

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

**MINUTES OF THE **October 30, 2017** MEETING**

Hall of Justice  
Media Conference Room  
211 West Temple Street  
Los Angeles, California 90012

**COMMISSION MEMBERS PRESENT**

Erika Azoategui, Division Chief, Alternate Public Defender's Office  
Peter Bibring, Director of Police Practices/Senior Staff Attorney,  
ACLU of Southern California  
Jenny Brown, Acting Chief Deputy, Public Defender's Office  
Kellyjean Chun, Bureau Director – Prosecution Support Operations,  
District Attorney's Office  
Hon. Michael Davitt, President, California Contract Cities Association  
Deputy Chief Justin Eisenberg, Los Angeles Police Department  
Judge Peter Espinoza, Director, Office of Diversion and Reentry  
Dr. Barbara Ferrer, Director, Department of Public Health  
Judge Scott Gordon, Supervising Judge – Criminal Division,  
Los Angeles Superior Court  
Josh Green, Criminal Justice Program Manager, Urban Peace Institute  
Chief Bob Guthrie, President, Los Angeles County Police Chiefs Association  
Cherylynn Hoff, Human Services Administrator II, Los Angeles County Department of  
Workforce Development, Aging and Community Services  
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  
Judge Stephen Larson, Partner, Larson O'Brien  
Chief Terri McDonald, Chief Probation Officer, L.A. County Probation Department  
Jose Osuna, Director of External Affairs, Homeboy Industries  
Troy Vaughn, Executive Director, Los Angeles Regional Reentry Partnership (LARRP)  
Brendon Woods, President, California Public Defenders Association

**COMMISSION MEMBERS NOT PRESENT**

Mark Holscher, Partner, Kirkland & Ellis  
Brian Moriguchi, President, Professional Peace Officers Association (PPOA)  
Priscilla Ocen, Professor, Loyola Law School  
John Raphling, Senior Researcher, Human Rights Watch

## **I. CALL TO ORDER / INTRODUCTIONS**

The meeting was called to order at 10:09 a.m. by Mark Delgado, Executive Director of the Countywide Criminal Justice Coordination Committee (CCJCC). CCJCC has been tasked with providing staff support for this Commission.

Self-introductions followed.

Mr. Delgado served as temporary Chair of the meeting until the members elected the Chair from among themselves. He proceeded to review the Agenda items for this meeting.

## **II. OPENING REMARKS**

This Blue Ribbon Commission on Public Safety was created by the Los Angeles County Board of Supervisors on August 15, 2017. This is the first meeting of the Commission.

To frame the discussion and the vision for this Commission, Los Angeles County Supervisor Kathryn Barger of the 5<sup>th</sup> District and Los Angeles County Supervisor Janice Hahn of the 4<sup>th</sup> District provided opening remarks. Supervisor Barger and Supervisor Hahn co-authored the motion that created this Commission.

Supervisor Barger thanked the Commission members for their time and for agreeing to participate in this process. She stated that this Commission will seek to fully understand how to improve the criminal justice system in a constructive way with data and factual information.

The goal for Commission members is to develop recommendations to both protect and enhance public safety while also improving reentry and treatment outcomes for offenders. Supervisor Barger emphasized that these are not mutually exclusive.

Supervisor Hahn also welcomed the Commission members to the first meeting and thanked them for volunteering their time and energy to this important endeavor. She noted that this Commission is not a platform for overturning criminal justice reform, but is instead intended to find where the reforms may fall short or where the implementation of them could be improved.

Supervisor Hahn echoed Supervisor Barger's opening remarks in stating that the goal of the Commission is to find areas where improvements to the system can be made.

Following the opening remarks from Supervisor Barger and Supervisor Hahn, Mr. Delgado introduced Los Angeles County Sheriff Jim McDonnell to make opening remarks to the Commission.

Sheriff McDonnell welcomed the Commission members to the Hall of Justice and thanked Supervisor Barger, Supervisor Hahn, and the remainder of the Board of Supervisors for creating this Blue Ribbon Commission.

The work of this Commission is important because the evaluation of criminal justice reforms is necessary in order to determine their impact and note where improvements may be needed.

The Sheriff stated that the goal of law enforcement is not to incarcerate but instead to provide for the safety of communities. He added that he supports efforts to provide treatment, rehabilitation, and alternatives to incarceration. However, it is important to ensure that these efforts are effective. The criminal justice system is not helping the individuals that it is purporting to help if those individuals are released before they are ready to reenter the community.

Mr. Delgado thanked Supervisor Barger, Supervisor Hahn, and Sheriff McDonnell for their opening remarks.

A motion was made to change the order of the Agenda so that Agenda Item V, the selection of a labor-law enforcement organization to be represented on the Commission, is addressed before Agenda Item IV, the nominations and election of a Chair and Co-Chair.

**ACTION: The motion to change the order of the Agenda so that Agenda Item V, the selection of a labor-law enforcement organization to be represented on the Commission, is addressed before Agenda Item IV, the nominations and election of a Chair and Co-Chair for the Commission, was seconded and approved without objection.**

### **III. OVERVIEW OF THE BROWN ACT AND ITS APPLICABILITY TO THE COMMISSION**

Deputy County Counsel Norayr Zurabyan addressed the members about the Brown Act, which is the California open meetings law. The Brown Act is applicable to this Blue Ribbon Commission.

The California Brown Act was enacted in 1953. Its purpose is to protect the public's right to attend and participate in the decision-making processes of local legislative bodies, whether permanent or temporary, advisory or decision-making.

The Brown Act is applicable whenever there is a gathering of a majority of the members to hear, discuss, or deliberate on matters within the subject matter of body.

One-way communications between members are allowed, but the Brown Act would become applicable if such communications are expanded to include a majority of members. This may occur either by including a majority in a reply email or through a chain email that ends up including a majority.

All meetings of this Commission must be open and public and the Agendas must be posed at least 72 hours in advance. The Commission cannot take action on items that are not properly agendized.

Members of the public must be allowed to address the Commission on Agenda items and any issues within the subject matter jurisdiction of the Commission. However, the Commission can enact sensible rules and regulations on public comments, such as reasonable time limits.

Ad hoc committees are not subject to the Brown Act as those are composed of less than a quorum of the members of the main body.

**ACTION: For information only.**

#### **IV. SELECTION OF LABOR-LAW ENFORCEMENT ORGANIZATION TO BE REPRESENTED ON THE COMMISSION**

The Board of Supervisors motion that created this Blue Ribbon Commission established a membership seat for a representative of a labor-law enforcement organization.

Mr. Delgado asked for nominations to fill this position.

Chief Stephen Johnson of the Sheriff's Department nominated the Association for Los Angeles Deputy Sheriffs (ALADS) to be the labor-law enforcement organization represented on this Commission. He noted that this organization represents individuals that serve communities throughout the county and who serve a variety of functions. Further, in addition to Deputy Sheriffs, ALADS also represents Los Angeles County District Attorney Investigators.

Jenny Brown from the Public Defender's Office requested to hear from a representative from ALADS.

Robert Sass, Vice President of ALADS, addressed the Commission. He stated that his organization represents non-supervisory peace officer employees of Los Angeles County, which currently includes 7,400 Deputy Sheriffs and District Attorney Investigators.

Ralph Miller, President of the Los Angeles County Deputy Probation Officers Union, made a public comment endorsing ALADS as the labor-law enforcement organization to be represented on this Commission.

Chief Johnson made a motion to approve ALADS as the labor-law enforcement organization to be represented on this Commission.

Brendon Woods of the California Public Defenders Association raised a concern about the position of ALADS regarding the release of *Brady* information.

Troy Vaughn of LARRP requested to hear from ALADS regarding the concern raised by Mr. Woods.

Derek Hsieh, Executive Director for ALADS, responded that ALADS is protesting the way *Brady* impacts its members and is seeking relief through the court system. ALADS will respect the final resolution through the courts. He noted the ability of ALADS to work with those of differing views.

Mr. Miller provided additional information about labor-law enforcement organizations in this county.

Chief Bob Guthrie, President, Los Angeles County Police Chiefs Association, seconded the motion to approve ALADS as the labor-law enforcement organization to be represented on this Commission.

A vote was had on the motion and the motion passed with 15 votes in favor of the motion.

The following members voted in favor of the motion:

Erika Azoategui, Kellyjean Chun, Hon. Michael Davitt, Deputy Chief Justin Eisenberg, Judge Peter Espinoza, Dr. Barbara Ferrer, Judge Scott Gordon, Chief Bob Guthrie, Cherylynn Hoff, Dr. Brian Hurley, Chief Stephen Johnson, Jamie Kyle, Judge Stephen Larson, Chief Terri McDonald, and Troy Vaughn.

**ACTION: The motion to approve the Association for Los Angeles Deputy Sheriffs (ALADS) as the labor-law enforcement organization to be represented on this Commission was approved with 15 votes in favor of the motion.**

## **V. NOMINATIONS AND ELECTION OF COMMISSION MEMBERS TO SERVE AS CHAIR AND CO-CHAIR**

Mr. Delgado summarized the responsibilities of the Chair and Co-Chair of this Commission. He then asked for nominations to fill the position of Chair.

Judge Peter Espinoza of the Office of Diversion and Reentry nominated Judge Stephen Larson, a Partner at Larson O'Brien, to serve as Chair of this Commission. Judge Larson has served as a federal prosecutor, a federal district judge, and a criminal defense attorney representing government entities, private companies, and individuals. He has also taught criminal and constitutional law at both undergraduate and graduate school levels.

Judge Larson has worked with the U.S. State Department in numerous international rule of law programs. Further, he has served on the Board of Directors of National CORE, which is a national non-profit housing organization, and serves on the Board of Trustees of Catholic Charities in Los Angeles.

Mr. Delgado asked Judge Larson if he would accept this nomination and he responded in the affirmative.

Mayor Michael Davitt of the California Contract Cities Association seconded the nomination and motion to approve Judge Larson as the Chair of this Commission.

Dr. Brian Hurley of the Department of Mental Health inquired about National CORE.

Judge Larson stated that he has served for a number of years on the Board of Directors of National Community Renaissance, or National CORE. This is a national 501(c)3 non-profit entity that works with developers in developing affordable housing. It also provides other social services to try to develop particular areas.

The motion to elect Judge Larson as Chair of this Commission was approved unanimously.

**ACTION: Commission members voted to unanimously to elect Judge Stephen Larson to serve as Chair of this Commission.**

**NOTE: Following this vote, Judge Larson served as Chair for the remainder of the meeting.**

Chief Probation Officer Terri McDonald nominated Troy Vaughn, Executive Director of Los Angeles Regional Reentry Partnership (LARRP), to serve as Co-Chair of this Commission. She noted that the Probation Department has a good working relationship with him and that he can represent the treatment community.

Judge Espinoza seconded this nomination and motion. The Office of Diversion and Reentry has also worked with Mr. Vaughn. Judge Espinoza stated that Mr. Vaughn can help this Commission in reaching out to the community and getting their support.

Judge Larson asked Mr. Vaughn if he would accept this nomination and he responded in the affirmative.

The motion to elect Troy Vaughn as Co-Chair of this Commission was approved unanimously.

**ACTION: Commission members voted unanimously to elect Troy Vaughn to serve as Co-Chair of this Commission.**

## **VI. ADMINISTRATIVE AND PLANNING TASKS**

### Number of votes required on action items

Judge Scott Gordon of the Los Angeles Superior Court made motion to allow for motions to be passed with a vote of the majority of members present, provided that a quorum is in place (i.e., a majority of Commission members are present).

Josh Green of the Urban Peace Institute noted that it may be more difficult for non-county members to attend every meeting, so a vote of the majority of those present may make it more difficult for community voices to carry as much weight in decisions of this body.

Mr. Vaughn inquired as to whether proxy representation and/or votes are allowed.

Mr. Zurabian stated that he does not believe that proxies would be allowed.

Judge Gordon stated that he would be willing to allow for an amendment to his motion to allow for proxies. However, given that Mr. Zurabian does not believe that proxies would be allowed according to the Board of Supervisors motion, no amendment to his motion was put forward.

Erika Azoategui of the Alternate Public Defender's Office inquired about the possible use of video conferencing.

On the question of participating via video conference, Ms. Campos stated that it is allowable under certain circumstances, but the member must be within the county for it to count for quorum purposes.

Peter Bibring from the ACLU of Southern California made a motion to table the motion on a majority vote of those present until a later time.

The motion to table the original motion was seconded and approved by the members. The original motion will be reconsidered at the next meeting of this Commission.

**ACTION: The motion to allow for motions to be passed with a vote of the majority of members present, provided that a quorum is in place, was tabled until the next meeting.**

#### Review of deliverables

The Board motion included a list of nine issues that this Commission is to address, as well as three additional consultation points. In addition, it requires 90-day status reports back to the Board on the progress of this Commission.

One possible approach to collecting the needed information is to create a working group to develop a process for funneling data through to the larger Commission.

Jose Osuna from Homeboy Industries noted that a lot of data has already been collected concerning AB 109, Proposition 47, and Proposition 57. In order to avoid duplication, a working group could start by accumulating the information and reports that already exist.

Mr. Delgado added that links to reports could be sent to the Commission members from CCJCC and posted on the CCJCC website. CCJCC will also be posting other

information related to the work of this Commission on its website. This can be accessed at the following link:

<http://ccjcc.lacounty.gov/Blue-Ribbon-Commission>

Mr. Vaughn agreed that the Commission should first focus on obtaining the existing data. Given that this will be more readily available than information that would be gathered from new research, he suggested that this should be prioritized for the remainder of this calendar year.

Chief Stephen Johnson of the Sheriff's Department concurred and suggested that the first 90 days should be spent fact-finding. Available information can be brought back to the Commission.

The next 90 days can be used to define a process for refinement of the data within the context of the deliverables. Following that, the Commission can take the refinement and quantify it into articulable deliverables back to the Board. The members can then spend the final period looking at drafts, revisions, and circulations in anticipation of the final report back to the Board of Supervisors.

Ms. Campos advised the members to forward any data or reports to CCJCC for dissemination to the whole group in order to keep the gathering and distribution of information organized.

#### Meeting schedule

Judge Larson inquired as to what dates and times would be best for members to meet.

Following a discussion, it was agreed that Mr. Delgado and his staff would coordinate dates and times for the remaining meetings during this calendar year.

The members agreed that, if possible, at least three more meetings should be held before the end of 2017.

#### **VII. PUBLIC COMMENT**

There were no public comments.

#### **VIII. ADJOURNMENT**

The meeting was adjourned at 11:49 a.m.