and the Probation Department. It was also agreed that the County CEO's Office of Emergency Management and the County Internal Services Department will be represented on the task force. In addition, Dr. Southard offered to provide representation on the task force from his department for emergencies involving trauma that require a response from DMH.

ACTION: The motion to reconvene an Emergency Response Task Force was seconded and approved without objection.

VI. OTHER MATTERS/PUBLIC COMMENT

Jail Overcrowding

At the request of Supervisor Knabe, Assistant Sheriff McDonald provided an update on funding issues concerning the County Jail.

Assistant Sheriff McDonald stated that this county is seeking to replace the Men's Central Jail and reduce jail overcrowding. On any given day, the Sheriff's Department is short about 4,000 beds, which results in the early release of some inmates.

She noted that the Sheriff's Department would like to build a downtown mental health complex, which would likely be at least a billion dollar construction project.

There are two jail funding sources that have been referenced lately in the conversations pertaining to jail overcrowding. One is Assembly Bill 900 (AB 900), from which the county received \$100 million for a 1,600 bed women's facility in Mira Loma. The next step will be to hire an architectural engineer to design the facility. The Board of State Community Corrections (BSCC) sets timelines by which date certain phases in the process must be completed.

A second source of funding is Senate Bill 1022 (SB 1022). The county had applied for \$80 million to build a women's reentry center adjacent to the Mira Loma facility, but this was rejected.

In the Governor's budget proposal, he included an additional \$500 million in funding for SB 1022, but counties must utilize a pretrial risk tool in order to be eligible.

In May, the Governor will release a budget revision that may include changes or additional proposals. In the meantime, the County of Los Angeles is continuing to advocate for additional funds from the state for jail construction.

Assistant Sheriff McDonald requested that members of this committee assist, to the extent that their roles allow, in conveying to the state the need for funding parity. Currently, this county has about a third of the jail population of the state and about a fifth of the jail construction funding.

To assist with this effort, a two-page briefing document is being prepared with talking points. The primary argument for the county is that the funding should be tied to the overall impact on the jail population in the state.

Supervisor Knabe also asked that, when speaking with state representatives, members convey the county's request for parity in jail construction funding. He added that the briefing document will be helpful in communicating a consistent message from the county and that any assistance from the members on this matter would be greatly appreciated.

Assistant Sheriff McDonald stated that the county has taken on an additional 7,000 individuals as a result of AB 109 implementation. While the jail construction funding has been allotted based on competing proposals, the impact of AB 109 is strictly based on population. The result has been that the percentage of jail construction money coming to the county is disproportionately low in comparison to the percentage of the AB 109 population that the county is responsible for.

Public Comments

There were no public comments.

VII. ADJOURNMENT

The meeting was adjourned at 12:46 p.m.