

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

MINUTES OF THE MARCH 3, 2010 MEETING

Kenneth Hahn Hall of Administration

500 West Temple Street, Room 739

Los Angeles, California 90012

MEMBERS PRESENT

Chair: Gloria Molina, County Supervisor for the First District and
Chair of the County Board of Supervisors

Peter Espinoza, Supervising Judge, Superior Court
Janice Fukai, County Alternate Public Defender
Lois Gaston, California Contract Cities Association
Anthony Hernandez, Director, County Department of Coroner
Gabriella Holt, County Probation Commission
Michael Judge, County Public Defender
Richard Kirschner, Judge, Superior Court
Al Leiga, Chair, County Quality & Productivity Commission
Richard Propster, Peace Officers Association of Los Angeles County
Calvin Remington, County Chief Probation Officer
Lakshmanan Sathyavagiswaran, County Coroner – Medical Examiner
Michael Tynan, Judge, Superior Court

ALTERNATES

*Richard Barrantes for Lee Baca, Sheriff and Vice Chair of CCJCC
Elvira Castillo for Cynthia Banks, Director, County Department of Community & Senior
Services
*Dardy Chen for William Fujioka, County Chief Executive Officer
Susan Cichy for John Clarke, Superior Court Executive Officer
Kathleen Daly for Marvin Southard, Director, County Department of Mental Health
Xiomara Flores-Holguin for Trish Ploehn, Director, County Department of Children and
Family Services
Pamela Hamanaka for Edmund Brown, California Attorney General
William Montgomery for Tom Tindall, Director, County Internal Services Department
Michel Moore for Charles Beck, Chief, Los Angeles Police Department
Steven Olivas for Antonio Villaraigosa, Mayor, City of Los Angeles
Earl Perkins for Ramon Cortines, Superintendent, Los Angeles Unified School District
Robert Philibosian for Isaac Barcelona, Chair, County Economy and Efficiency
Commission
Ray Regalado for Robin Toma, Executive Director, County Human Relations
Commission
Devallis Rutledge for Steve Cooley, District Attorney
*Earl Thomas for Carmen Trutanich, Los Angeles City Attorney
Gordon Trask for Andrea Ordin, County Counsel
John Viernes for Jonathan Fielding, Director, County Public Health Department

***Not a designated alternate**

MEMBERS NOT PRESENT OR REPRESENTED

Mark Arnold, Judge, Superior Court

Andre Birotte, U.S. Attorney

Michelle Carey, Chief U.S. Probation Officer

Gigi Gordon, Directing Attorney, Post Conviction Assistance Center

Lili Hadsell, President, San Gabriel Valley Police Chiefs Association

Salvador Hernandez, Assistant Director in Charge, Los Angeles Division, Federal
Bureau of Investigation

Sean Kennedy, Federal Public Defender

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

Steve Lieberman, Acting Chief, County Office of Public Safety

Charles McCoy, Presiding Judge, Superior Court

Michael Nash, Supervising Judge, Juvenile Court

Ezekiel Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program

Scott Pickwith, President, Los Angeles County Police Chiefs Association

Darline Robles, Superintendent, County Office of Education

Richard Sanchez, County Chief Information Officer

Miguel Santana, Los Angeles City Chief Administrative Officer

Stephanie Sautner, Judge, Superior Court

Greg Savelli, President, South Bay Police Chiefs Association

Patricia Schnegg, Assistant Supervising Judge of Criminal, Superior Court

Greig Smith, Los Angeles City Council, 12th District

Thomas Sonoff, President, Southeast Police Chiefs Association

Warren Stanley, Southern Division Commander, California Highway Patrol

Dennis Tafoya, County Affirmative Action Compliance Officer

Adam Torres, United States Marshal

John Torres, Special Agent-in-Charge, U.S. Bureau of Alcohol, Tobacco, Firearms and
Explosives

Frank Venti, President, Independent Cities Association

Larry Waldie, Undersheriff

Mitch Ward, League of California Cities, Los Angeles County Division

Mike Webb, County Prosecutors Association

CCJCC STAFF

Mark Delgado, Executive Director

Kenna Ackley

Cynthia Machen

Craig Marin

GUESTS/OTHERS

Felix Basadre, Information Systems Advisory Body

Joseph Charney, Third District, County Board of Supervisors

Rick DeMartino, LAPD

Rudy Diaz, Judge, Superior Court

Roger Granbo, County Counsel's Office
Judith Gamboa, Department of Children and Family Services
Judy Gerhardt, Sheriff's Department
Noble Kennamer, Information Systems Advisory Body
Nicholas Martinez, Guest
Kevin McCarthy, LAPD
Todd Rogers, Sheriff's Department
Joanne Rotstein, Public Defender's Office
John Ruegg, Information Systems Advisory Body
Vicky Santana, First District, County Board of Supervisors
Harvey Sherman, Public Defender's Office
Peter Shutan, Los Angeles City Attorney's Office and County Probation Commission
Karen Tamis, Vera Institute of Justice
Cheri Thomas, LAUSD
Jaclyn Tilley Hill, County Quality and Productivity Commission

I. CONVENE/INTRODUCTIONS

Gloria Molina, County Supervisor, First District

The meeting was called to order at 12:00 noon by Los Angeles County Supervisor Gloria Molina, Chair of CCJCC.

Self-introductions followed.

II. APPROVAL OF THE MINUTES

Gloria Molina, County Supervisor, First District

There were no requests for revisions to the minutes of the February 3, 2010 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the February 3, 2010 meeting was seconded and approved without objection.

III. DRUG COURT OVERSIGHT SUBCOMMITTEE

Judge Rudy Diaz, Chair, Drug Court Oversight Subcommittee

Judge Rudy Diaz, Chair of the Drug Oversight Subcommittee, appeared before CCJCC to provide a summary of the Los Angeles County Bi-Annual Drug Court Report for Fiscal Years 2007-2008 and 2008-2009.

Los Angeles County Drug Court programs divert non-violent drug offenders with chronic substance abuse disorders out of the local jail and state prison systems and into treatment.

Drug courts employ a non-adversarial, collaborative approach and foster collaboration among the judicial officer, prosecution, defense, probation, law enforcement, and treatment providers.

The first drug court program in the county was begun in 1994. Today, there are twelve traditional adult drug courts, two juvenile drug courts, and four specialized court programs based on the drug court model.

In Fiscal Years 2007-08 and 2008-09, 874 and 754 new participants entered Los Angeles County Adult Drug Court programs, respectively. Combined with continuing participants, over 3,300 individuals received substance abuse treatment and services over the two-year period, and almost 700 people graduated from drug courts. Over the last six fiscal years, over 4,800 new participants entered drug court programs and approximately 2,300 have graduated.

Judge Diaz noted that there has been a consistent downward trend in the number of drug court referrals and new participants over the course of the last six fiscal years. For example, there was a 32% reduction from Fiscal Year 2005-2006 to Fiscal Year 2006-2007. Fiscal Years 2007-2008 and 2008-2009 also saw a decrease in new participant enrollment.

One reason for these reductions is that Proposition 36, which mandates probation and treatment for eligible substance abuse offenders in lieu of incarceration, continues to draw drug court eligible offenders away from the program.

In addition, funding reductions for drug court programs from federal and state sources have decreased program capacity. In 2002, the number of drug court treatment slots peaked at 1,400. By 2008 and 2009, the total number of budgeted drug court slots available for participants had dropped to about 800.

Data indicate that drug court graduates have a five-year recidivism rate of approximately 30%. This means that over 70% of those that successfully complete the program remain conviction-free in the five years following their graduation. These percentages have been relatively consistent since the beginning of drug court programs in this county, are comparable to rates for drug courts nationwide, and reflect the effectiveness of the drug court model. These rates are also significantly lower than recidivism rates for similar offenders who do not participate in a drug court program.

The four specialized collaborative courts in the county are relatively small but are serving as pilot programs that may be expanded based on evaluations of their effectiveness.

The Co-Occurring Disorders Court (CODC), launched in 2007, provides intensive wraparound services to offenders who suffer from both a mental illness and substance abuse disorder. CODC is funded by Los Angeles County's Homeless Prevention Initiative and Proposition 63 Full Service Partnerships.

In October 2008, a grant from the federal Substance Abuse and Mental Health Services Administration (SAMHSA) was secured to enhance the CODC program. The grant provides funding for three months of residential treatment services at the Antelope Valley Rehabilitation Center in Acton.

CODC can accommodate up to 54 clients and targets the downtown/Skid Row population. Statistics thus far indicate that participants have had an 85% drop in days in jail, a 79% drop in the number of arrests, a 95% drop in the number of days homeless, and a 32% increase in psychological functioning at 12 months of treatment.

The Juvenile Dependency Drug Court targets primary caretaker parents whose children were under the juvenile dependency court jurisdiction and whose substance abuse appeared to be a significant impediment to family reunification.

The Sentenced Offender Drug Court (SODC) began in 1998 and is an intensive program for convicted, non-violent felony offenders who face state prison commitments. All SODC participants spend a mandatory 90 days in a jail-based treatment module followed by residential and outpatient treatment.

SODC serves up to 100 participants and is almost always at full capacity.

The Women's Reentry Court, which began in May 2007, targets women parolees and probationers who are charged with a new offense and are facing a state prison sentence. In lieu of incarceration, participants are enrolled in an intensive six-month residential program followed by up to 12 months of out-patient treatment.

The program offers mental health, substance abuse, employment assistance, and trauma-related counseling services. It also assists those women who are mothers to reunite with their children.

The Superior Court, in partnership with CCJCC, recently submitted a grant to the California Emergency Management Agency to enhance the Women's Reentry Court. The enhancements would include more intensive mental health services, job development, and placement support. Grant awards will be made in mid to late April of this year.

Judge Diaz noted that Judge Michael Tynan serves as the judge of CODC, SODC, and the Women's Reentry Court.

Supervisor Molina recalled that a previous report on the drug court programs found that a disproportionate number of women were having difficulty completing the programs. She inquired as to whether this is still the case.

While gender statistics on drug court program completions were not readily available, Michael Judge, County Public Defender, did note that women in the Women's Reentry Court program have had a high rate of success. Of the 130 women that have enrolled,

only 13 have failed to complete the program. Normally, a 70% plus recidivism rate would be expected from the population that is eligible to enroll.

A motion was made to approve the Drug Court Report for submission to the County Board of Supervisors.

ACTION: The motion to approve the Drug Court Report for submission to the County Board of Supervisors was seconded and approved without objection.

A motion was made to recommend that the County Board of Supervisors proclaim May “Drug Court Month” in Los Angeles County to coincide with national Drug Court Month.

ACTION: The motion to recommend that the County Board of Supervisors proclaim May “Drug Court Month” in Los Angeles County was seconded and approved without objection.

IV. SUBCOMMITTEE ON PAROLE AND PRISON REFORM

Commander Todd Rogers, Sheriff’s Department

Commander Todd Rogers of the Sheriff’s Department appeared before CCJCC to provide an update on the Subcommittee on Parole and Prison Reform. This subcommittee was created by CCJCC in February of this year to address the impact of parole and prison reforms on this county.

The subcommittee met for the first time on February 16, 2010. The participating agencies include the Alternate Public Defender’s Office, County Chief Executive Office, District Attorney’s Office, Department of Mental Health, Los Angeles City Attorney’s Office, LAPD, California Department of Corrections and Rehabilitation, County Police Chiefs Association, Probation Department, Public Defender’s Office, Department of Public Health’s Substance Abuse Prevention and Control, Sheriff’s Department, and Superior Court. The subcommittee members agreed that Chief Cecil Rhambo and Chief Alex Yim of the Sheriff’s Department would serve as co-chairs.

The subcommittee will serve as a clearinghouse for information on state prison and parole reforms, identify and address implementation issues that they present, coordinate response planning, assist with the tracking of local resources that are expended, support legislative efforts of the county and other jurisdictions, and assist with monthly reports to the County Board of Supervisors on the impact of the reforms.

The subcommittee has created a Frequently Asked Question (FAQ) sheet on prison and parole reforms. This specifically addresses Non-Revocable Parole (NRP) and Enhanced Credits. The FAQ sheet will be updated on an ongoing basis as new issues or responses emerge.

With respect to NRP, the Sheriff's Department has developed an Education Based Parolee Management Plan. Strategies include making contact with returning parolees at Parole and Community Team (PACT) meetings and at their individual residences; sharing verified parolee information among law enforcement via the Community Based Information System; providing parolees with resource referrals for community-based rehabilitative services; conducting periodic parole searches and compliance checks; and directing parolees for mental health intervention, as needed.

Upon release, each parolee will be contacted at his/her place of residence and provided a pamphlet with station-specific information about local community-based resources. Parolee information will be maintained in a specifically created database, updated in the Parole LEADS database, and shared via the Community Based Information System (CBIS).

The Sheriff's Department is negotiating with the California Department of Corrections and Rehabilitation (CDCR) to provide pre-release re-entry training to inmates that will be released into this county. The inmates would receive interactive life skills training and referrals to community-based organizations which may be able to assist in their reintegration into society. This would be available to both NRP and standard parolees. A pilot project at the Lancaster prison may be implemented in the near future.

Quarterly seminars will be hosted by each Sheriff's station (or in partnership with neighboring stations) for area parolees, with a special emphasis on those considered to be high risk offenders and/or at greater risk for recidivism. At these "How Can I Stay Out of Prison?" interactive seminars, positive life skills will be reinforced and a case management approach will be used to guide parolees into local community based resources depending on their specific needs, including mental health intervention.

Other law enforcement agencies are planning responses on a jurisdiction-by-jurisdiction basis. The Sheriff's Department is collaborating with the LAPD and the Police Chiefs Association to share this plan and explore partnerships in working with the parolee population.

The subcommittee is also addressing how parolee information will be communicated by CDCR to local social service agencies for transition planning purposes. CDCR is continuing to work with the Department of Mental Health and other agencies on this issue.

The subcommittee will be meeting on a monthly basis to ensure that there is multi-agency collaboration on the parole and prison reforms. In addition to addressing current reforms, the subcommittee will also address any additional reform proposals that may be considered at the state level.

Robert Philibosian of the County Economy and Efficiency Commission inquired as to how local budget difficulties may affect the plans to address state parole and prison reforms. He also inquired as to whether the Sheriff's Department has considered

utilizing the services of retired Sheriff's Department personnel on a volunteer basis.

Commander Rogers stated that local efforts will likely be relying on existing resources. With respect to seeking assistance from retired Sheriff's Department personnel, he agreed that this is an idea that should be pursued further.

Lois Gaston of the California Contract Cities Association stated that it may be helpful to involve communities and community-based organizations in the efforts to address the reforms. Many community organizations have resources that can be accessed by parolees.

Commander Rogers agreed that a link to community organizations is an important part of the planning efforts and noted that the Sheriff's Department will take a case management approach that will access existing programs.

Ray Regalado of the County Human Relations Commission suggested that local efforts to address parole and prison reforms should coordinate with the countywide gang strategy that is being implemented by the County CEO's Office.

Commander Rogers stated that many of the same individuals from the Sheriff's Department that are involved in addressing the parole and prison reforms are also working on the demonstration site projects within the countywide gang strategy.

Supervisor Molina emphasized that coordination will be important in addressing the parole and prison reforms on a local level. She encouraged agency and departmental participation in the subcommittee and advised that the subcommittee collect data on the impact of these reforms so that the State Legislature can be informed.

ACTION: For information only.

V. PITCHESS MOTIONS GO GREEN

Chief Richard Barrantes, Sheriff's Department

Chief Richard Barrantes of the Sheriff's Department appeared before CCJCC to present an update on the Pitchess Motions Go Green project.

A Pitchess motion is a request made by a defendant for access to information in the personnel file of an arresting law enforcement officer. A copy of the petition is provided to the law enforcement agency, District Attorney's Office, County Counsel's Office, Civil Service Commission, and the Superior Court, and then a hearing is held to determine what information is released.

The electronic Pitchess Motion Project (ePitchess) is a collaboration of efforts between the Sheriff's Department, County Counsel, and the Public Defender's Office. The process is more efficient in that it saves time and resources and provides better accountability and tracking for both departments.

The County Quality and Productivity Commission (QPC) provided \$75,000 for the purchase of several scanners and a server, which allows for the electronic service of Pitchess motions by defense counsel to the Sheriff's Department.

Chief Barrantes introduced Lieutenant Judy Gerhardt of the Sheriff's Department and Harvey Sherman of the Public Defender's Office to provide additional information about this project.

Lieutenant Gerhardt stated that the number of Pitchess Motions had been steadily increasing in recent years (the number tripled in six years and the Sheriff's Department was receiving about 150 motions per month). This created storage problems in keeping hard copies of these motions on file. In addition, the Public Defender's Office had to send investigators to hand deliver two copies of every Motion (about 100 pieces of paper) to the Sheriff's Department in Commerce.

Lieutenant Gerhardt and Harvey Sherman of the Public Defender's Office recognized that developing a process to serve and accept Pitchess motions electronically would be mutually beneficial.

The new process allows the Public Defender's Office to create the motion, convert it to an "image" document, and transmit it to a secure location within the Sheriff's Data Network. A cover sheet was created which provides the Sheriff's Department with the necessary information to process the motion internally; the motion is then forwarded electronically to the County Counsel. This eliminates the need for personal service and paper copies of the motion being given to the Sheriff's Department. An "Acceptance of Service" is returned to the Public Defender's Office for their records.

The project was first piloted in 2009 at the Compton courthouse and then expanded following the funding from QPC that provided for scanners at various Public Defender's offices throughout the county. It was noted that these scanners serve as printers, copies, and fax machines as well. The server (electronic storage unit) that was purchased with the funding is used by the Sheriff's Department to safely maintain the records.

Six locations are now using ePitchess and it is expected that seven more will be utilizing this process by this April.

The Alternate Public Defender's Office has expressed an interest in participating in ePitchess and recently conducted a successful test of the system. Janice Fukai, County Alternate Public Defender, noted that her office sees this project as an opportunity for tremendous savings in staff time, particularly given how common Pitchess motions have become.

Harvey Sherman observed that the Public Defender's Office had to make six copies of the motion prior to ePitchess. For 2010, it is projected that there will be about 500 Pitchess motions coming from the Public Defender's Office. This would total 105,000

pages of paper under the old system, but under ePitchess this total is reduced by 35,000.

In addition, driving to Commerce to serve these motions from the 14 locations that will be utilizing ePitchess would total 40,965 miles for the year and 873 hours of investigator time.

The Public Defender's Office is hoping to expand the program so that Pitchess motions can be electronically filed with the District Attorney's Office and the Civil Service Commission. This would significantly increase the savings in paper, mileage, and investigator hours. Expanding this program to other law enforcement agencies in the county is also being considered.

Mr. Sherman observed that the Electronic Document Management System (EDMS) allows the Public Defender's Office to scan closed files and eliminate the need for storing large amounts of paper. Copies of Pitchess motions can similarly be stored in this manner.

A hard copy of the Pitchess motion is still filed with the Court. Judge Peter Espinoza, Supervising Judge of Criminal, said that the Court does not currently have the capacity to accept online filings, but it is a future goal.

Supervisor Molina congratulated those involved with this project for the savings in time, money, and resources that have resulted from this effort.

ACTION: For information only.

VI. OTHER MATTERS/PUBLIC COMMENT

There were no additional matters or public comments.

VII. ADJOURN

There being no further business, the meeting was adjourned at 12:55 p.m.

The next CCJCC meeting will be held on **Wednesday, April 7, 2010, at 11:30 a.m. in Room 739 of the Kenneth Hahn Hall of Administration.**