

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

MINUTES OF THE OCTOBER 5, 2011 MEETING

Kenneth Hahn Hall of Administration

500 West Temple Street, Room 739

Los Angeles, California 90012

MEMBERS AND ALTERNATES PRESENT

Chair: Michael Antonovich, Mayor, County of Los Angeles

Lee Baca, Sheriff and Vice Chair of CCJCC

Donald Blevins, County Chief Probation Officer

Dan Bower for Steve Beeuwsaert, Chief, Southern Division, California Highway Patrol

Ronald Brown, County Public Defender

Betty Chu, Director, Independent Cities Association

Susan Cichy for John Clarke, Superior Court Executive Officer

Xiomara Flores-Holguin for Philip Browning, Director, County Department of Children and Family Services

Janice Fukai, Alternate Public Defender

Lois Gaston, California Contract Cities Association

*Jon Goldberg for Tim Landrum, Special Agent in Charge, U.S. Drug Enforcement Administration

Eric Harden (represented) for John Torres, Special Agent-in-Charge, U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives

Anthony Hernandez, Director, County Department of Coroner

Christa Hohmann for Gigi Gordon, Directing Attorney, Post Conviction Assistance Center

Tim Jackman, President, Los Angeles County Police Chiefs Association

Joe Leonardi, President, South Bay Police Chiefs Association

George Lomeli, Assistant Supervising Judge, Criminal, Superior Court

George Lomeli for Patricia Schnegg, Supervising Judge, Criminal, Superior Court

Don Meredith, President, County Probation Commission

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

Andrea Ordin, County Counsel

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

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

Timothy Robbins, Field Office Director, U.S. Immigration and Customs Enforcement

Devallis Rutledge for Steve Cooley, District Attorney

Lakshmanan Sathyavagiswaran, County Coroner – Medical Examiner

*James Sokalski for William Fujioka, County Chief Executive Officer

Marvin Southard, Director, County Department of Mental Health

William Sullivan, Chair, County Quality & Productivity Commission

Robin Toma, Executive Director, County Human Relations Commission

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

Carmen Trutanich, Los Angeles City Attorney

John Viernes for Jonathan Fielding, Director, County Department of Public Health

***Not a designated alternate**

MEMBERS NOT PRESENT OR REPRESENTED

Andre Birotte, U.S. Attorney

Michelle Carey, Chief U.S. Probation Officer

Matthew Cate, Secretary, California Department of Corrections and Rehabilitation

Jorge Cisneros, President, Southeast Police Chiefs Association

Paul Cooper, President, San Gabriel Valley Police Chiefs Association

Arturo Delgado, Superintendent, County Office of Education

Lee Smalley Edmon, Presiding Judge, Superior Court

Mitchell Englander, Los Angeles City Council, 12th District

Kamala Harris, California Attorney General

Sean Kennedy, Federal Public Defender

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

Michael Nash, Supervising Judge, Juvenile, Superior Court

Charlaine Olmedo, Supervising Judge, North Valley - San Fernando, Superior Court

Ezekiel Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program

Richard Propster, Peace Officers Association of Los Angeles County

Richard Sanchez, County Chief Information Officer

Miguel Santana, Los Angeles City Chief Administrative Officer

David Singer, United States Marshal

Paul Tanaka, Undersheriff

Mike Webb, County Prosecutors Association

David Wesley, Assistant Presiding Judge, Superior Court

CCJCC STAFF

Mark Delgado, Executive Director

Cynthia Machen

Craig Marin

GUESTS/OTHERS

Reaver Bingham, Probation Department

Fred Brown, Los Angeles City Attorney's Office

Joseph Charney, Third District, County Board of Supervisors

Kathleen Daly, Department of Mental Health

Roger Mora, Los Angeles Police Department

Anna Pembedjian, Fifth District, County Board of Supervisors

John Ruegg, Information Systems Advisory Body

Gary Schram, Los Angeles City Attorney's Office
Peter Shutan, Los Angeles City Attorney's Office and Probation Commission
Cheri Thomas, Los Angeles Unified School District
Vicky Santana, First District, County Board of Supervisors

I. CONVENE/INTRODUCTIONS

Mayor Michael Antonovich, County Supervisor, Fifth District

The meeting was called to order at 12:15 p.m. by Mayor Michael Antonovich, Chair of CCJCC.

Self-introductions followed.

II. APPROVAL OF THE MINUTES

Mayor Michael Antonovich, County Supervisor, Fifth District

There were no requests for revisions to the minutes of the September 7, 2011 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the September 7, 2011 meeting was seconded and approved without objection.

III. PUBLIC SAFETY REALIGNMENT IMPLEMENTATION

Don Blevins, Chief Probation Officer

Chief Probation Officer Donald Blevins appeared before CCJCC to provide an update on public safety realignment implementation.

Statewide public safety realignment took effect on October 1, 2011 and individuals on Postrelease Community Supervision (PCS) have begun arriving at the designated hubs in the county.

The Probation Department has received over 1,900 pre-release packets from the California Department of Corrections and Rehabilitation (CDCR). Among the problems that have been found include the following:

- Some packets were sent to incorrect previous county of last legal residence designation;
- Some packets were sent with ineligible committing offenses;
- Some packets are missing the 1515 forms (conditions under which the individual will be supervised);
- Some 1515 forms did not have a signature;
- In some packets, check lists had items checked off that were not in the packet;
- Some packets were missing the police report;
- Some packets were missing mental health comments or did not contain specific supporting information on what the mental health issues were;

- Some packets contained conflicting mental health notations; and
- Some packets had incomplete addresses, telephone numbers, and/or contact information.

The Probation Department has been working with CDCR to correct these errors. CDCR has provided a 24 hour hotline that can be contacted by the Probation Department.

Chief Blevins reported that 32 individuals reported to hubs on Monday, October 3rd, and 30 reported to hubs on Tuesday, October 4th. Of these 62 individuals, 21 were referred to the Department of Mental Health (DMH) and 59 were referred to the Department of Public Social Services (DPSS).

Most of the 62 individuals have drug-related offenses with prior drug offenses in their background. About 10% of the individuals have prior serious violent criminal histories, a small percentage (1%) have prior sexual offenses, and a very small percentage have restraining and protective orders. In addition, about 10% of the individuals had been convicted on property theft cases and approximately 30% are documented gang members.

The five designated hubs in the county are located at the Probation Department offices in Rio Hondo, Pomona, Lynwood, East San Fernando Valley, and the Day Reporting Center (DRC) in South Los Angeles. Each hub is staffed with personnel from the Probation Department, DMH, and DPSS.

The assessment at the hubs by the Probation Department takes about one hour, the assessment by DMH takes about 45 minutes, and the assessment by DPSS takes about 30 minutes.

Chief Blevins noted that CDCR release dates can change suddenly (due to early release credits) and the Probation Department does not always receive advance notice. In one case, a homeless individual with severe mental health issues was brought to DRC by CDCR without proper notification. Additionally, six individuals arrived at a hub without the Probation Department having received pre-release packets for these individuals.

Another issue that has arisen is the need for inter-county transfer policies. Several individuals have mistakenly been sent to Los Angeles County when they should have been sent to a neighboring county. Some counties are accepting the transfer of these cases, but other counties have been more resistant.

Currently, 55 of the PCS individuals have Immigration and Customs Enforcement (ICE) detainers in their pre-release packets.

Reaver Bingham of the Probation Department reported that a 24-hour protocol is in place so that law enforcement officers can obtain information and contact the Probation Department at any time concerning a PCS individual.

In response to a question from Mayor Antonovich, Mr. Bingham clarified that the PCS individuals with a prior sexual offense were in prison on a non-serious, non-violent, non-sexual offense (N3). The law does not preclude the counties from receiving sex offenders if the person is being released from prison on an unrelated N3 offense.

With regard to the ICE holds, David Robbins of U.S. Immigration and Customs Enforcement stated that the paperwork on individuals is transferred from the state to the county, but ICE takes custody of the individuals when they are released by the state. If ICE releases the individual and knows of the person's reporting requirements, then the person is given instructions to report to the county.

In response to a question from Anna Pembedjian, Justice Deputy for the Fifth District of the County Board of Supervisors, Mr. Robbins reported that CDCR will provide ICE with anywhere from 30 to 180 days notice in advance that an inmate with an ICE hold will be released on a particular date. If the Probation Department takes custody of an individual with an ICE hold, ICE will take custody of the individual within 48 hours of being notified (usually it will take between 12 and 18 hours).

Marvin Southard, Director of the County Department of Mental Health (DMH), reported that the mental health screening and assessment process at the hubs has been proceeding well. He did note that some of the hubs have received a higher number of individuals with mental health needs and that this has caused DMH to reallocate staff.

In addition to mental health screening and assessment, DMH also screens for substance abuse issues. Individuals requiring substance abuse treatment are referred to the Community Assessment Service Centers (CASC's). DMH has been working closely with the Department of Public Health to properly refer these individuals.

Dr. Southard stated that there have been more substance abuse only referrals than had been expected. It had been anticipated that there would be a higher rate of co-occurring disorders (mental health and substance abuse).

A difficulty that DMH is experiencing is that housing resources for mentally ill individuals are not completely in place. Unless the individual is in residential treatment, DMH does not have a process for housing the person. Community Based Organization (CBO) and supportive service resources will need to be coordinated with mental health and substance abuse treatment resources.

Mayor Antonovich inquired as to the procedures DMH follows when a mentally ill individual does not sign the medical waiver releasing information.

Dr. Southard responded by stating that DMH will still get the medical records for those in an acute state. CDCR has stated that they will provide DMH with the medical records of the initial group in this population that is released. Lower-level mentally ill individuals will be reviewed on a case-by-case basis.

Mayor Antonovich advised that DMH should ensure that the medical records are received for all of the high-end mentally ill individuals in an acute state, not just the initial number that are released.

Deputy Chief Michel Moore of the Los Angeles Police Department (LAPD) stated that CDCR Secretary Matthew Cate had informed the City of Los Angeles that this matter had been resolved. He stated that the LAPD would like to be kept informed if this is not the case.

Mayor Antonovich inquired as to the procedure for apprehending absconders with incorrect addresses.

Mr. Bingham stated that if due diligence fails to locate the individuals through other sources, the Probation Department will request a bench warrant.

Mark Delgado, Executive Director of CCJCC, added that a point of contact has been created for the Probation Department to contact DPSS and inform them that an individual has absconded, is in violation of the terms of probation, or has had probation revoked.

In response to a question from Los Angeles County Sheriff Lee Baca, Mr. Bingham stated that it is not yet known how many homeless individuals have been released to the county by CDCR.

Robert Philibosian of the County Economy and Efficiency Commission inquired as to the percentage of the pre-release packets that are incomplete. Mr. Bingham stated that about 25% to 30% of the packets received are incomplete.

Referencing the minutes from the CCJCC meeting on September 7, 2011, Mr. Philibosian asked if the state has released its guidelines that will allow the Auditor-Controller to begin disbursement of the realignment funding. Ms. Pembedjian stated that the funding is in a holding account but was not aware if the guidelines had been received. Reimbursements can be made once the guidelines become available.

Joseph Charney, Justice Deputy for the Third District of the County Board of Supervisors, inquired as to what protocols state parole has for supervising homeless individuals.

Chief Blevins stated that state parole has contracts with reentry facilities. The Probation Department is proposing a sole source contract with a specific reentry agency that can subsequently subcontract with other agencies in the county.

Ms. Pembedjian asked if procedures are in place to prevent DPSS services being given to a PCS individual who has an incorrect address and who never reports to probation.

Mr. Bingham stated that the Probation Department and DPSS are cooperating to determine what information can be legally shared between the two departments.

Mayor Antonovich stated that a letter will be sent to CDCR requesting the presence of a representative at the next CCJCC meeting and all meeting thereafter (CDCR is a member of CCJCC).

Sheriff Baca reported that on Monday, October 3, 2011, 44 N3 defendants were sentenced to county jail. These are all individuals that would have been sentenced to state prison prior to the implementation of realignment. Deputy Chief Moore stated that it is his understanding is that many defendants postponed their sentencing until after October 1st so that they would not be sentenced to state prison. This may account for such a large number in one day.

The maximum sentence in these 44 cases is three years, but the average appears to range from 400 to 500 days and the actual average sentence will likely be about 180 days. Sheriff Baca noted that the information he was given does not indicate if there were split sentences where an individual receives jail time followed by mandatory supervision.

Sheriff Baca informed the members of CCJCC that town hall meetings with inmates in the county jail system will henceforth be held regularly.

ACTION: For information only.

IV. OTHER MATTERS/PUBLIC COMMENT

There were no additional matters or public comments.

V. ADJOURNMENT

The meeting was adjourned at 1:03 p.m.