

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

MINUTES OF THE **January 16, 2019** MEETING

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

MEMBERS AND ALTERNATES PRESENT

Chair: Janice Hahn, Supervisor, Fourth District and Chair of the County Board of Supervisors

Jackie Lacey, District Attorney and Vice Chair of CCJCC
Reaver Bingham for Terri McDonald, County Chief Probation Officer
Jenny Brown for Ricardo Garcia, County Public Defender
*Anne Clark for Michel Moore, Chief, Los Angeles Police Department
*Mark Diorio for Scott Minnix, Director, County Internal Services Department
Peter Espinoza, Director, Office of Diversion and Reentry
Barbara Ferrer, Director, County Department of Public Health
Janice Fukai, County Alternate Public Defender
Maria Gutierrez for Alex Villanueva, Sheriff
Doug Haubert, Long Beach City Prosecutor, County Prosecutors Association
Christa Hohmann, Directing Attorney, Post Conviction Assistance Center
T. Warren Jackson for Ed Eng, County Economy and Efficiency Commission
Dan Jeffries for Mike Feuer, Los Angeles City Attorney
Mark Hanasono, Assistant Supervising Judge, Criminal Division, Superior Court
Shawn Landres, Chair, County Quality & Productivity Commission
Jonathan Lucas, County Coroner – Chief Medical Examiner
*Daniel Martin for Sherri Carter, Superior Court Executive Officer
Emilio Mendoza for Bobby Cagle, Director, County Department of Children and Family Services
Don Meredith for Joe Gardner, President, County Probation Commission
*Bryan Oh for Richard Llewellyn, Los Angeles City Administrative Officer
Sam Ohta, Supervising Judge, Criminal Division, Superior Court
Ezekiel Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program
Robert Philibosian, Peace Officers Association of Los Angeles County
Sergio Tapia, Assistant Supervising Judge, Criminal Division, Superior Court
*Kip Thompson for Jonathan Sherin, Director, County Department of Mental Health
Robin Toma, Executive Director, County Human Relations Commission
Robin Toma for Cynthia Banks, Director, County Department of Workforce Development, Aging and Community Services
*David Turla for Sachi Hamai, County Chief Executive Officer
Felipe Vasquez for Debra Duardo, Superintendent, County Office of Education
Tim Vu, President, San Gabriel Valley Police Chiefs Association

***Not a designated alternate**

I. CALL TO ORDER / INTRODUCTIONS

Chair Janice Hahn, County Supervisor, Fourth District

The meeting was called to order at 12:09 p.m. by Los Angeles County Supervisor Janice Hahn, Chair of CCJCC. Supervisor Hahn welcomed attendees to the first CCJCC meeting of this year.

Self-introductions followed.

II. APPROVAL OF THE MINUTES

Chair Janice Hahn, County Supervisor, Fourth District

There were no requests for revisions to the minutes of the October 17, 2018 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the October 17, 2018 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. The following two items were addressed: (1) Restitution Collection Task Force; and (2) Public Safety Realignment Team semi-annual AB 109 Report.

Restitution Collection Task Force

In November 2014, the Board of Supervisors directed CCJCC to establish a Restitution Collection Task Force to develop recommended local processes for collecting victim restitution orders from offenders sentenced pursuant to AB 109. The Task Force ultimately developed a three-phase collection plan.

Phase I of collections began in January 2016 and allowed for restitution collection from individuals supervised by Probation following a split sentence. Phase II of collections began in December 2016 and allowed for restitution collection from individuals on Post-Release Community Supervision.

In August 2018, the Task Force implemented Phase III – collections from inmates serving a jail sentence pursuant to realignment. Since implementation, accounts for victim restitution orders totaling \$1.87 million have been established, and approximately \$18,000 in restitution has been collected for disbursement directly to victims.

Mr. Delgado thanked the departments that are represented on the Task Force, which includes the Sheriff's Department, Probation Department, Public Defender's Office,

Alternate Public Defender's Office, and the District Attorney's Office, which chairs the Task Force.

Public Safety Realignment Team semi-annual AB 109 Report

The Public Safety Realignment Team (PSRT) was established by the Board of Supervisors in 2011 to guide the implementation of realignment (AB 109) in the county. PSRT, with the leadership of the Probation Department, provides semi-annual updates to the Board of Supervisors to highlight recent developments.

The most recent report was provided to the Board on January 15, 2019. It provides an overview of implementation efforts during the past year; a broad summary of key issues identified by departments in the area of supervision, custody, and rehabilitative/treatment services; and system-wide goals for the current year. Among the covered areas are:

- *Cognitive Behavioral Therapy (CBT)* – Consistent with the Department's vision and goals, Probation has implemented CBT as a key supervision/rehabilitation strategy. CBT aims to improve client outcomes through the use of an evidence-based curriculum designed to change anti-social, irrational thinking that can lead to criminal activity.
- *In-Custody Substance Use Disorder Treatment* – Addiction Medicine Services, a division within the Department of Health Services – Correctional Health Services (DHS-CHS), provides in-custody substance use disorder (SUD) treatment programming through the Substance Treatment and Re-entry Transition (START) program.
- *Drug Medi-Cal – Organized Delivery System (DMC-ODS)* – The Department of Public Health's implementation of DMC-ODS has expanded the availability of substance use disorder treatment services and created a more complete continuum of care.

The full report can be accessed at: <http://ccjcc.lacounty.gov/Public-Safety-Realignment>.

IV. LA FOUND TASK FORCE

Otto Solorzano, Chief Deputy, Workforce Development, Aging & Community Services

Lieutenant John Gannon, Sheriff's Department Mental Evaluation Team

Jonathan Lucas, M.D., Chief Medical Examiner/Coroner

Supervisor Hahn provided a background on LA Found, which aims to quickly locate individuals with autism, dementia, or Alzheimer's disease when they wander and go missing.

The Supervisor developed the idea for this initiative in response to a case in her District in which a woman with early onset Alzheimer's disease went missing in 2016. The family in this case expressed frustration with the process of trying to locate their missing loved one, as well as a lack of coordination among agencies.

This case led Supervisor Hahn to propose an initiative that would take some of the burden off of families in similar situations in terms of them having to contact numerous offices, departments, and organizations (such as law enforcement, hospitals, nursing homes, Coroner's Office, Metropolitan Transit Authority, etc.).

The result was the creation of the Bring Our Loved Ones Home (BOLOH) Task Force, which was established pursuant to a Board motion authored by Supervisor Hahn and co-authored by Supervisor Kathryn Barger. The Task Force sought community input and expert recommendations to develop a protocol for when the first call comes in that someone is missing. Relevant agencies would then be automatically notified of the missing individual.

In addition to the protocol, the BOLOH Task Force also proposed using wristbands/bracelets with a radio frequency trackable feature to locate individuals that go missing.

In February 2018, the Board of Supervisors unanimously approved the comprehensive set of strategies proposed by the BOLOH Task Force, including a countywide pilot program to provide trackable wristbands to county residents. This resulted in the creation of LA Found.

Supervisor Hahn invited Otto Solorzano, Chief Deputy of the Department of Workforce Development, Aging & Community Service, to provide information about the work of the LA Found Task Force.

Mr. Solorzano showed a video of a local news report that describes the program. This video can be viewed at the following link:

<https://vimeo.com/311301254>

When a loved one wearing one of the trackable wristbands goes missing, a family member can call 911 and provide the wristband's serial number. This begins the process of searching for the individual.

The Sheriff's Department is equipped with handheld receivers in designated ground units and helicopters. These devices can receive radio signals from the wristbands that help officers to locate the individuals. The recovery rate using these devices is 100%.

As a background, nearly 28,000 people in this county went missing in the previous year. Further, 60% of individuals with Alzheimer's and 49% of children with autism will wander

and go missing at some point. In addition, as the older population grows, there will be an increase in the number of individuals with Alzheimer's and dementia.

LA Found has four key elements:

- Individual Locating Technologies – This includes the use of the wristbands/bracelets and tracking devices.
- A Comprehensive Response – A countywide protocol provides for a coordinated, comprehensive approach that is activated when someone goes missing.
- Resources for Families and Caregivers – Various resources are made available to assist the caretakers of individuals with Alzheimer's, dementia, and autism.
- Training – WDACS is providing critical training for first responders concerning the unique needs of individuals with Alzheimer's, dementia, and autism.

Mr. Solorzano introduced Lieutenant John Gannon of the Sheriff's Department Mental Evaluation Team to provide an overview of how the locating technology is being utilized.

Lieutenant Gannon discussed the work of his team in situations where an individual is reported missing. He introduced Sergeant Kevin Tiwari, also of the Mental Evaluation Team, who showed examples of what the wristbands and the tracking devices look like.

Sergeant Tiwari noted that the wristbands emit a Radio Frequency (RF) signal as opposed to using Global Positioning System (GPS). The RF signal will work in areas where GPS won't, such as underground. Further, once the wristbands are purchased, there is no monthly fee and the only maintenance is to change the batteries.

Each wristband has a special code that is inputted into a tracking device once there is notification that the person has gone missing. The wristbands also contain information specific to the individual. The Sheriff's Department is responsible for searching all of the areas of the county with the exceptions of Glendale, LaVerne, and Monrovia, which utilize Project Lifesaver.

When notification is given that a person wearing a wristband has gone missing, the Sheriff's Department Mental Evaluation Team responds with a minimum of three units to do triangulation.

Three examples were provided of individuals that went missing and were successfully found using the technology.

Next, Dr. Jonathan Lucas, Chief Medical Examiner of the County Coroner's Office, discussed the role of his office with LA Found.

The original missing person case that led to the BOLOH Task Force and LA Found had a tragic ending in that the remains of the missing woman were found and were recently

positively identified. Dr. Lucas explained that some remains were originally found six months after she went missing in October 2016. Additional remains were found last September and the DNA matched the DNA taken from her toothbrush.

Dr. Lucas explained that the California Department of Justice does the DNA analysis. The County of Los Angeles is starting its own DNA laboratory that will allow the county to conduct its own DNA tests and prioritize samples in the future.

The Coroner's Office works with law enforcement on a daily basis concerning missing persons and identifications. The use of DNA evidence is one of the tools available.

Supervisor Hahn thanked the presenters and everyone working to make LA Found possible. She also encouraged participation from other county departments to the extent that they can assist within their own respective spheres of influence.

The Supervisor inquired as to whether the work of LA Found is limited to this county.

Lieutenant Gannon stated that the Sheriff's Department will provide assistance to neighboring counties through mutual aid.

Additional information on LA Found can be obtained online at www.lafound.com.

A public comment was made by Genevieve Clavreul.

ACTION: For information only.

V. OFFICE OF DIVERSION AND REENTRY

Judge Peter Espinoza, Director, Office of Diversion and Reentry
Corrin Buchanan, Deputy Director, Office of Diversion and Reentry

Judge Peter Espinoza, Director of the Office of Diversion and Reentry (ODR), appeared before CCJCC to provide an update on two projects that ODR is engaged in.

Department of State Hospitals Mental Health Diversion Funding

Assembly Bill 1810 (AB 1810) and Senate Bill 215 (SB 215) amended the Penal Code to create a pathway for courts to authorize pre-trial diversion for individuals with serious mental disorders who committed certain felony or misdemeanor crimes. This is real diversion in that criminal charges are filed and dismissed if the diversion is successful.

Related to this recent legislation, the Department of State Hospitals (DSH) has made \$91 million in funding available for mental health diversion with the goal of reducing the number of felony Incompetent to Stand Trial (IST) referrals to DSH. Individuals that are charged with a felony and found to be IST are referred to DSH, but there is a waitlist of individuals who remain in the County Jail until they can be sent to DSH. The waitlist can be up to 400 people and the wait can be as long as six months.

Of the \$91 million, \$25.8 million is available for Los Angeles County. ODR will provide a 20% match to launch a mental health diversion program in the Superior Court's Central District.

Judge Espinoza introduced Corrin Buchanan, Deputy Director of ODR, to discuss the mental health diversion program.

Ms. Buchanan reported that the Board of Supervisors directed ODR to send a Letter of Interest to DSH, which was completed and submitted on October 31, 2018.

The proposed program is modeled after an existing ODR housing program and will include permanent supportive housing, intensive case management, and clinical services. ODR can use the DSH funding to extend the continuum of care, with a particular focus on individuals who are experiencing homelessness and have a complex behavioral health condition.

Ms. Buchanan noted that this program involves collaboration with health and justice partners throughout the county.

Pre-trial services for the mental health diversion program will be provided by the Probation Department.

The goal is to have 200 individuals served over the three-year term of the grant, which is expected to begin in February 2019.

Diversion Study

On August 14, 2018, the Board of Supervisors instructed ODR to study the jail population so as to determine the number of inmates who could be removed from the jail and placed in community-based treatment. The study will primarily be based on the clinical and legal suitability of the forensic mental health population.

Judge Espinoza reported that the County Jail has an average population of 17,000 inmates per day, and around 100 are housed in mental health housing due to a serious or chronic mental health issue.

ODR has thus far been successful in removing about 2,800 individuals from the Twin Towers Correctional Facility and placing them either in a community-based restoration program or in permanent supportive housing.

In addition to the study of the jail population, the Board of Supervisors also asked ODR to create a detailed roadmap that will offer recommendations on how to scale effective diversion efforts going forward based on the number of inmates who could be diverted. The study will assist with this effort by indicating what percentage of the jail population is divertible.

On October 2, 2018, ODR released a solicitation for evaluation services for the diversion study. On November 4, 2018, RAND was awarded the contract with subcontracts to the UCLA School of Law Criminal Justice Program, University of California at Irvine Center for Evidence-Based Corrections, and Groundswell Services, Inc. The study is to be completed by the Fall of 2019.

Ms. Buchanan advised that a number of county departments may be contacted in the coming months with requests for assistance and/or input with respect to this study.

She also noted that ODR has been awarded \$250,000 in philanthropic funding from the Conrad N. Hilton Foundation to help fund the evaluation.

Judge Espinoza thanked the Los Angeles Superior Court for its participation with ODR; noting that the Court system is an independent, third branch of government that has been a helpful partner. The Superior Court has an important role with both the mental health diversion program and the diversion study. For example, the mental health diversion pilot program will be located in Department 44 of the downtown Clara Shortridge Foltz Criminal Justice Center and will be overseen by Judge Karla Kerlin. Judge Espinoza thanked Supervising Judge Sam Ohta for the Court's continued participation with ODR and the county.

Dr. Barbara Ferrer, Director of the County Department of Public Health, inquired as to the definition of both "divertible" and "community-based programs" in the context of this presentation.

Ms. Buchanan stated that the divertible population includes those that are suitable for community-based settings both from a clinical standpoint and a legal one. Sometimes it may be necessary to consider the specifics of the case in question. Judge Espinoza added that the issue of public safety is often brought to their attention by justice partners.

With respect to community-based programs, this is referring to places where clients can receive treatment outside of the custody setting.

Los Angeles County District Attorney Jackie Lacey noted that when diverting individuals with mental illness, her office has in the past required a guilty plea to a felony so that the Probation Department can supervise the person and ensure public safety. However, under the new law, it is up to the Court to divert the person and a guilty plea is not required.

The 200 individuals in the mental health diversion program will be able to receive Probation supervision without a guilty plea. This is helpful because some mentally ill individuals that are receiving treatment in the community may require an additional level of security or they will wander away.

District Attorney Lacey reported that her office will make an announcement next week that it will be launching a Mental Health Division. This division will have attorneys working in partnership with ODR as well as justice and health agencies to identify opportunities for expanding treatment and other services for mentally ill individuals in the criminal justice system.

Dr. Ferrer asked about how broadly mental health and behavioral health are being defined and how they are taken into account by ODR. Ms. Buchanan stated that most of the individuals that they are serving have co-occurring disorders. With regard to participation in the mental health diversion program, there is eligibility criteria that will be considered.

Judge Espinoza added that the diversion study is looking at those inmates that are being housed in mental health housing.

Shawn Landres, Chair of the County Quality & Productivity Commission, asked if ODR will have discretion to select the 200 participants in the mental health diversion program. Judge Espinoza stated that the Court will ultimately decide who comes into the program. Ms. Buchanan added that the criteria set forth by the grant will help to guide this process.

ACTION: For information only.

NOTE: During this presentation, Supervisor Hahn had to leave the meeting. Los Angeles County District Attorney Jackie Lacey, Vice Chair of this committee, served as Chair Pro Tem for the remainder of the meeting.

VI. OTHER MATTERS / PUBLIC COMMENT

There were no public comments.

VII. ADJOURNMENT

The meeting was adjourned at 1:22 p.m.