

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE
MINUTES OF THE August 19, 2015 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

Jackie Lacey, District Attorney and Vice Chair of CCJCC
Erika Anzoategui for Janice Fukai, County Alternate Public Defender
Cynthia Banks, Director, County Department of Community & Senior Services
*Richard Barrantes for Jim McDonnell, Sheriff
Ronald Brown, County Public Defender
*Brian Buchner for Eric Garcetti, Mayor, City of Los Angeles
Daniel Calleros, President, Southeast Police Chiefs Association
Sherri Carter, Superior Court Executive Officer
*Dardy Chen for Sachi Hamai, Interim County Chief Executive Officer
Peter Espinoza, Judge, Los Angeles Superior Court
Mark Fajardo, County Coroner – Medical Examiner
Scott Gordon, Assistant Supervising Judge, Criminal Division, Superior Court
Scott Gordon for James Brandlin, Supervising Judge, Criminal Division, Superior Court
Donna Groman for Michael Levanas, Supervising Judge, Juvenile, Superior Court
Wesley Hsu for Eileen Decker, U.S. Attorney
*Dan Jeffries for Mike Feuer, Los Angeles City Attorney
Mary Marx for Marvin Southard, Director, County Department of Mental Health
Mark Matsuda, President, South Bay Police Chiefs Association
Edward McIntyre for Rodney Gibson, Chair, County Quality & Productivity Commission
Emilio Mendoza for Philip Browning, Director, County Department of Children and Family Services
Don Meredith for Cyn Yamashiro, President, County Probation Commission
William Montgomery for James Jones, Director, County Internal Services Department
*Tyler Munhall for Miguel Santana, Los Angeles City Chief Administrative Officer
Fred Nazarbegian for Richard Sanchez, County Chief Information Officer
Sam Olivito for Mark Waronek, Executive Board Member, California Contract Cities Association
Margarita Perez for Jerry Powers, County Chief Probation Officer
Earl Perkins for Ramon Cortines, Superintendent, Los Angeles Unified School District
Ezekiel Perlo, Directing Attorney, Indigent Criminal Defense Appointments Program
*Brian Whetsel for Charlie Beck, Chief, Los Angeles Police Department
Lance Winters for Kamala Harris, California Attorney General
*Alexandra Zuiderweg for Mary Wickham, Interim County Counsel

***Not a designated alternate**

I. CALL TO ORDER / INTRODUCTIONS

Mayor Michael Antonovich, County Supervisor, Fifth District

The meeting was called to order at 12:05 p.m. by Mayor Michael Antonovich, Chair of CCJCC.

Self-introductions followed.

Passing of retired Judge Marcus O. Tucker, Jr.

Mayor Antonovich noted the recent passing of retired Judge Marcus O. Tucker, Jr., who died on August 8th at the age of 80. Judge Tucker was a friend to the Mayor, his staff, and many members of the justice community. The County Board of Supervisors adjourned its meeting on August 18th in honor and remembrance of Judge Tucker.

Update on Custody-Based American Job Center Grant Application

Cynthia Banks, Director of the County Department of Community and Senior Services (DCSS), provided an update on last month's presentation on DCSS' grant application for funding from the Productivity Investment Fund (PIF) to implement a proposed jail-based job center. That proposal was submitted to the County Quality and Productivity Commission (QPC) and on Monday it was approved for a grant of \$900,000.

Ms. Banks thanked the members of this committee for their support of this application.

A motion was made for this committee to send a letter to the QPC acknowledging their vision in moving this project forward.

ACTION: The motion for CCJCC to send a letter to the County Quality and Productivity Commission acknowledging their vision in moving forward with DCSS' proposal for a jail-based job center was seconded and approved without objection.

II. APPROVAL OF THE MINUTES

Mayor Michael Antonovich, County Supervisor, Fifth District

There were no requests for revisions to the minutes of the July 15, 2015 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the July 15, 2015 meeting was seconded and approved without objection.

III. SB 678 – CALIFORNIA COMMUNITY CORRECTIONS PERFORMANCE INCENTIVE ACT

Margarita Perez, Assistant Chief, Probation Department

Assistant Chief Probation Officer Margarita Perez appeared before CCJCC to provide a status report on SB 678 and an overview of the Probation Department's plan to service the adult probation population.

As background, SB 678, also known as the Community Corrections Performance Incentive Fund, was passed in 2009. This legislation provides funding incentives to counties to improve local probation supervision practices and capacities in order to improve outcomes and reduce revocations.

The funding that the counties receive on an annual basis is determined by a formula that can be changed based on a variety of factors. For example, the implementation of AB 109 in October 2011 and Proposition 47 in November 2014 have impacted the number of commitments to state prison, which in turn have affected the amount of funding that counties receive.

The Probation Department has developed a plan for providing more expansive services to the probation population with the funding that is received through SB 678. The focus will be on the following three areas:

- First, there will be a focus on medium to high-risk offenders. Research indicates that this is where the most impact can be made.
- Second, there will be a focus on ensuring that services are provided that meet the critical needs of this population.
- Third, given the potential fluctuation in funding, the services will be spread through a number of years so as to reach as much of the population as possible.

Ms. Perez introduced Bureau Chief Ron Barrett and Probation Director Brian Ford to provide more detailed information about the proposed plan to expand services with the SB 678 funding.

Mr. Ford stated that the developed proposal both complies with the law and is supported by principles that have been documented and proven to reduce recidivism.

SB 678 Legislative Requirements

SB 678 legislative requirements state that "funds allocated to probation pursuant to this act shall be used to provide supervision and rehabilitative services for adult felony offenders subject to probation, and shall be spent on evidence-based community corrections practices and programs." Mr. Ford emphasized that this requires funds to be used for adult felony offenders and to be spent on evidence-based community

corrections practices and programs.

“Evidence-based practices” refers to supervision policies, procedures, programs, and practices demonstrated by scientific research to reduce recidivism among individuals under probation, parole, or post release supervision.

The requirements further state that “funds to be used for specified purposes relating to improving local probation supervision practices and capacities providing sustainable funding for improved, evidence-based probation supervision practices and capacities will improve public safety outcomes among adult felons who are on probation.”

In addition, 5% of all funding received shall be used to evaluate the effectiveness of those programs and practices that are implemented with the funds provided.

“What Works”...an Evidence-Based Framework for Supervision

Mr. Ford reported that the National Institute of Corrections has published research on effective interventions. This research indicates that a set of principles can be applied to supervision models to reduce the likelihood of recidivism.

The principles of effective interventions are as follows:

- **Risk Principle** - Prioritize supervision and treatment resources for higher risk offenders;
- **Need Principle** - Target interventions to *criminogenic* risk and needs;
- **Responsivity Principle** - Be responsive to temperament, learning style, motivation, gender, culture, and mental health when assigning to programs;
- **Dosage** - Structure 40% to 70% of high-risk offenders' time for 3 to 9 months; and
- **Treatment Principle** - Integrate treatment into full sentence/sanctions requirements.

The eight criminogenic risk factors that are correlated to criminal behavior and criminal conduct are:

1. Criminal History
2. Anti-social Cognition
3. Anti-social Companions
4. Anti-social Personality/Temperament
5. Family and/or Marital
6. Substance Abuse
7. Employment/School

8. Leisure and/or Recreation

The first four factors listed have been found to have a higher likelihood of effecting recidivism than the next four. Mr. Ford noted that mental health is not included on this list because it has been identified as a responsivity issue.

What Changes Criminal Behavior?

The following four factors have been found to influence changes in criminal behavior:

- Client Attributes – 40%
- Relationship with Provider – 30%
- Skill Development – 15%
- Hope and Expectancy – 15%

The percentages listed above indicate the extent to which that factor influences changes in criminal behavior.

Client attributes consists of internal factors, external factors, and chance effect. Internal factors refer to personal characteristics such as drive and perseverance. External factors include the presence of a family member that can support an individual's transition, as well as whether the person has transportation or a home. Chance effect refers to random events that impact upon an individual and influence the person to make changes in his/her life.

While there is little that can be done to control client attributes, influence can be exerted over the other three factors. With respect to relationship with the provider, the provider can be a probation officer, counselor, or anyone that is providing direct treatment or service to an individual. The Probation Department has trained its officers to focus heavily on developing a relationship with clients and has emphasized to them the importance of this in rehabilitation.

Skill development can include Cognitive Behavioral Therapy intervention, or CBT, which deals with treating how individuals think. This can determine how the individual feels and, ultimately, how the person behaves. The Probation Department has implemented CBT programming with its probation officers.

Hope and expectancy determines if clients have a belief that their circumstances will be different by participating in treatment or services. The Probation Department has incorporated this by training probation officers in motivational interviewing. This is ongoing training that is provided on a quarterly basis.

Mr. Ford stated that the architecture of the Probation Department's 5-year plan for use of SB 678 funding is based on both the SB 678 legislative requirements and on the scientific research that has shown which principles and practices have proven effective in reducing recidivism.

SB 678 Programs and Services

The Probation Department's plan consists of the following six major components:

1. Evidence Based Program (EBP) Supervision Model For Moderate and High Risk Offender Caseloads
2. Breaking Barriers
3. Employment Program (OWDS)
4. Community Resource Centers (CRC)
5. Supportive Services
6. Contract Compliance Unit

Item 1

The EBP Supervision Model includes the following;

1. Adult Moderate to High Risk Probationers
2. Approximately 5,000 clients will be served
3. 48:1 (Client to Probation Officer) Ratio
4. Supervision will include the following EBP services:
 - Cognitive Behavioral Therapy (CBT)
 - Motivational Interviewing; and
 - Effective Practices In Community Supervision (EPICS)

The CBT component includes a curriculum called Courage to Change that consists of 45 minute one-on-one sessions. The Probation Department hopes to expand this.

Item 2

The Breaking Barriers program includes the following:

- 24 Month Housing Subsidy
- Move-in Assistance
- 24/7 Case Management Services
- Cognitive Behavioral Therapy (CBT)
- Employment Readiness
- 3 Month Aftercare

The Probation Department is into the second month of Breaking Barriers, which assists homeless clients with housing needs. Homeless in this context includes those individuals that do not have a stable place to stay.

Probation is partnered in this endeavor with the Department of Health Services, Housing for Health, Corporation for Supportive Housing (CSH), Brilliant Corners, Hilton Foundation, and Chrysalis.

Item 3

The Employment Program is known as the Offender Workforce Development Specialist (OWDS) Program. This training is organized by the National Institute of Corrections and is a systemwide approach to addressing employment-related issues for the offender population.

The ultimate goal is to create new ideas and solutions for making offenders employable and financially stable. Given the complexity of the challenges facing offenders seeking work, those who assist them in their search for employment must possess a comprehensive set of workforce development skills. These professional skills must be used in the context of a partnership involving criminal justice agencies and community-based organizations. No single agency can meet all the needs of offenders returning to their communities.

OWDS has been implemented in several jurisdictions across the county. For example, the program is in place in St. Louis, Missouri, where the offender unemployment rate has now been at the same level as that of the general population for the past 72 straight months.

Item 4

The Probation Department has a day reporting center in Supervisorial District 2 (run by Probation staff) and in Supervisorial District 5 (run by a vendor). The plan is to open Community Resource Centers (CRCs) in Districts 1, 3, and 4.

Services that are provided at CRCs include Cognitive Behavioral Therapy (CBT), Motivational Interviewing, system navigation, and housing/employment services referrals. CRCs provide the same level of services as the day reporting centers without necessarily paying a vendor or paying for a new building. Existing area offices are utilized and probation officers provide additional services during evening hours.

CRCs will also provide substance abuse services that will be paid for under SB 678 but will be provided in the community.

Item 5

Treatment services for substance abuse will include assessment, detox, inpatient and outpatient services, residential treatment, and sober living homes.

For sex offenders, the Probation Department is ready to move forward with a containment model that increases field contacts and the level of supervision that is provided to this population.

Item 6

The Probation Department will be moving forward with several RFPs and contracts to support the efforts described under the previous five items. As part of this process, the Contract Compliance Unit will provide a higher level of contract auditing and compliance monitoring, provide technical assistance and training for vendors, and facilitate on-going quality assurance efforts.

Questions

Los Angeles County Public Defender Ron Brown inquired as to the percentage of the SB 678 funds that will go to Community-Based Organizations (CBOs) and Faith-Based Organizations (FBOs). Ms. Perez replied that the Probation Department has not yet determined those percentages. In developing the plan, a determination was made as to where needs are and how the funds can be most effectively used given the existing research.

Deputy Chief Probation Officer Reaver Bingham added that a community advisory committee has been formed that is providing input.

Ms. Perez emphasized that the proposed plan is flexible and subject to change as needed. As the plan is rolled out, resources may be directed as necessary in order to improve outcomes.

Judge Donna Groman asked if there will be enhanced services offered to address parenting and family issues where adult probationers are returning to homes with children on probation.

Mr. Bingham confirmed that Probation plans to provide additional parental support in those circumstances and noted that the day reporting centers and CRCs offer this form of assistance. He added that CBT can assist with these scenarios as well.

Mr. Bingham also confirmed that Probation will be coordinating adult and juvenile probation services when there are children in the home that are on probation.

Ms. Perez added that the goal in this process is not to simply focus on adults, but rather to leverage other resources depending upon the needs of the individual.

A public comment was made by Mr. Joseph Maizlish.

ACTION: For information only.

IV. SUPERIOR COURT CASE MANAGEMENT SYSTEM REPLACEMENT PROJECT

Sherri R. Carter, Executive Officer, Los Angeles Superior Court

Sherri Carter, Executive Officer of the Los Angeles Superior Court, appeared before CCJCC to provide an overview of the Superior Court's Case Management System (CMS) replacement project.

The Superior Court intends to replace each of its subject area (i.e., criminal, traffic, juvenile, etc.) case management systems by 2018. There are currently 10 different case management systems along with two independent query systems. Ms. Carter noted that the Court runs 20 versions of the 10 case management systems.

The systems are old and in need of replacement. There are currently 42 separate data repositories, which makes it difficult to generate reports and respond to certain requests for information.

The oldest of the systems is the one that services traffic cases. This system is almost 34 years old and supports 1.5 million citations every year.

The respective CMS implementation target dates are as follows:

- Probate: April 2016
- Traffic: October 2016
- Civil/Small Claims: September 2016 – early 2017
- Juvenile: February 2017
- Family: June 2017
- Criminal: September 2017

The planned upgraded data systems for criminal, traffic, juvenile, and family law will offer modules for both prosecutors and law enforcement agencies. This would allow the Court to share data at the same level rather require dual entry.

The portals will be made available to justice partners to obtain data that can be adjusted as needed. For example, probation officers, law enforcement officers on the street, prosecutors, and executive level decision makers may require different types of information.

Attorneys can also set-up accounts where they can have information loaded and ready for them. This would be a much more efficient process than going to the clerk's office or receiving material by fax or mail.

The Court is also taking a statewide lead in the use of smart forms in which self-represented litigants and others can have otherwise complicated Judicial Council forms auto-populated by answering questions and following online prompts. Progress can be saved online and completed wherever the individual has access to the Internet.

Another future vision involves the inclusion of data exchanges in which the Court will work with a justice agency's information technology division to automatically provide information directly and bypass the portals. For instance, courtroom calendar information could be sent directly to particular prosecutors or defense attorneys within a justice agency. Alternatively, the Court could likewise obtain information directly, such as where a judge requests the custody status on an individual.

The proposed upgrades would also allow for e-filing, which be a much more efficient process than the current system allows. By 2018, filing will be possible through a data exchange, a portal, or by the traditional process of a paper filing.

E-citations will be possible with those law enforcement agencies that have handheld devices for submitting citation information electronically. Currently, about 15% of citations are returned to the submitting law enforcement agency because they are illegible, or because the wrong code has been cited, or there is some other error that needs to be corrected. This creates extra work for the Court and the law enforcement agency, and creates frustration with the public due to the delay. E-citations can reduce these delays and provide a more efficient means for processing citations.

Ms. Carter offered to have Court personnel provide presentations to interested law enforcement agencies on the use of e-citations.

The CMS upgrades will result in changes to the case number schematic, as well as Court location abbreviations and litigation type abbreviations. For example, case numbers will be as follows: YYLLCC##### (year, location, litigation type, case sequence number). A three digit suffix (001, 002, etc.) following the end of the case number will identify multiple defendants in criminal cases.

This change may be significant given that many departments/agencies have their case management systems formatted to incorporate data based on the current case number schematic. These systems will need to be updated.

Other changes, such as the Court assigning all case numbers and the elimination of special case numbers for search warrants in some districts, will similarly require coordination with other justice agencies to avoid confusion as the Court transitions to the new system.

Ms. Carter stated that the Court will be significantly improving its procedures for sealing documents in criminal cases. Based on an individual's role and eligibility to access the materials, a justice agency representative will be able to see or not see documents in the case management system. The portals will restrict access based on who the person is, the department/agency that the person works for, and the person's role and position within his/her organization.

The new system will allow the Court to issue and recall warrants electronically. It is also hoped that procedures can be put in place that will allow for subpoenas to be served electronically, but there are a number of challenges that need to be overcome before this is rolled out.

The Court will be incorporating the District Attorney's Office new offense table within the new case management system.

As the Court begins the transition to the new system, justice agencies will be consulted and invited to provide feedback and suggestions. A number of meetings have already been held and more are upcoming.

ACTION: For information only.

V. CUSTODY-RELATED UPDATES

Captain Paula L. Tokar, Population Management Bureau, Sheriff's Department

Captain Paula Tokar of the Sheriff's Department Population Management Bureau appeared before CCJCC to provide a status report on the MacArthur Foundation Safety and Justice Challenge Grant and an overview of the Normandie Village Mental Health Diversion Project.

MacArthur Foundation Safety and Justice Challenge Grant

On July 21, 2015, the Board of Supervisors authorized the Sheriff's Department to accept a Safety and Justice Challenge grant from the MacArthur Foundation. Los Angeles County is one of 20 jurisdictions in the country that was chosen to participate in Phase 1 of the Safety and Justice Challenge.

The goal is to reduce the jail population without compromising public safety, with a focus on racial and ethnic disparities

Phase 1, which lasts from June through December 2015, awards each of the 20 sites \$150,000 to develop a system reform plan and set concrete measurable outcomes.

Phase 2 will award up to \$2 million a year for at least two years to implement a system reform plan and achieve a concrete, sustainable impact. Ten (10) of the 20 Phase 1 locations will be chosen to participate in Phase 2.

In implementing the grant, the Sheriff's Department is partnering in a planning team with the LAPD, District Attorney, Public Defender, Alternate Public Defender, Los Angeles City Attorney, Superior Court, Department of Mental Health, and the Probation Department.

The Center for Court Innovation (CCI) has been assigned as the Los Angeles County site coordinator to provide technical assistance to the county's planning team.

Focus Areas

The planning team has mapped the criminal justice system from the time of police contact through incarceration and post-conviction to determine the decision points along that continuum where an impact can be made on the jail population. The following three major decision points have been identified:

- Arrest – The time from booking into a local jail to the point of arraignment;
- Pre-trial – The point of arraignment to the point of trial or disposition; and
- Post-conviction – The time from sentencing through any time on probation that the person may have.

With regard to the arrest decision point, the planning team is focusing on the bail deviation process. Currently, less than 20% of those entering County Jail from a local jail are taking advantage of the bail deviation process. The current system requires that an arrestee make a proactive effort to contact pretrial services to be screened for bail deviation.

The Probation Department is imbedding probation officers in local jails to assist with efforts to expand the use of bail deviation. In addition, the planning team is seeking to utilize a screening mechanism for pretrial services to identify likely candidates to recommend to a bail commissioner. It is also hoped that, in the future, a risk assessment tool can automate the process so that all arrestees will be screened and those that qualify will go before a bail commissioner.

With the pre-trial decision point, the planning team is also seeking a risk assessment tool that will help to determine which defendants need to be in jail and which could be safely released to the community.

Additionally, the planning team is considering methods for leveraging current programs that can help judicial officers to make decisions on conditional releases. For example, if a person would be a good candidate for release but for the fact that he/she is homeless, it may be feasible during the pre-trial stage for such a person to be released into a program that assists people with obtaining housing.

With post-conviction, the planning team is studying current in-custody case management services to determine where they can be enhanced to better meet the needs of the inmate population. Most of the in-custody case management services are geared toward the AB 109 population, so there may be an opportunity to extend services to traditional county-sentenced inmates.

Another area of focus is to determine if there are additional community beds that certain inmates can be placed in during the last 60 to 90 days before the end of their sentence. As an example, there may be programs that assist women with young children that can take in qualified female inmates.

Next Steps

The planning committee will continue working to develop viable models for addressing the arrest, pre-trial, and post-conviction decision points. Discussions will be had in the coming months with community groups and organizations to solicit their feedback and advise them of any new measures that will be taken.

Questions

Mayor Antonovich stated that the Board of Supervisors voted to have crime victims organizations included in consultations with the community. He inquired as to whether these groups have been contacted.

Captain Tokar replied that victim' rights groups will be included among the community organizations that the planning group will be reaching out to. The District Attorney's Office and Los Angeles City Attorney's Office are providing the contact information. Mayor Antonovich stated that his office will also reach out to some of these groups. He noted that a number of representatives have testified before the Board of Supervisors on crime and public safety related issues.

Judge Groman inquired as to whether the planning group will be collaborating with the Department of Children and Family Services (DCFS) with respect to adult inmates that are returning to the community and who have children in the child welfare system. Captain Tokar stated that she will have this issue included among the topics being addressed with post-conviction services. She added that there currently is coordination with DCFS that can be included in the enhancement of post-conviction services.

Overview of the Normandie Village Mental Health Diversion Project

Captain Tokar introduced Mary Marx of the Department of Mental Health (DMH) to provide an overview of the Normandie Village Mental Health Diversion Project.

The Sheriff's Department and DMH have been collaborating over the past year to develop an alternative to custody program for AB 109 inmates. This program will serve up to 42 individuals that are within 60 to 90 days of the end of their sentence. The inmates will be released under the Sheriff's jurisdiction to Normandie Village East, which offers housing along with intensive mental health and substance abuse treatment services.

The selected inmates will serve the remainder of their time at Normandie Village East and be linked into ongoing mental health services in the community upon their release.

The Sheriff's Department and DMH will be bringing forward a Board Letter for approval at the end of September. The Department of Health Services (DHS) is assisting with the process of identifying inmates that are low-risk, non-violent, and would qualify for the program.

ACTION: For information only.

VI. OTHER MATTERS / PUBLIC COMMENT

There were no public comments.

VII. ADJOURNMENT

The meeting was adjourned at 1:00 p.m.