

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

MINUTES OF THE June 27, 2018 MEETING

Kenneth Hahn Hall of Administration

Room 140

500 West Temple Street

Los Angeles, California 90012

COMMISSION MEMBERS PRESENT

Co-Chair: Troy Vaughn, Executive Director, Los Angeles Regional Reentry Partnership

*Alex-Handrah Aime for Cherylynn Hoff, Human Services Administrator II, Los Angeles County Department of Workforce Development, Aging and Community Services

Erika Anzoategui, Chief Deputy, Alternate Public Defender's Office

*Reaver Bingham for Chief Probation Officer Terri McDonald, Los Angeles County Probation Department

Kellyjean Chun, Bureau Director – Prosecution Support Operations, District Attorney's Office

*Carol Clem for Jenny Brown, Acting Chief Deputy, Public Defender's Office

Judge Peter Espinoza, Director, Office of Diversion and Reentry

*Jennifer Friedman for Brendon Woods, President, California Public Defenders Association

Judge Scott Gordon, Supervising Judge – Criminal Division, Los Angeles Superior Court

Josh Green, Criminal Justice Program Manager, Urban Peace Institute

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

Jamie Kyle, Community Advocate, The Reverence Project

Jose Osuna, Principal Consultant, Osuna Consulting

John Raphling, Senior Researcher, Human Rights Watch

Robert Sass, Vice President, Association for Los Angeles Deputy Sheriffs

*Andrea Welsing for Dr. Barbara Ferrer, Director, Department of Public Health

***Designated proxy**

COMMISSION MEMBERS NOT PRESENT

Peter Bibring, Director of Police Practices/Senior Staff Attorney, ACLU of Southern California

Hon. Michael Davitt, President, California Contract Cities Association

Deputy Chief Justin Eisenberg, Los Angeles Police Department

Chief Bob Guthrie, President, Los Angeles County Police Chiefs Association

Mark Holscher, Partner, Kirkland & Ellis
Judge Stephen Larson, Partner, Larson O'Brien
Brian Moriguchi, President, Professional Peace Officers Association (PPOA)
Priscilla Ocen, Professor, Loyola Law School

I. CALL TO ORDER/INTRODUCTIONS

The meeting was called to order at 1:40 p.m. by Troy Vaughn, Co-Chair of this Commission.

Self-introductions followed.

II. APPROVAL OF THE MINUTES OF THE MAY 23, 2018 MEETING

There were no requests for revisions to the minutes of the May 23, 2018 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the May 23, 2018 meeting was seconded and approved without objection.

III. PRESENTATION ON A RECENT REPORT BY THE PUBLIC POLICY INSTITUTE OF CALIFORNIA (PPIC): THE IMPACT OF PROPOSITION 47 ON CRIME AND RECIDIVISM

Mia Bird, PhD, a Research Fellow with the Public Policy Institute of California (PPIC), appeared before the Commission to make a presentation on a June 2018 PPIC report entitled, "The Impact of Proposition 47 on Crime and Recidivism".

Dr. Bird's presentation to this Blue Ribbon Commission can be accessed at the following link:

[Impacts of Realignment and Proposition 47: Statewide and in Los Angeles County](#)

In addition, the June 2018 PPIC report and a December 2017 PPIC report entitled "Realignment and Recidivism in California", which was also referenced in Dr. Bird's presentation, can be found at these links:

[The Impact of Proposition 47 on Crime and Recidivism](#)

[Realignment and Recidivism in California](#)

The Bureau of State and Community Corrections (BSCC) and the PPIC developed a multi-county study (MCS) in 2013 that collects criminal justice related data from 12 counties that represent the geographic, economic, and demographic diversity of California. Los Angeles County is one of the counties in the MCS.

The goal of this project is threefold:

1. Assess the effects of state policy reforms, including realignment and Proposition 47, on correctional populations and recidivism;
2. Identify the most effective programs, services, and sanctions at the local level; and
3. Assist counties with using their data for evaluation, resource allocation decisions, and program improvement.

MCS research-to-date includes a series of reports on changes in jail and probation populations, as well as the two reports on the impacts of state-level reforms on recidivism and crime (i.e., “The Impact of Proposition 47 on Crime and Recidivism” and “Realignment and Recidivism in California”).

Ms. Bird discussed the methodologies that were used in the December 2017 report on realignment and the June 2018 report on Proposition 47.

The December 2017 study on realignment found that PRCS offenders had higher recidivism rates compared with those released pre-realignment.

P.C. 1170(h) offenders in Los Angeles County had higher recidivism rates than those released pre-realignment. However, this was not the case with respect to the statewide data, where there was little change with rearrests and a decline in reconvictions.

The June 2018 study on Proposition 47 found that rearrests declined in the MCS counties after the passage of Proposition 47, driven primarily by reductions in arrests for drug offenses. The same was also true in Los Angeles County.

Reconvictions also declined in the MCS counties, driven by reductions in reconvictions for Proposition 47 offenses. The same was again found in Los Angeles County as well.

Ms. Bird noted that California’s property and violent crime rates are at historic lows that have not been seen since the late 1960’s. The violent crime rate in California did go up by 13% between 2014 and 2016, but part of the increase in violent crime over this period is due to changes in the offenses included in this category and in the reporting of certain violent crimes.

When compared to similar states, California has had lower violent crime rates following Proposition 47. However, it has had higher property crime rates than those of comparison states during this period. This is driven by higher rates of larceny thefts, which includes thefts from motor vehicles.

Thefts from motor vehicles appear to have played a notable role in a 9% overall increase in property crimes.

In summary, the findings from the June 2018 Proposition 47 report include the following:

- There is no evidence that violent crime increased as a result of Proposition 47.
- There is evidence that Proposition 47 may have affected property crime. Specifically, it may have contributed to a rise in larceny thefts, particularly thefts from motor vehicles.
- Recidivism rates decreased, although it is not clear whether this relates to the reform's effects on reoffending or its effects on the practices of criminal justice agencies.

The MCS team is working with partner counties to update jail and probation population data and improve data capturing program and service interventions. Data dashboards are also being created that are interactive and make data more accessible.

ACTION: For information only.

IV. UPDATES AND REPORT BACKS FROM AD HOC SUBCOMMITTEES AND RELATED ACTION(S)

Ad Hoc Subcommittee on Violent Crimes Statutes

This subcommittee is reviewing documents and presentations concerning Proposition 57 and the list of charges that are excludable from consideration under this law.

A meeting was held this week and it was agreed that the subcommittee will consider process issues, such as the amount of time given for victim notification, and determine if there are any recommendations that may be made.

Josh Green reported that there is no recommendation at this time to change anything with respect to Proposition 57. The subcommittee will be seeking additional information from the District Attorney's Office concerning the procedures for notifying victims of possible early releases from prison.

The subcommittee will also seek information from the District Attorney's Office on the tracking of Proposition 57 releases and outcomes.

Ad Hoc Subcommittee on Very High Risk AB 109 Supervised Persons & Ad Hoc Subcommittee on the Analysis of 100 Misdemeanants Under Proposition 47

These two subcommittees are being addressed together with regard to obtaining the data that is needed.

Mr. Delgado reported that the County Chief Executive Office and County Chief Information Office are assisting with efforts to obtain the information needed for the two subcommittees.

Cross comparisons will be conducted with various departments to determine what engagement the individuals in these two populations have had with the services that are available.

The subcommittee is hoping to have information back to the full Commission by the time of the August meeting.

Ad Hoc Subcommittee on Model Programs and Best Practices

Mr. Delgado noted that some of the work being done in this subcommittee may be useful with other subcommittees. A listing of existing services as well as gaps and challenges in the county has been compiled from a survey of departments. This survey also gathered information on suggested notable programs from other jurisdictions.

This subcommittee will meet again in early July to discuss ways in which existing gaps in services can potentially be addressed with model programs.

Ad Hoc Subcommittee on Flash Incarceration and Revocation Policies

This subcommittee recently considered two motions to refer recommendations to the full Blue Ribbon Commission for consideration. Jose Osuna presented on the actions of this subcommittee.

Custody Liaison Program

The first motion is a recommendation that this county explore opportunities to implement a Custody Liaison Program, with teams comprised of Probation staff, social workers, systems navigators and/or other partners, to conduct jail in-reach with supervised persons in jail in order to increase their engagement with their case plans and improve connections to services.

This is intended to assist Post-Release Supervised Persons that face multiple returns to custody due to violations by engaging them with treatment and rehabilitative services while they are in-custody.

The full recommendation can be found at this link:

[Custody Liaison Program](#)

This motion was approved by the subcommittee by a vote of 6 to 2.

Information Sharing Between CDCR and Probation

The second motion is an effort to address the third deliverable referenced in the [Board Motion of August 15, 2017](#) that established this Commission. This deliverable pertains

to enhancing the exchange of information shared between CDCR and the Probation Department.

Specifically, the subcommittee considered a motion to recommend that the county advocate for and work with state partners on strategies and efforts through which information on supervision history, compliance and non-compliance during supervision, completion of programs, risks and needs determinations, case plans, and any other relevant information can be shared between CDCR and Probation.

The full recommendation can be found at this link:

[Information Sharing Between CDCR and Probation](#)

This motion had a split vote by the subcommittee of 4 in favor and 4 opposed.

Consideration of Custody Liaison Program

As the Custody Liaison Program received majority support from the subcommittee, it was taken up for consideration by the full Commission.

A concern was expressed about the use of Probation officers, or any law enforcement, as custody liaisons with the inmates. A counter to the recommendation of using Probation officers is that the custody liaison position should be a function of those with a different training and orientation.

Mr. Vaughn made a motion to recommend this proposal to the Board of Supervisors. This motion was seconded by Reaver Bingham.

The vote on this motion was as follows:

Commission Member	Vote	Commission Member	Vote
*Alex-Handrah Aime	Abstain	Dr. Brian Hurley	Yes
Erika Anzoategui	Yes	Chief Stephen Johnson	Yes
*Reaver Bingham	Yes	Jamie Kyle	Yes
Kellyjean Chun	Yes	Jose Osuna	Yes
*Carol Clem	No	John Raphling	No
Judge Peter Espinoza	Yes	Robert Sass	Yes
*Jennifer Friedman	No	Troy Vaughn	Yes
Josh Green	Yes	*Andrea Welsing	Abstain

*Designated proxy

The vote total was 11 Yes, 3 No, and 2 Abstain. As 13 “Yes” votes were required to pass this motion, this recommendation failed.

ACTION: The motion to recommend the proposed Custody Liaison Program to the Board of Supervisors was not approved.

Mr. Vaughn made a motion for this matter be referred back to the Ad Hoc Subcommittee on Flash Incarceration and Revocation Policies for further discussion and consideration.

ACTION: The motion to refer the Custody Liaison Program recommendation back to the Ad Hoc Subcommittee on Flash Incarceration and Revocation Policies for further discussion and consideration was seconded and approved without objection.

Consideration of Information Sharing Between CDCR and Probation

The recommendation on Information Sharing Between CDCR and Probation did not receive majority support from the subcommittee, but a discussion on this recommendation was still had, with members of the subcommittee discussing the issues that were considered with this proposal. For example, a concern was expressed that it is not clear what information would be shared and if it would prejudice the way in which an individual is supervised.

Erika Anzoategui made a motion to send this issue back to the Ad Hoc Subcommittee on Flash Incarceration and Revocation Policies for further discussion and consideration.

ACTION: The motion to refer the Information Sharing Between CDCR and Probation recommendation back to the Ad Hoc Subcommittee on Flash Incarceration and Revocation Policies for further discussion and consideration was seconded and approved without objection.

V. MOTION TO CANCEL THE BLUE RIBBON COMMISSION ON PUBLIC SAFETY MEETING SCHEDULED FOR JULY 25, 2018

At the May 23, 2018 meeting of this Commission, a proposal was made concerning the possibility of cancelling the scheduled meeting on July 25, 2018. This was so that subcommittees would have more time to work before the next meeting of the full Commission and bring back recommendations for consideration.

The Commission members agreed to have this matter placed on the Agenda for today’s meeting on June 27, 2018 so that the Commissioners can vote on this.

A discussion was had about whether to cancel the July 25, 2018 meeting.

Kellyjean Chun made a motion to cancel the July 25, 2018 meeting. However, this motion was not seconded and therefore not approved.

ACTION: The motion to cancel the July 25, 2018 meeting of the Blue Ribbon Commission on Public Safety was not seconded and not approved.

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

Mr. Green inquired about accessing a confidential report on the shooting of a Whittier Police Officer. Blaine McPhillips of the County Counsel's Office stated that this Commission is not entitled to view this report and that a discussion about the legal analysis of this would be inappropriate in a public forum.

Mr. McPhillips stated that a confidential legal analysis of why the report cannot be released to the Commission could be provided to Commission members, but that this confidential legal analysis could not be publicly discussed.

Mr. Green made a request for this confidential legal analysis.

ACTION: Commission members will be provided a confidential legal analysis as to why the confidential report on the shooting of a Whittier Police Officer cannot be released to them. The confidential legal analysis cannot be discussed in a public forum.

VII. PUBLIC COMMENT

There were no public comments.

VIII. ADJOURNMENT

The meeting was adjourned at 3:38 p.m.

The next meeting is scheduled for Wednesday, July 25, 2018, at 1:30 p.m.