

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

MINUTES OF THE February 15, 2017 MEETING

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

MEMBERS AND ALTERNATES PRESENT

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

Jackie Lacey, District Attorney and Vice Chair of CCJCC
Scott Bixby, President, South Bay Police Chiefs Association
Kevin Brazile, Assistant Presiding Judge, Superior Court
Daniel Calleros for Cosme Lozano, President, Southeast Police Chiefs Association
*Stephen Carmona for Charlie Beck, Chief, Los Angeles Police Department
*Dardy Chen for Sachi Hamai, County Chief Executive Officer
David Cons for Eileen Decker, U.S. Attorney
*Megan Cottier for Richard Llewellyn, Interim Los Angeles City Administrative Officer
Kelly Emling, Acting County Public Defender
*Xiomara Flores Holguin for Brandon Nichols, Acting Director, County Department of Children and Family Services
Janice Fukai, County Alternate Public Defender
Scott Gordon, Supervising Judge, Criminal Division, Superior Court
Bob Guthrie, President, Los Angeles County Police Chiefs Association
Dan Jeffries for Mike Feuer, Los Angeles City Attorney
Jacques La Berge for Jim McDonnell, Sheriff
David Marin, Field Office Director, U.S. Immigration and Customs Enforcement
Mary Marx for Jonathan Sherin, Director, County Department of Mental Health
Jonathan McCaverty for Mary Wickham, County Counsel
Terri McDonald, County Chief Probation Officer
Edward McIntyre for Rodney Gibson, Chair, County Quality & Productivity Commission
Don Meredith for Joe Gardner, President, County Probation Commission
Scott Minnix, Director, County Internal Services Department
*Daryl Narimatsu for Michelle King, Superintendent, Los Angeles Unified School District
Sam Ohta, Assistant Supervising Judge, Criminal Division, Superior Court
Chris O'Quinn, Chief, Southern Division, California Highway Patrol
Ezekiel Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program
Robert Philibosian, Peace Officers Association of Los Angeles County
Robert Philibosian for Isaac Barcelona, Chair, County Economy and Efficiency Commission
Christopher Rogers, Acting County Coroner – Chief Medical Examiner
*Taylor Schooley for Barbara Ferrer, Director, County Department of Public Health
Robin Toma, Executive Director, County Human Relations Commission
Robin Toma for Cynthia Banks, Director, County Department of Workforce Development, Aging and Community Services

Lance Winters for Xavier Becerra, California Attorney General

***Not a designated alternate**

I. CALL TO ORDER / INTRODUCTIONS

Chairman 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

Chairman Mark Ridley-Thomas, County Supervisor, Second District

There were no requests for revisions to the minutes of the January 18, 2017 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the January 18, 2017 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. This is intended to provide a brief summary of recent CCJCC-related activities and efforts.

This meeting's report focused on the following three topics:

- Hate Crimes Outreach and Response
- Public Safety Realignment
- Youth Diversion Subcommittee

Hate Crimes Outreach and Response

CCJCC established an ad hoc task force on Hate Crimes Outreach and Response in January 2016 to develop best practice recommendations for public safety agencies working with communities to prevent and respond to acts of hate (<https://goo.gl/fb9KII>).

The task force's report was presented to CCJCC in November 2016 and focuses on three areas:

- Cultivating Community Connections and Trust
- Conducting Advanced Planning and Training

- Strategies for Rapid and Effective Response

On November 22, 2016, the Board of Supervisors directed the County Human Relations Commission, Sheriff's Department, CCJCC, and Chief Executive Office (CEO) to promote the report's best practices within the law enforcement community and the community at large.

In response to this motion, the CEO recently submitted a report to the Board outlining such efforts (<https://goo.gl/GlxYdS>). These include:

- Outreach to the Los Angeles County Police Chiefs Association – The Executive Directors of CCJCC and the Human Relations Commission provided a briefing on the best practices report to the County Police Chiefs Association (PCA) Executive Board. The best practices report was then discussed with the full membership at the January 2017 County Police Chiefs Association meeting.
- Mutual Aid Regional Meetings – The Sheriff's Department has connected the Human Relations Commission with Mutual Aid regional meetings, where information on hate crime outreach and response can be presented to law enforcement, fire departments, and other partners with a nexus to emergency preparedness and response. Human Relations Commission staff plan to schedule presentations at Mutual Aid meetings throughout the year.
- Public Education/Awareness Campaign – Workforce Development, Aging and Community Services (WDACS) – in collaboration with the Human Relations Commission – is creating a comprehensive public education/awareness campaign on hate crimes. The effort will build on existing tracking capabilities to improve the capture of hate crime data throughout Los Angeles County.

Public Safety Realignment

The Public Safety Realignment Team (PSRT) provided its semi-annual realignment implementation report to the Board on January 24, 2017. The report covered the period of April 2016 to September 2016.

The following are the three focus areas of the report:

- Coordinated intake and supervision model for individuals placed on AB 109 supervision.
- Delivery of rehabilitative and treatment services in the community to support reentry.
- Implementation of custody-based strategies to effectively manage the population count and promote successful reentry.

The report and accompanying slide presentation are available on CCJCC's website at <http://ccjcc.lacounty.gov/Public-Safety-Realignment>.

Youth Diversion Subcommittee

On January 24, 2017, the County Board of Supervisors approved a motion, introduced by Supervisor Mark Ridley-Thomas and co-sponsored by Supervisor Janice Hahn, to create a CCJCC Youth Diversion Subcommittee (<https://goo.gl/TKWPI7>). The goal of the subcommittee is to develop a coordinated approach to youth diversion across the County of Los Angeles, with an objective of minimizing youth contact with the juvenile or criminal justice system. The Board motion requests a 4-month report back with a plan to scale effective practices for youth diversion across the county.

The subcommittee will be chaired by the Department of Public Health (DPH) Division of Chronic Disease and Injury Prevention, and many member agencies of CCJCC have been invited to participate.

Several planning meetings have taken place and are ongoing. The first full subcommittee meeting is scheduled for early March.

IV. SHERIFF CIVILIAN OVERSIGHT COMMISSION

Brian Williams, Executive Director, Sheriff Civilian Oversight Commission

Brian Williams, Executive Director of the Sheriff Civilian Oversight Commission (Commission), appeared before CCJCC to provide an overview and discussion of the newly created Commission, its mission, and its work with the Office of Inspector General, the Sheriff's Department, and the community. Inspector General Max Huntsman joined Mr. Williams in this presentation.

Mr. Williams has been serving as the Commission's Executive Director for the past nine weeks. His background includes previous work with the Los Angeles City Attorney's Office.

On January 12, 2016, the Los Angeles County Board of Supervisors voted to implement the Commission. It was subsequently established by the Board of Supervisors on November 1, 2016, with nine appointed members.

The purpose of the Commission is to improve public transparency and accountability with respect to the Los Angeles County Sheriff's Department. This is to be accomplished by providing robust opportunities for community engagement, ongoing analysis and oversight of the department's policies, practices, and procedures, and through advice to the Board of Supervisors, the Sheriff's Department, and the public.

The Commission is working closely with the Sheriff's Department, Inspector General, other county departments, and other agencies throughout the county. Consultations have also been had with similar commissions in other large metropolitan areas to adopt best practices from across the country.

In promoting the transparency of the Commission, Mr. Williams emphasized the following four issues:

- New Era – There is a unique opportunity with this Commission to address previous problems with a new perspective and to build trust with both the community and organizations.
- Sheriff’s Commitment – Sheriff Jim McDonnell has expressed his commitment to the new Commission.
- Restoring Public Trust – Mr. Williams has met with various community partners and has found that many in the community and in the Sheriff’s Department do not feel that they are being heard. The Commission can serve to bring groups together and eliminate misunderstandings. The Commission will work with all parties to ensure that, as a neutral arbiter, the information that comes from the Commission is believed and trusted.
- Community Involvement – The first meeting of the Commission was held on January 26, 2017. Commissioners listened to the concerns expressed by community members and, in turn, explained to the public their approach to the job. Active community engagement will be important going forward.

The following nine Commissioners have been appointed:

- Robert C. Bonner, Attorney and former U.S. Attorney and DEA Administrator
- Patti Giggans, Executive Director of Peace Over Violence
- JP Harris, former Sheriff’s Lieutenant
- Sean Kennedy, Executive Director of Center for Juvenile Law & Policy at Loyola Law School and former Federal Public Defender
- Heather Miller, Rabbi, Beth Chayim Chadashim
- Priscilla Ocen, Loyola Law School Associate Professor
- Lael Rubin, former Deputy District Attorney
- Xavier Thompson, President of Baptist Ministers’ Conference and Senior Pastor of the Southern Saint Paul Church
- Hernán Vera, Attorney, and former President and CEO of Public Counsel

Mr. Bonner serves as the Chair of the Commission, and Pastor Thompson serves as the Vice Chair. The nine Commissioners have various terms of one, two, or three years.

The duties of the Commission include the following tasks:

- Make Recommendations – Recommendations will be made to the Board of Supervisors. The Sheriff Civilian Oversight Commission is different than the LAPD Civilian Oversight Commission in that the Sheriff’s Department does not report to the Commission. This is an advisory Commission and its power comes from the trust it creates with all parties and their engagement. Mr. Williams thanked Supervisor Ridley-Thomas and the Board of Supervisors for their guidance and initiative in creating the Commission.

- Investigate – Working with the Inspector General, the Commission can investigate certain matters.
- Review – The Commission will review issues that arise concerning the Sheriff's Department.
- Monitor Settlements – The Commission will have the authority to monitor settlements that are agreed to.
- Serve as Liaison and Mediator – The Commission will serve as a liaison and mediator where needed. The Commission has already been asked in one situation to serve this role as a liaison between the community and the Sheriff's Department.
- Obtain Community Input – The Commission has decided to move public comments to the beginning of its meetings so that members of the public that cannot stay for an entire meeting will be able to express their views and raise any concerns that they may have. This was done in response to feedback from members of the public.
- Work with the Office of Inspector General – This is an important partnership in helping the Commission to fulfill its purpose.
- Function as a Bridge – Similar to serving as liaison and mediator, the Commission will help bring parties together to work out differences and come to common understandings.
- Seek Sheriff's Input – In addition to obtaining input from the community, the Commission will also seek input from the Sheriff's Department. The Commission will want to avoid being viewed by any party as being biased.
- Advise: The Commission Shall Serve Only in an Advisory Capacity to the Board and the Sheriff – Mr. Williams emphasized the point that the Commission only serves in an advisory capacity, but does wield influence to the extent that it is trusted and respected by all parties.

The Commission has been given a number of initial issues by the Board of Supervisors that it will be focusing on. For example, the subject of Sheriff Mental Evaluation Teams will be taken up at the next Commission meeting. Commissioners will hear from representatives from the Department of Mental Health (DMH) and will consider the fiscal viability of these teams.

Other topics that will be considered by the Commission include the following:

- Use of Unmanned Aircraft (Drones)
- Sheriff's Department Cooperation with U.S. Immigration and Customs Enforcement (ICE)

- Alleged Racial Profiling on MTA Routes
- Sheriff's Role in the New Cannabis Laws
- Use of Force Issues
- Body Cameras
- Family Assistance Program
- Sexual Assaults in the Jail System

The Commissioners are also determining if there are items that they would like to add to this list.

Mr. Williams noted that the Commission will not always be focused on negative or controversial issues. It will also make note of positive things that are happening within the Sheriff's Department as well. It is important that the community be made aware of what is going well in addition to addressing concerns that need to be resolved.

There are a series of sequential steps that will measure how successful the Commission is in what it seeks to do. The first step is for it to be seen as a truly independent body. The Commissioners are demonstrating this in various ways, such as determining issues on their own that they would like to investigate.

The next step is to obtain the trust and respect of stakeholders. This includes the Sheriff's Department, Board of Supervisors, community, and those individuals that contact the Commission.

The third step is to use the power vested in the Commission wisely. The Commission will need accurate information that is thoroughly researched and reviewed before issuing recommendations or providing an opinion on an issue.

The next step is to respond to crisis in a rational, effective, and neutral manner. Preparation is important here as well. There will inevitably be incidents that require the attention of the Commission. An infrastructure will need to be in place that allows for a quick response that is reasonable, impartial, believable, and transparent.

The next step after that is to become the national leader in civilian oversight. The goal is to have similar commissions and groups throughout the country look to Los Angeles County as a model in how civilian oversight should be handled.

The final step in measuring the success of the Commission is for the Los Angeles County Sheriff's Department to become the model agency in the nation. This is the apex of these steps and the ultimate indicator that the Commission has been successful in its efforts.

Inspector General Max Huntsman addressed the committee about the role that he has in working with the Commission. He noted the important job that the Commission has in helping to ensure public trust in law enforcement and, by extension, government.

Mr. Huntsman observed that Sheriff Jim McDonnell was elected on a reform platform and has been very supportive of the creation of a civilian oversight commission. This bodes well for fostering a mutual understanding among stakeholders concerning what issues exist and how to address them.

As referenced by Mr. Williams, the Office of the Inspector General will be working closely with the Commission to provide timely and accurate information on a variety of subjects.

An example of one current challenge for the Sheriff's Department is that of attrition of personnel. The current rate of attrition is greater than the hiring rate. One reason for this is that the Sheriff's Department has adopted strict guidelines concerning who is hired. This is an issue that may be addressed by the Commission and the Inspector General will assist with the gathering of information.

Mr. Huntsman stated that he looks forward to working with Mr. Williams and the Commission. He thanked Supervisor Ridley-Thomas and the Board of Supervisors for moving forward with this.

Xiomara Flores-Holguin of the Department of Children and Family Services (DCFS) inquired about the Family Assistance Program, which is one of the topics that the Commission will be considering.

Mr. Williams said that this involves situations where there is a major injury or death resulting from actions taken by a member of the Sheriff's Department. The question here is if there is a means by which the Commission can provide information or support to the family of the injured or deceased individual. Similar practices are in place or under consideration with other law enforcement agencies in the country.

Supervisor Ridley-Thomas added that these programs are typically designed to address officer-involved shootings. The intent is to reduce the trauma experienced by the person's family through compassionate intervention. There are many unresolved questions that are raised by a program such as this, so it would have to be thoroughly evaluated before any decision is made to move forward with it. Similarly, if it were to be implemented, it would have to be carefully administered.

Supervisor Ridley-Thomas thanked the presenters for this presentation on the Sheriff Civilian Oversight Commission. He noted that the genesis for the Commission arose within the context of the Citizens' Commission on Jail Violence. While a civilian oversight commission was not one of the recommendations, the creation of the Office of the Inspector General was a recommendation that was made and adopted by the Board of Supervisors. The Board then subsequently moved forward with the creation of the civilian oversight commission as a means by which the community can voice their concerns and seek a credible response without addressing the Sheriff's Department directly.

The Supervisor emphasized that the Commission is not an extension of the Sheriff's Department but is rather an extension of the Board of Supervisors that is intended to relate to the Sheriff's Department in a collaborative and productive manner. He added that he believes that the Commission will make a qualitative difference in law enforcement in this county and that he looks forward to its success.

ACTION: For information only.

V. OTHER MATTERS / PUBLIC COMMENT

A public comment was made by Mr. Joseph Maizlish.

VI. ADJOURNMENT

The meeting was adjourned at 12:45 p.m.