

**COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE
MINUTES OF THE FEBRUARY 20, 2013 MEETING**

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 140
Los Angeles, California 90012

MEMBERS AND ALTERNATES PRESENT

Chairman: Mark Ridley-Thomas, County Supervisor for the Second District and
Chairman of the County Board of Supervisors

Dan Bower, Chief, Southern Division, California Highway Patrol
James Brandlin, Assistant Supervising Judge, Criminal, Superior Court
Ronald Brown, County Public Defender
*Dardy Chen for William Fujioka, County Chief Executive Officer
Susan Cichy for John Clarke, Superior Court Executive Officer
Jorge Cisneros, President, Southeast Police Chiefs Association
Paul Cooper for Jim McDonnell, President, Los Angeles County Police Chiefs
Association
Peter Espinoza, Judge, Superior Court
Robert Fager, President, South Bay Police Chiefs Association
Xiomara Flores-Holguin for Philip Browning, Director, County Department of Children
and Family Services
Janice Fukai, County Alternate Public Defender
*Craig Harvey for Lakshmanan Sathyavagiswaran, County Coroner – Medical Examiner
Christa Hohmann, Directing Attorney, Post Conviction Assistance Center
*Kevin McCarthy for Charles Beck, Chief, Los Angeles Police Department
*Jon McCaverty for John Krattli, Acting County Counsel
Edward McIntyre, Chair, County Quality & Productivity Commission
William Montgomery for Tom Tindall, Director, County Internal Services Department
Robert Philibosian for Isaac Barcelona, Chair, County Economy and Efficiency
Commission
Jerry Powers, County Chief Probation Officer
Jeffrey Prang, California Contract Cities Association
Cecil Rhambo for Lee Baca, Sheriff and Vice Chair of CCJCC
Timothy Robbins, Field Office Director, U.S. Immigration and Customs Enforcement
Devallis Rutledge for Jackie Lacey, District Attorney
Richard Sanchez, County Chief Information Officer
Joseph Santoro, Independent Cities Association
Annemarie Sauer for Miguel Santana, Los Angeles City Chief Administrative Officer
Peter Shutan for Don Meredith, President, County Probation Commission
*Peter Shutan for Carmen Trutanich, Los Angeles City Attorney
David Singer, United States Marshal
*Jimmy Singh for Jonathan Fielding, Director, County Department of Public Health
Jim Smith, President, San Gabriel Valley Police Chiefs Association
Cheri Thomas for John Deasy, Superintendent, Los Angeles Unified School District

Robin Toma, Executive Director, County Human Relations Commission

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

Lance Winters for Kamala Harris, California Attorney General

*Jacqueline Yu for Marvin Southard, Director, County Department of Mental Health

*Erin Zapata for Steven Bogdalek, Special Agent in Charge, U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives

***Not a designated alternate**

MEMBERS NOT PRESENT OR REPRESENTED

Bruce Barrows, California League of Cities

Jeffrey Beard, Secretary, California Department of Corrections and Rehabilitation

Andre Birotte, U.S. Attorney

Michelle Carey, Chief U.S. Probation Officer

Arturo Delgado, Superintendent, County Office of Education

Mitchell Englander, Los Angeles City Council, 12th District

Sean Kennedy, Federal Public Defender

Tim Landrum, Special Agent in Charge, U.S. Drug Enforcement Administration

Steve Martinez, Assistant Director in Charge, Los Angeles Division, Federal Bureau of Investigation

Michael Nash, Supervising Judge, Juvenile, Superior Court

Charlaine Olmedo, Supervising Judge, Criminal, Superior Court

Ezekiel Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program

Richard Propster, Peace Officers Association of Los Angeles County

Paul Tanaka, Undersheriff

Antonio Villaraigosa, Mayor, City of Los Angeles

Mike Webb, County Prosecutors Association

David Wesley, Presiding Judge, Superior Court

CCJCC STAFF

Mark Delgado, Executive Director

Cynthia Machen

Craig Marin

Michelle Pangborn

Ana Silva

Erika Williams

I. CONVENE/INTRODUCTIONS

Mark Ridley-Thomas, County Supervisor, Second District

The meeting was called to order at 12:00 noon by Los Angeles County Supervisor Mark Ridley-Thomas, Chairman of CCJCC.

Self-introductions followed.

II. APPROVAL OF THE MINUTES

Mark Ridley-Thomas, County Supervisor, Second District

There were no requests for revisions to the minutes of the January 16, 2013 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the January 16, 2013 meeting was seconded and approved without objection.

III. EXECUTIVE DIRECTOR'S REPORT

Mark Delgado, Executive Director, Countywide Criminal Justice Coordination Committee

Mark Delgado, Executive Director of the Countywide Criminal Justice Coordination Committee (CCJCC), provided the Executive Director's Report to the committee.

CDCR Grant for Women's Reentry Court Program

The Women's Reentry Court Program (WRC), which was initiated through this committee in 2007, provides rehabilitative services to female parolees in the county that have been charged with a new offense. In lieu of incarceration, eligible participants enter a treatment program where they receive comprehensive rehabilitative services.

The WRC has been operating with a variety of different funding sources, with the primary one being a grant from the California Department of Corrections and Rehabilitation (CDCR). The term of the current grant from CDCR will expire at the end of June 2013. CDCR has indicated an interest in renewing this grant for another two years, at \$500,000 per year, and CCJCC is in discussions with CDCR concerning the details of this renewal.

BJA Grant for Co-Occurring Disorders Offenders

A grant of \$600,000 from the Bureau of Justice Assistance (BJA) was recently awarded to CCJCC and approved by the Board of Supervisors. This is a two-year grant that will fund treatment services for 60 offenders with co-occurring disorders. Specifically, the participants will receive up to 45 days of services while in custody and up to a year of services following their release.

ACTION: For information only.

IV. CHAIRMAN'S REPORT

Mark Ridley-Thomas, County Supervisor, Second District

Supervisor Ridley-Thomas provided the Chairman's Report to the committee. The

Supervisor discussed the following five issues:

Court Collections and Uncollected Judgments

The Board of Supervisors is addressing the matter of uncollected payments owed to the Superior Court (i.e., traffic tickets, criminal fines, etc.). There is potentially a large amount of revenue (over \$1 billion) that remains uncollected. Even a small percentage of the uncollected revenue could impact issues such as Court restructuring and courthouse closures, which was discussed at the January CCJCC meeting.

It was noted that there are primary, secondary, and tertiary collections to be considered in addressing this matter.

Mentally Disordered Offenders

Under public safety realignment (AB 109), some Mentally Disordered Offenders (MDOs) have been released to this county on Post Release Community Supervision (PRCS) status. These individuals often require intensive supervision and great deal of resources devoted to their care. The county is seeking a legislative change that would prevent anyone that has ever been diagnosed as an MDO from being released to the county under PRCS status.

Supervisor Ridley-Thomas informed the committee that California State Assemblyman Chris Holden is carrying legislation that addresses this matter. The bill is numbered AB 1065, and it can be accessed at the following link: [AB 1065](#).

Definition of Recidivism

Supervisor Ridley-Thomas noted that the public safety cluster had a discussion this morning on the question of how to define recidivism. In order to effectively evaluate the success of programs to address recidivism, the county will need to agree upon an operating definition of what this entails. This has significant implications for analyzing data pertaining to AB 109.

This committee will be kept informed of the progress of efforts to arrive at a common meaning of recidivism.

Gun Violence Task Force

Last week, the county hosted the first meeting of the Gun Violence Task Force. Members of this committee may be called upon to offer their insight in addressing this issue.

The objective of the Task Force is to recommend strategies for reducing gun violence in the County of Los Angeles.

Season of Nonviolence

The Supervisor noted that the 64 day period from January 30th through April 4th has been acknowledged as a season of nonviolence. The beginning and end dates are significant in that they mark the assassination dates of Mahatma Gandhi and Dr. Martin Luther King, Jr., respectively. This is intended to be a time to teach and practice notions of peace and nonviolence in our respective communities. For more information, please visit the website at the following link: <http://www.seasonsfornonviolence.com/>.

ACTION: For information only.

V. PUBLIC SAFETY REALIGNMENT Jerry Powers, Chief Probation Officer

Chief Probation Officer Jerry Powers appeared before this committee to provide an update on public safety realignment in the county. Chief Powers serves as the chair of the Los Angeles County Public Safety Realignment Team (PSRT).

There are currently about 12,000 individuals that have been released to the county from state prison who would have previously been under the supervision of the state. When public safety realignment was first implemented in October 2011, the county was receiving about 1,000 offenders on Post Release Community Supervision (PRCS) each month. Since that time, the numbers have leveled off and the county is now receiving 500 to 600 individuals per month.

Of those individuals that have been under the Probation Department's supervision for a year or more, about one in every three (33%) are successfully completing their supervision term. This means that they were not returned to custody for a new charge, a flash incarceration, or a revocation.

The Probation Department is releasing about 300 individuals a month from supervision. In this county, all PRCS individuals must serve a full 12 months before they can complete the supervision period.

As the number of individuals in state prison that qualify to be released on PRCS declines, it is expected that the number of individuals supervised by the Probation Department will decline as well.

Prior to the implementation of AB 109, the Probation Department had expected that about half of the individuals released to local supervision would be high risk, about a quarter would be medium risk, and about a quarter would be low risk. However, the actual results have been about 50% to 60% high risk, 40% medium risk, and virtually no low risk.

Additionally, as reported under the Chairman's Report, the Probation Department has received Mentally Disordered Offenders (MODs) that place a tremendous strain on the

resources of the county in order to provide appropriate supervision. For example, some require immediate hospitalization upon release from prison, while others have such extreme mental health issues that they must be transported by Probation from the state prison.

About 60% to 70% of PRCS individuals have documented substance abuse issues, and between 20% to 30% require mental health services.

With respect to substance abuse, Chief Powers noted that about 10% of the individuals reporting to Probation at a hub are testing positive. In other words, these individuals are released from prison and must report to the hub within 72 hours. Within that time, they are using drugs and then reporting to Probation. Going forward, about 1 in 3 tests of individuals test positive for drugs.

Through December 1, 2012, Probation has applied about 7,200 sanctions. Sanctions may include revocation, flash incarceration, referral to a work program, referral to a treatment program, and/or placing the individual on GPS.

The severity of sanctions imposed has increased over time. As an example, in the first quarter of realignment implementation, the Probation Department imposed 60 flash incarcerations. In contrast, in October and November 2012, a total of 1,200 flash incarcerations were imposed.

One reason for this increase is that, as Probation uses progressive sanctions, lower level sanctions have already been utilized on many individuals. Those that have exhausted previous chances are at a stage where custodial sanctions are appropriate.

About 4,300 warrants¹ have been requested since the inception of realignment, and there are currently about 1,700 warrants for PRCS individuals. The Probation Department has requested the Court to revoke supervision on almost 1,400 people.

As with flash incarcerations, requests for revocations are increasing noticeably. There were 16 requests for revocation in the first quarter of 2012, whereas there were 627 revocation petitions in the two months of October and November 2012.

Chief Powers noted that there have been about 6,200 arrests of PRCS individuals since the inception of realignment, with some individuals being arrested numerous times. The District Attorney's Office has prosecuted approximately 1,400 of these arrests, with results ranging from no sentence to a new prison sentence.

The Probation Department is continuing its efforts to provide sufficient staffing and space to supervise 12,000 individuals. The department has been allotted an additional 270 positions for this fiscal year, which will bring to nearly 500 the total number of staff added to address the workload from realignment.

¹ Some individuals have had multiple warrants.

With respect to lessons learned as a result of realignment, Chief Powers reiterated that the department was surprised by the number of high risk and medium risk offenders that were released to county supervision. About 250 of the PRCS individuals are classified as ultra high risk, which research suggests are virtually certain to reoffend within the first year of release.

Over the course of realignment, the Probation Department has become more accustomed to the types of individuals that are received and, as a result, departmental personnel are better able to triage services and focus supervision efforts accordingly.

The Probation Department has co-located deputy probation officers with local law enforcement agencies to improve supervision efforts, particularly with the ultra high risk individuals.

The procedures for compliance checks have been improved and the PSRT Law Enforcement Task Force is developing common standards and goals so that all law enforcement agencies and countywide treatment providers will know what to expect.

In response to a question concerning caseloads, Chief Powers stated that the probation officers who supervise PRCS individuals are handling about 150 cases or more, depending upon the risk status. This number varies, as probation officers handling ultra high risk cases are handling 10 to 15 cases, while those working with lower risk individuals have higher caseloads.

Peter Shutan of the Los Angeles City Attorney's Office inquired as to whether the Probation Department will have increased responsibilities after July 1, 2013 due to the Court assuming responsibility for parole hearings. Chief Powers stated that it is unclear at this time how this might impact on the Probation Department. There may be more of an effect on prosecuting agencies.

Chief Powers responded to an inquiry about high risk individuals by noting that eligibility for PRCS takes account of whether the individual was last incarcerated for a non-violent, non-serious, non-sexual offense (N3). However, the actuarial risk instruments that are used to evaluate a person's likelihood of reoffending take account of the person's entire criminal history. An individual may be eligible for PRCS, but may nevertheless be at high risk to reoffend. This is likely a significant reason for why the Probation Department was initially surprised that the number of high and medium risk individuals was greater than anticipated.

ACTION: For information only.

VI. CITATION DIVERSION PROGRAM

Reaver Bingham, Deputy Chief, Probation Department

Reaver Bingham, Deputy Chief of the Los Angeles County Probation Department, appeared before CCJCC to make a presentation on the Probation Citation Diversion

program.

The Probation Department took over responsibility for the Informal Juvenile Traffic Court program around the middle of 2012. This program serves an expedited means for processing low-level juvenile offenses.

As a result, all citations for infractions and misdemeanors, which were formerly referred to the Informal Juvenile Traffic Court pursuant to Section 256 of the Welfare and Institutions Code (WIC), are referred to Juvenile Probation. Locations in each Supervisorial District have been developed to accommodate the family need.

From June 15, 2012 through December 31, 2012, a total of 27,196 citations have been received. Referrals can come from various sources, such as law enforcement agencies, schools, and the California Department of Fish and Game. The top six referring agencies are as follows:

LAPD	6,774
Sheriff's Department	5,466
MTA	4,734
Long Beach Police Department	2,358
LAUSD Police Department	886
Long Beach School Police Department	781

The top six referring offenses are as follows:

Fare evasion:	7,693 (42%)
Curfew violation:	4,975 (28%)
Possession of Tobacco:	2,415 (13%)
Fighting:	1,214 (7%)
Petty theft:	941 (5%)
Loitering:	942 (5%)

Other common offenses include trespassing and vandalism.

Of the 27,196 citations, 2,813 involved individuals on active probation and 543 involved juveniles with active Department of Children and Family Services (DCFS) cases (Welfare and Institutions Code Section 300). The remaining 23,840 involved individuals with no records.

There are a range of penalties that can be imposed, depending upon the severity of the offense. These include a letter of warning, community referrals, a fine, or suspension of the individual's driver's license or the inability to obtain a driver's license. In the case of the latter penalty, the case will go before a hearing officer appointed by the Superior Court.

Mr. Bingham noted that the Probation Department utilizes graduated responses in keeping with best practices regarding diversion.

A community referral may include a referral to any of the following: Teen Court; a police department diversion program; a school deputy probation officer; DCFS; the Department of Mental Health; a community-based organization; mediation; or restorative justice.

A juvenile with an active probation case will be referred to the deputy probation officer of record, who will in turn determine how the matter is to be handled by assessing the referral and the behavior of the minor.

If the minor is exhibiting positive behavior, the sanction may involve community service, the Probation Diversion program, referral to a community-based organization, referral to a day reporting center for a period of time (Van Nuys only at this time), or referral to a school based deputy probation officer for a school program, if appropriate.

If the minor is not performing appropriately on probation, and documentation supports the decision, the deputy probation officer may file a formal violation with the District Attorney's Office or the Superior Court.

A juvenile with an open DCFS case will be referred to the DCFS case manager and the central office will be notified of the citation. A copy of the citation is submitted to the case manager and diversion may be assigned via a community-based organization.

In response to a query from Cheri Thomas of the Los Angeles Unified School District (LAUSD), Mr. Bingham confirmed that there will be communication with the school districts when the juveniles are referred to the Probation Department. He stated that the Probation Department is committed to engaging with its community partners.

ACTION: For information only.

VII. DISPROPORTIONATE MINORITY CONTACT (DMC) REDUCTION SUBCOMMITTEE

Sharon Harada, Chief, Juvenile Field Services Bureau, Probation Department

Sharon Harada, Chief of the Juvenile Field Services Bureau of the County Probation Department, appeared before CCJCC to present an update on efforts to address Disproportionate Minority Contact (DMC).

Ms. Harada thanked Supervisor Ridley-Thomas and the Board of Supervisors for their leadership in this area. She also thanked Chief Powers for continuing to move the department forward on this matter, as well as Mark Delgado of CCJCC and other justice partners for continuing to work with the Probation Department to address this issue in the CCJCC subcommittee on DMC.

DMC refers to the overrepresentation of minority youth who come into contact with the juvenile justice system relative to their numbers in the general population. Contact refers to all stages of the juvenile justice system, from an initial encounter with law enforcement to all subsequent decision points.

As background, in 2006 the Probation Department applied for and received a grant from the California Board of State and Community Corrections (BSCC) (formerly known as the Corrections Standards Authority) entitled the Disproportionate Minority Contact Technical Assistance Project (DMC-TAP). The grant aimed at providing local jurisdictions with tools and resources needed for leadership in developing or strengthening DMC reduction activities. Los Angeles County was one of 13 counties in the state to receive this grant award.

Through a competitive process, the Probation Department hired the W. Haywood Burns Institute (BI) as an expert consultant to provide technical assistance, and the DMC initiative was launched in 2007.

Implementation of the DMC-TAP grant was divided into the following separate phases:

- Phase I – DMC Education and Data Infrastructure.
- Phase II – Building a Collaborative.
- Phase III – Developing and Implementing a DMC Reduction Plan.

To date, BI has provided comprehensive DMC training for probation officers and trainers for probation managers, completed analysis of local data, completed data capacity building, conducted community surveys, and assisted with the development and implementation of the DMC Reduction Plan.

The DMC Reduction Plan consisted of 13 recommendations that the DMC subcommittee is continuing work through.

The BI strategy for reducing disparities includes the following:

- Identify whether and to what extent disproportionality exists.
- Identify target populations.
- Dig deeper into target populations to learn more about policy/practice/procedure and other factors contributing to disproportionality.
- Strategize about policy and practice change to reduce detention utilization for target populations.
- Pilot and/or Adopt strategy.
- Monitor effectiveness of each strategy in reducing racial and ethnic disparities.
- Document changes in reducing disparities.

In following this strategy, the Probation Department conducted a pilot about two years ago that focused on bench warrants. Warrants were the most frequent reason for admission to detention in 2007, and judges agreed that most were warrants issued

when youth failed to appear in Court.

The pilot compared appearance rates and warrants issued for Call Notifications and Warrant Holds, and used a control Court for both the Eastlake and Los Padrinos Juvenile Courts for a three month period.

Call Notifications involved calling young people to remind them of their Court hearing. Warrant Holds attempted to address the issue by holding the warrant for a period of 2 to 10 days if a young person failed to attend a Court hearing. This would allow for the individual to be contacted and instructed to appear in Court.

The findings of the pilot showed that holding warrants and offering youth an opportunity to appear decreased the issuance of warrants and did not require the significant resources that Call Notification did. In contrast, Call Notifications did not show a significant increase in appearance rates.

As a result of this pilot project, BI recommended that the Warrant Hold policy be expanded throughout the Court, but did not recommend continuing Call Notifications.

Data on rates of admission to juvenile halls in 2007 and 2011 show that, while detention populations have decreased, African American youth were still 10 times more likely to be admitted into detention than white or Caucasian youth. African American youth also represented nearly 40% of those admitted, which is much higher than the percentage of African American youth in the general population.

Ms. Harada noted that the number of Latino youth admitted to juvenile halls is also high, but the numbers are not disproportionate when compared to the number of Latino youth in the general population.

Among the successes in addressing DMC in the county is a general commitment to using data, intra-agency collaboration, and a willingness to investigate identified problems.

Remaining challenges include inconsistencies in the database, defining relevant terminology, and departmental analysis is essential for sustainability.

The recommendations of BI going forward include:

- Modifications to the PCMS system (Probation's system for juvenile data).
- Establish Key Indicators to Review Regularly.
- Convene a deliberative body that will be responsible for key indicators on a regular basis.
 - Establish Regular Meetings.
 - Deliberate on Data and Identify Targets.
 - Establish Ad Hoc Work Group Committees for Target Populations.
- Continue Outreach with the Community.

- Community Report Out on Survey Results.

Cheri Thomas of the LAUSD inquired as to whether there are specific types of approaches or model programs that the DMC Subcommittee is looking at to address DMC in juvenile halls. Ms. Harada stated that they have looked at risk levels for detention. She noted that there are some criteria for which a minor must be detained, regardless of risk level. She also noted that the Probation Department has been working with LAUSD on the issue of DMC.

The full DMC Report can be found online at the following link: [DMC Report](#).

ACTION: For information only.

VIII. INFORMATION SYSTEMS ADVISORY BODY (ISAB)

John Ruegg, Director, Information Systems Advisory Body

John Ruegg, Director of the Information Systems Advisory Body (ISAB), appeared before CCJCC to present ISAB's Semi-Annual Report.

ISAB is a standing subcommittee under CCJCC. Its core mission is to facilitate the sharing of information across the criminal justice enterprise using standards-based protocols and technologies. Los Angeles County Sheriff Lee Baca serves as the Chair of ISAB.

Mr. Ruegg highlighted the following developments for this reporting period:

- The Sheriff's Department pilot for electronic delivery of Probable Cause Declarations (ePCD) to the Superior Court is in field testing and should be ready for deployment in March 2013. A commercial package was purchased and Sheriff's personnel can use this to enter Probable Cause Declarations that a bench officer needs to hold a subject for more than 48 hours in jail.

ISAB plans to integrate this with the County's Booking System so that the information automatically populates the Probable Cause document.

- Eighty-three percent (83%) of District Attorney law enforcement subpoenas are now being served electronically via the ISAB Proactive Information Exchange (PIX) software. Five additional law enforcement agencies and the County Coroner's office were added during this reporting period.
- A new electronic information exchange of AB 109 data from the Adult Probation System to the Treatment Provider Tracking System (TCPX) was implemented via PIX.
- A new electronic information exchange providing Booking and Release records from the Sheriff's Department Booking System (AJIS) to the Los Angeles City

Attorney Tracking System was implemented via PIX.

- The Sheriff's Department and ISAB have completed onboarding to the National Information Exchange Federation (NIEF). This provides a single sign-on to the FBI portal (LEO) and the local Countywide Criminal History Reporting System (CCHRS). The District Attorney's Office has completed testing of their Federated-Identity access to CCHRS, utilizing the Global Federated Identification and Privilege Management standards.

The goal of efforts such as this is to improve justice information sharing by providing law enforcement agencies with access to local, state, and federal criminal justice systems with just a single secure credential.

- A collaborative initiative to develop a Master Criminal Charge Table for shared use among ISAB agencies, the LAPD, and the California Department of Justice (DOJ), has been initiated. The County District Attorney's Office is the authoritative source for adding new/updated charges to the Master Charge Table. Thus far, 700 new bills for 2013 have been analyzed by the District Attorney's Office, and they are now updated in the local CJIS/ISAB charge table.
- The Justice Automated Information Management Statistics (JAIMS) project plan and budget estimates will likely be ready for release in March 2013. Pursuant to a CCJCC motion passed in 2012, this program will develop a persistent and continually updated repository of criminal justice records obtained from the Superior Court, local law enforcement agencies, the District Attorney's Office, the Probation Department, and other ancillary service providers. JAIMS will track the trends/impacts of AB 109, new three-strikes laws, jail overcrowding, courtroom closings, recidivism, and other programs impacting the criminal justice system in Los Angeles County.

The full ISAB semi-annual report can be found online at: [ISAB Semi Annual Report](#).

A motion was made to approve the ISAB semi-annual report for submission to the Board of Supervisors.

ACTION: The motion to approve the ISAB semi-annual report for submission to the Board of Supervisors was seconded and approved without objection.

IX. OTHER MATTERS/PUBLIC COMMENT

Nadine Hayes, private citizen, made a public comment.

X. ADJOURNMENT

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