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February 22, 2022

TO: Supervisor Holly J. Mitchell, Chair
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Supervisor Sheila Kuehl
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FROM: Max Huntsman
Inspector General

SUBJECT: **SEMI-ANNUAL REPORT ON IMPLEMENTATION OF THE FAMILY ASSISTANCE PROGRAM AND REPORT BACK ON PERMANENT SUPPORT FOR FAMILIES AFFECTED BY LOS ANGELES COUNTY SHERIFF'S DEPARTMENT: IDENTIFYING SUSTAINABLE FUNDING FOR AND STREAMLINING THE FAMILY ASSISTANCE PROGRAM (ITEM NO. 14, AGENDA OF JULY 9, 2019 AND ITEM NO. 9, AGENDA OF OCTOBER 19, 2021)**

On July 9, 2019, the Los Angeles County Board of Supervisors (Board) adopted a motion establishing a Family Assistance Program (Family Assistance) as a one-year pilot program and instructing the Office of Inspector General to report back quarterly in the first year and semi-annually thereafter. On October 19, 2021, the Board adopted a motion directing the Office of Inspector General in consultation and collaboration with other County Departments to develop an implementation plan, budget, and timeline for a permanent Family Assistance Program. Reporting on these two related motions is combined into this report addressing the priorities from both motions.

INTRODUCTION

In July 2019, the Board established Family Assistance, aimed at improving compassionate communication and providing trauma-informed support to families of

those who died following a fatal use of force by a Los Angeles County Sheriff's Department (Sheriff's Department) employee or while in the custody of the Sheriff's Department.

A month later, following a fatal use of force that occurred on August 1, 2019, Department of Mental Health (DMH) staff, standing in as initial Family Assistance Advocates for the pilot program, which was established with one-time funding, began providing Family Assistance services, including burial assistance funding, to eligible families.

On October 19, 2021, following a series of reports by the Office of Inspector General to the Board regarding the implementation, progress, and long-term viability of Family Assistance, as well as a report back by the Chief Executive Officer (CEO), the Board instructed the Office of Inspector General, the Sheriff Civilian Oversight Commission (COC), and the Office of Violence Prevention of the Department of Public Health (OVP), in consultation with other County departments, to submit to the Board a report back including recommendations to make Family Assistance permanent, comprising a design and implementation plan, a proposed annual budget, a data tracking system, and a plan for quickly processing payments to affected families for burial assistance.¹ The Board further directed that this report include feedback from the community stakeholders on improving Family Assistance.

FAMILY ASSISTANCE PILOT PROGRAM

The pilot program provides guidance on implementing a restructured permanent program to provide enhanced support for traumatized families. While the data reflects substantial demand for Family Assistance services, Family Assistance faced challenges in the early stages of the pilot with respect to burial reimbursements and next-of-kin notifications.

¹ The Board simultaneously directed the CEO, in consultation with the Office of Inspector General, COC, and OVP, to identify and report back to the Board regarding a sustainable funding source for the permanent program once it is approved by the Board, and to identify \$100,000 in bridge funding, as well as a temporary administrator of the funds, to continue the program for affected families until the report back is submitted and a long-term funding source identified. The Office of Inspector General, COC, and OVP have worked with the Office of the CEO to assist with this effort.

Family Assistance Pilot Service Data

As the Office of Inspector General has previously reported, as late as April of 2020, no mechanism for distributing burial reimbursements to families in Family Assistance had been established.² DMH reports that it did not hire two dedicated Family Assistance Advocates contemplated in the program design. As further discussed below, DMH instead used funds allocated for the positions to cover overtime for its staff assigned to work with Family Assistance.

Nevertheless, data indicates that Family Assistance offered significant assistance to bereaved families. Data available to the Office of Inspector General reflects that from July of 2019 to November of 2021, a total of 115 deaths occurred that qualified families for Family Assistance services. Of this figure, 32 were fatal uses of force and 83 were deaths in custody. In the same period, DMH reports that it was notified of 101 deaths, including 26 fatal uses of force and 75 deaths in custody.³

A total of 45 families (40% of those eligible) received assistance from Family Assistance, including 24 families who received financial assistance for burial expenses, and 21 families who only received assistance from DMH advocates to connect with community resources and mental health services. DMH reports that an advocate was present to assist with the next-of-kin notifications or gave other support following notification to another 12 families. Of deaths not resulting in assistance being provided, 5 involved decedents with no known next of kin, 18 involved families who declined assistance, and 28 involved families who either could not be contacted or did not accept assistance, including those who had sought legal representation.⁴

It is difficult to calculate a meaningful average length of time to respond to requests for burial assistance during the pilot program, because during much of the pilot program there was no process for directing funds to families in need. These difficulties were largely resolved when a system was put in place so that families and mortuaries could be designated as vendors for the County in order to receive burial reimbursements. Once that procedure was implemented, requests for vendor status took approximately

² Third Quarterly Report Back on Implementation of Family Assistance Program, April 2020.

³The discrepancy between the Office of Inspector General and DMH figures appears to result from the fact that, as reported by the Sheriff's Department, there was a period when the Sheriff's Department temporarily stopped providing notifications to DMH on the understanding that Family Assistance was no longer active.

⁴ DMH reported that some families declined to respond to calls made from DMH telephones that did not provide caller identification, and that some families with legal counsel declined offers of assistance on advice of counsel.

one week for County approval and another week for funds to be transferred. While the one-year pilot concluded after approximately a year from when it was implemented, the burial assistance funds continued to be available until the entire allocation of \$180,000 was exhausted by distribution to eligible families.

Family Assistance Pilot Funding

The 2019 Family Assistance pilot program was funded with \$437,000 in one-time Proposition 109 funding to cover the salaries of two full-time employees, overtime, and capital assets associated with the launch of the one-year pilot program.⁵ In addition to the staffing component, an allocation of \$180,000 was made available to cover burial expenses and related services for eligible families.⁶

Due in part to logistical hurdles to reimbursing families in the first months of the program, ample burial funding remained available at the end of Fiscal Year 2019-20, and DMH requested that the remaining balance of approximately \$150,000 be carried over to continue providing burial reimbursement services in fiscal year 2020-2021. DMH directed the distribution of approximately \$130,000 in burial assistance during fiscal year 2020-21.

At the conclusion of Fiscal Year 2020-21, DMH requested that a final balance of \$20,000 be carried over into Fiscal Year 2021-22 to close out burial expense allocations to families already in Family Assistance. As of this writing, all burial assistance funds have been expended.

Since the conclusion of the on-year pilot period, no additional funding sources have been secured to continue providing Family Assistance services to eligible families. DMH has continued to provide some on-site assistance with deaths due to fatal uses of force from its own budget through their Psychiatric Mobile Response Teams (PRMT).

Family Assistance Pilot Services and Next-of-Kin Notification Protocol

DMH reports that the services provided by DMH staff to bereaved families included early identification of mental health needs in affected families, friends, and witnesses; assistance with burial expenses up to a maximum of \$7,500, and assistance accessing

⁵ As reported in the July 2020 [Fourth Quarterly Report Back on Implementation of the Family Assistance Program](#), "the allocated funds were used to pay overtime for existing DMH employees until the County determined the Program was viable."

⁶ [First Semi-Annual Report Back on Implementation of the Family Assistance Program, July 2021](#).

mental health and supportive services, including assistance securing autopsy reports, death certificates, and working with consulates to return decedents' remains to their countries of origin. Family Assistance operated on a "no fault" basis, and burial reimbursements were not an admission of liability on the part of the County.

The Sheriff's Department reports that during the pilot program, its Homicide Bureau (Homicide) responded to most in-custody deaths⁷ and all fatal uses of force and provided notification of such deaths to DMH. In most cases, DMH was not involved in next-of-kin notifications.

The DMEC has a mandatory duty under California Government Code section 27471 and applicable case law to make a reasonable attempt to locate a decedent's family whenever DMEC takes custody of a decedent. The DMEC also has a mandatory duty under, California Health and Safety Code sections 7104 and 7104.1, and applicable case law to locate the relatives of a decedent in its custody and to ensure that decedents in are interred decently. There is no statute, however, that expressly requires DMEC to provide the *first* notification of a death or that prevents the Board from directing another County agency to make the first notification of death.⁸ A trauma-informed approach and best practices dictate that next-of-kin notification occur as soon as family members are located, and the County should be committed to do this for all cases falling under Family Assistance. In addition to this, the DMEC should continue to abide by its legal obligations to notify the next of kin in accordance with these duties but permitting another entity to make the *initial* notification is not an abrogation of its duties. While DMEC has historically performed next-of-kin notifications for in-custody deaths, often accompanied by Sheriff's Department personnel, Homicide would generally make the initial notification to next of kin for deaths caused by use of force by a Sheriff's Department employee, albeit with the acquiescence of the DMEC. According to Homicide, protocols established with DMEC allow Homicide to complete the notification within 24 hours.

⁷ Homicide responds to the scene of in-custody deaths when they occur in a custodial facility or if a person dies while in custody in the field or in a hospital setting unless the death is a natural death that occurred in a hospital or other medical environment.

⁸ The failure to perform its duty to notify the family member of a deceased prior to embalming, cremating, or interring a decedent in its custody may subject the County to civil liability. See *Davila v. County of Los Angeles* (1996) 50 Cal.App.4th 137, 140 (holding that coroner owes duty under Government Code section 27471 to notify the person responsible for the interment of decedent's remains before disposing of body); *Chaudhry v. City of Los Angeles* (2014) 751 F.3d 1096, 1107 (holding that coroner has a mandatory duty under Government Code section 27471 to make reasonable attempt to locate and inform decedent's family of his or her death).

During the pilot program, Homicide assumed the responsibility for making next-of-kin notifications for families in the program, except for deaths occurring in a hospital. In part because of its duty to ensure that it locates the family members of a decedent prior to embalming, cremating, or interring a decedent in its custody, DMEC would prefer to have direct responsibility for all next-of-kin notifications, including the initial notification, to families qualifying for Family Assistance services. However, the DMEC currently lacks the funding and staff to do so in a way that ensures that it has the resources to quickly start an investigation to locate family members and to ensure that the notification is trauma-informed.

Fatal Uses of Force

With respect to fatal uses of force, Homicide responded to these in-community deaths and worked with the DMEC to make next-of-kin notifications, unless no next of kin information was available from personnel or relatives on-site. DMH reports that in the majority of these cases Homicide typically notified next of kin prior to notifying DMH.

DMH reports that once it was notified, it identified a staff member to report to the scene or to the homes of grieving families to meet with the assigned Sheriff's Department Homicide Lieutenant for a debriefing about the incident and for an introduction to the families. DMH staff, acting as Family Assistance Advocates, then met with the families to provide support.

In-Custody Deaths

When an in-custody death occurred, Homicide was notified by the on-duty Watch Commander at the facility where the decedent was housed.⁹ If the Sheriff's Department had timely access¹⁰ to information regarding next of kin, Homicide contacted DMH, and Homicide and DMH together decided whether to have DMH personnel accompany Homicide to next-of-kin notifications. DMH and the Sheriff's Department report that

⁹ Chaplain staff at the facilities report that they played no role in family notifications for in-custody deaths. OVP may consider finding ways to better involve these personnel in an effort to support families of those who perished in custody, and to support people in custody and staff who may have experienced trauma as a result of the in-custody death.

¹⁰After coordinating with DMEC, Homicide immediately undertakes efforts to notify next of kin. Typically, Homicide investigators are able to ascertain information regarding next of kin and make notification in 24 hours. When unable to make the notification within the typical timeframe, Homicide investigators contact DMEC for assistance. Homicide investigators are given some discretion regarding when to involve DMEC depending on the circumstances and information available to them.

DMH attended only some of these notifications, and never gave the next-of-kin notifications themselves.¹¹

In circumstances where Homicide did not have timely access to next-of-kin information, Homicide reports that it worked with DMEC to identify leads. This process often led to delays in next-of-kin notifications and in offering program services. When no next of kin was identified, no Family Assistance services were offered.¹²

Deaths in Non-Custodial Medical Facilities

DMH explained that DMEC handled notifications for deaths of people in custody occurring in community hospitals. In such cases, DMH was typically notified of the death or impending death by the Sheriff's Department. Hospital social workers often were able to provide notice to families of impending deaths before notification was made to DMH. DMH reports that it assisted families in these settings regardless of who made the next-of-kin notification.

Family Assistance Pilot Burial Assistance Application Process

After initial logistical challenges in Family Assistance were resolved, the application process for burial assistance took place in three steps. First, families submitted a form to Family Assistance administrators containing basic identifying information and specifying the assistance requested. DMH reports that the time required to process these applications varied depending on when families provided required documentation and the length of time it took for mortuaries to enroll as vendors.

The next step in the application process depended on the stage of the family's burial planning at the time contact was made by Family Assistance personnel. If burial arrangements with mortuaries or funeral service providers were not yet complete, the commercial providers were required to apply for approval as a vendor through a County website. It took approximately two days for vendor approval to be issued, though this time varied depending on the length of time it took for the mortuary to submit necessary documents. Once vendor applications were approved, it took about one additional week

¹¹ In this respect DMH's practice appears to have departed from draft Family Assistance policies calling for DMH, in coordination with DMEC, to make initial contact with next of kin. (See [First Quarterly Report Back on Implementation of the Family Assistance Program](#), October 2019.)

¹² Because Homicide does not perform next-of-kin notifications for deaths that occur in a hospital or other medical environment, Homicide would not have been able to provide information regarding family assistance in these cases.

for funds to be disbursed. DMH reports that providers of funeral and mortuary services were usually willing to wait for reimbursement from the County. While these disbursements to vendors represented taxable revenue to the burial service provider, they had no tax implications for families.

If families had already made and paid for arrangements for burial or cremation, a family representative could apply for designation as a vendor using the County website and provide evidence of the cost of burial related services already incurred.¹³ These applications were typically approved in a week, with disbursements requiring an additional week. These disbursements were treated as taxable income to the families receiving them, which created financial difficulties for some families receiving the funds directly.

COMMUNITY FEEDBACK REGARDING FAMILY ASSISTANCE PILOT

In connection with this report back to the Board, the Office of Inspector General in collaboration with COC and OVP undertook a community outreach effort that included a survey; a November 30, 2021 listening session regarding priorities for a restructured permanent program; consultations with non-profit organizations serving affected communities; and conversations with facility chaplains.

At the listening session attended by families of people who died as a result of fatal uses of force, community activists, and representatives of the Office of Inspector General, COC, and OVP, participants shared openly about their experiences and raised the following concerns that have closely informed key priorities for the permanent program recommended in this report back. These remarks closely tracked written responses to the survey. Comments included:

- Some participants were hearing of Family Assistance for the first time and voiced concerns that they had not been made aware of Family Assistance and its services.
- After learning of the scope of Family Assistance, some families emphasized its importance to grieving families who cannot find similar support in other programs, such as services for victims of crimes.

¹³ DMH reports that some families had difficulty completing the online vendor application and required assistance from DMH staff.

- Many families whose loved one had died as the result of a fatal use of force highlighted the need for outreach efforts to be led by trusted messengers from community-based organizations (CBOs), in part because of fears that County staff would be working with, or reporting to, the Sheriff's Department. Some families reported that in their interactions with the Sheriff's Department, they felt that the Sheriff's Department had predetermined that their deceased loved ones were guilty of crimes and treated families like "co-conspirators."
- Several families urged that mental health services continue to be made a key component of permanent and restructured Family Assistance because of the trauma and grief suffered by families as a result of these incidents.
- Some families requested that services be made available to families who had a loved one die in-custody or as the result of a fatal use of force prior to the inception of the pilot program in July of 2019.
- Some families expressed that status updates be provided regarding the availability of body-worn camera video, autopsy reports, and investigation results.

FAMILY ASSISTANCE PILOT LESSONS LEARNED

Despite significant challenges, DMH was able to provide financial and emotional support through Family Assistance to dozens of families experiencing traumatic loss, and families receiving this assistance uniformly appreciated the services provided. Nevertheless, many lessons on how to make the program more robust and effective can be drawn from the pilot effort and from community feedback regarding the program.

Community Awareness of Family Assistance

Feedback regarding Family Assistance made plain that many affected families and communities were unaware of Family Assistance and the services it provides.

Next-of-Kin Notifications

DMH reports that the Sheriff's Department's next-of-kin notifications were sometimes not made in a manner sensitive to grieving families, and concerns regarding communications between the Sheriff's Department and families were echoed in the

community feedback received for this report.¹⁴ Additionally, DMEC reported that while its own personnel are trained in trauma-informed practices and providing support to grieving families, its office is significantly understaffed, and this greatly hinders DMEC's ability to comfort and support families during the notification process.¹⁵

The Office of Inspector General, COC, and OVP are of the opinion that it is essential that next-of-kin notifications be made by personnel trained in providing culturally appropriate and linguistically competent trauma-informed support, and that this should be the practice whether the underlying death was in custody or was the result of a fatal use of force.

The Office of Inspector General is of the opinion that families would be best supported by Family Assistance if initial notification of death is made either by Family Assistance representatives or if DMEC employs trained social workers and an additional investigator to provide next-of-kin notifications with the support and assistance of OVP and its community partners.

Communications with Families

As reflected in previous reports back to the Board regarding the implementation of Family Assistance, DMH personnel acting as Family Assistance Advocates often had minimal information about deaths at the time advocates made initial contact with families, especially pertaining to deaths in custody. Advocates were often unable to obtain information about the circumstances of deaths for weeks following a death. This made it difficult for advocates to offer meaningful support to families who had questions about the circumstances of their loved one's death.¹⁶

This scarcity of information was due in part to concerns expressed by the Sheriff's Department that Family Assistance Advocates might inadvertently jeopardize ongoing investigations by communicating to families the facts related to the circumstances of the death. In its Fourth Quarterly Report on Implementation of Family Assistance in July 2020, the Office of Inspector General recommended that DMH, DMEC, and the Sheriff's

¹⁴ In one instance reported by DMH, notification was delivered to a decedent's girlfriend in a McDonald's restaurant. While the girlfriend requested that be the meeting place, she was not necessarily aware of the news that would be imparted to her.

¹⁵ DMEC indicated that it is prepared to play a greater role with respect to next-of-kin notifications for Family Assistance should funding be identified to support additional staffing.

¹⁶ [Second Quarterly Report Back on Implementation of the Family Assistance Program](#), January 2020.

Department reevaluate their information sharing practices to ensure families were given as much information as possible. DMH reports that, during the pandemic, this reevaluation was commenced but not completed, and that no policy changes regarding information sharing were made.

Continuing Need for Mental Health Clinicians to Provide Support

While DMH reported that some families declined mental health services from Family Assistance, it was DMH's recommendation that the services of trained clinicians are essential to a robust program. Clinical training in trauma-informed care is needed not only in connection with next-of-kin notifications, but to help families assess needs for immediate support and for coping with longer-term grief and bereavement. Credible messengers are also critical in assisting with appropriate referrals to therapists and other providers of supportive services. It is critical that the offer of clinical services be framed in a way that is culturally appropriate and reduces stigma, to increase receptiveness to services.

PERMANENT FAMILY ASSISTANCE PROPOSAL

The Office of Inspector General, COC, and OVP have worked together to develop a proposal for permanent Family Assistance that considers the lessons learned from the DMH pilot program, the concerns raised in previous reports back to the Board regarding the implementation of Family Assistance, and the community feedback obtained in preparation for this report back. This report outlines a proposed program design and implementation plan, a proposed annual budget, and a system for tracking outcomes using specific metrics as it pertains to the assistance provided to families eligible for Family Assistance services.

FAMILY ASSISTANCE DESIGN

The Office of Inspector General, COC, and OVP recommend that a restructured, permanent Family Assistance should continue the mission of the pilot program and build on the foundation established by DMH and its partners, including the provision for burial assistance, support for bereaved families navigating County agencies, and trauma-informed mental health services. The Office of Inspector General has also identified key areas in which a permanent program administered by OVP should differ from the practices of the pilot program.

Below, OVP sets out its design recommendations for permanent Family Assistance:

Design Priority: Transition of Family Assistance to a Hybrid County/Community Partnership

The OVP proposes transitioning Family Assistance to a hybrid model that incorporates an OVP in-house team of two mental health clinicians as well as leveraging other OVP staff and resources, paired with a contract with a trusted CBO.

OVP in-house staffing will ensure that the program has standardized protocols and evaluation metrics countywide in addition to being grounded in the specialized work of supporting families coping with trauma, the ability to navigate the complex logistics of working across County departments and is prepared to implement protocols to reduce harm and facilitate access to County services.

Simultaneously partnering with a CBO contractor will assist with the goal of ensuring that community members are comfortable participating in Family Assistance and are assisted in navigating through the process by trusted individuals from their communities who have lived experience.¹⁷ OVP believes this will result in a higher rate of participation in Family Assistance and has the benefit of advancing equity by investing in CBOs and individuals rooted in communities disproportionately impacted by violence.

Alignment with Crisis Response Violence Intervention Program

This partnership between community allies and dedicated County personnel can be further strengthened by integrating Family Assistance with OVP's Crisis Response Violence Intervention Program (CRVIP). Informed by County and community input, OVP developed the CRVIP model for response to violent incidents that could have community-wide impact, including homicide, suicide, domestic violence, school-based violence, high profile hate crimes, and fatal use of force incidents.¹⁸

¹⁷ [Oxford Reference defines "lived experience"](#) as "Personal knowledge about the world gained through direct, first-hand involvement in everyday events rather than through representations constructed by other people."

¹⁸ Pursuant to a July 13, 2021, Board resolution, funding has already been identified to implement the CRVIP pilot over three years.

OVP proposes that Family Assistance be integrated with the CRVIP, which is currently funded for three years with one-time funding and will be piloted from 2022-2024 beginning with Second District communities where rates of violence are highest in the County. The CRVIP model developed by OVP includes:

- rapid, in-home, or in-community connection to individuals and families that are most directly affected,
- prompt community-wide communication and response including distribution of information and resources through leafleting, door-to-door outreach, community meetings, psycho-educational/coping sessions, information sharing/rumor busting, and/or community activation; and
- linkages and warm hand-offs to providers that offer mental and behavioral health services.

The CRVIP program design includes a contract with a community-based organization with expertise in crisis response, mental health resources, trauma-informed practice, and community outreach. This organization will serve as the hub for response services and connect with peer specialists and interventionists to support impacted families and community members.

OVP has hired a CRVIP Coordinator who will be responsible for overseeing CRVIP services, developing, and implementing protocols including coordination with other crisis response initiatives, collecting data, tracking implementation and impact, and regularly communicating with County and community partners.

CRVIP provides a foundation to support the transition of Family Assistance to OVP to provide support to individuals, families, and communities that are devastated by the death of a loved one as a result of a fatal use of force or an in-custody death.

Alignment with the OVP Trauma Prevention Initiative

As noted in the Office of Inspector General's July 2021 *First Semi-Annual Report Back on Implementation of the Family Assistance Program*, agencies contracted with the OVP's countywide Trauma Prevention Initiative (TPI) are already responding to fatal uses of force in the community and serve as trusted community members to support and help victims of violence. TPI is currently

implemented in nine communities in the County with disproportionately high rates of violence. These contacts may be useful in transitioning Family Assistance to develop and maintain a stronger community presence in its outreach efforts.

TPI-funded Community Intervention Workers are notified by the Sheriff's Department of violent incidents and respond to a scene to calm tensions and link impacted community members to services. These intervention workers also work in the community to build relationships to maintain peace, provide safe passages to schools and parks, provide mentoring and case management to impacted community members, and host and support community activation events to promote peace.

All these activities contribute to a community-driven approach to public safety that reduces conflict and has the potential to reduce contact with law enforcement. TPI has been implemented in four South Los Angeles unincorporated communities since 2016 and in 2022 will be expanding on a time-limited basis to five additional communities across the County, with funding currently confirmed for one year.¹⁹

Design Priority: Proper Staffing

Proper staffing at both OVP and DMEC is integral to the success of the restructured Family Assistance.

OVP Staffing

OVP proposes building an in-house team of clinical staff to transition the critical coordination work that DMH has managed as part of the pilot program. In addition to a coordinator and administrative assistant that are already funded via the CRVIP pilot, OVP proposes to hire two mental health clinicians, following the current model implemented by DMH²⁰. This team of clinicians will help to ensure

¹⁹ The CEO is charged with securing ongoing funding sources beyond the one-year period.

²⁰ Los Angeles County Civil Service Rule 5 designates CEO Classification and Compensation with providing final staffing recommendations, including levels, to the Board. Among other things, CEO Classification and Compensation reviews the appropriateness of a classification in a department, reporting relationships, MOU requirements with unions, span of control, and other considerations. At the point at which funding is identified to move forward with Family Assistance, CEO Classification will undertake this review, which may result in changes to the proposed staffing recommended by this report.

a trauma-informed program design and that protocols are followed in providing mental health services to clients in coordination with the Sheriff's Department and the DMEC.

A Mental Health Clinical Supervisor will develop a coordinated effort with County departments and other entities and respond to incidents in the community. A Psychiatric Social Worker II will work with the Sheriff's Department on responding in real time to provide support and advice in the community to families of those who died in custody or as a result of fatal uses of force.

Dedicated DMEC Staff

A key lesson learned from the pilot program was the need for dedicated staff familiar with Family Assistance and its protocols who can assist with notifications to grieving families and other sensitive communications. While DMEC has expressed interest in taking a greater role in providing next-of-kin notifications to families that qualify for Family Assistance, it reports that it has staff and resource constraints that prevent it from undertaking new efforts to assist Family Assistance. Consequently, the Office of the Inspector General, OVP, and COC recommend funding two full-time social worker positions and an investigator position at DMEC to be on call to Family Assistance, to build DMEC's capacity to provide next-of-kin notifications to families in Family Assistance in lieu of delegating this process to the Sheriff's Department; and to coordinate training for DMEC and the Sheriff's Department on Family Assistance protocols and trauma-informed communication to grieving families.

Design Priority: Coordination

OVP believes that close coordination between County and community stakeholders is essential to Family Assistance's success.

Multi-Disciplinary Team Meetings

OVP will convene quarterly meetings of all Family Assistance partners, including the Office of Inspector General, COC, DMEC, the Sheriff's Department, CBO partners and DMH staff, to review cases, discuss implementation and

communication strategies, refine protocols and coordinate solutions to challenges. During these meetings, the team will conduct case reviews and review evaluation data to make course corrections as needed and identify necessary policy and practice changes.

Internal and External Family Assistance Communication

OVP will work with Family Assistance partners to develop a communications plan that will improve community awareness of the program and increase access to services, promote the message that the County cares, promote transparency and accountability, and provide pathways for community members to voice concerns and complaints.

PERMANENT FAMILY ASSISTANCE REIMBURSEMENT PROCESSING SYSTEM

As discussed above, early logistical hurdles to reimbursing families and funeral services providers were resolved with the implementation of the program's current system for designating family members or mortuaries as vendors to receive reimbursement from the County. OVP will work with DMH to ensure that the current system remains in place so that the process for reimbursement is timely and efficient.

Eligible families' experience with the reimbursement process of Family Assistance could be improved if care is taken to reach families as quickly as possible after a death to increase the likelihood that burial assistance and mental health services are offered before burials are paid for. Family Assistance should also provide culturally and linguistically appropriate²¹ assistance to families, including assistance with the County's online vendor application process.

²¹ Culturally and linguistically appropriate communication respects the beliefs and practices of the listener including communicating in the listener's native or preferred language. It is used in healthcare settings to advance health equity. (See *Think Cultural Health*, <https://thinkculturalhealth.hhs.gov/clas>.) It applies in trauma-informed communications as well since mental health is a component of such communications.

ANNUAL BUDGET²²

OVP proposes the following annual budget for the permanent program:

<u>Personnel (includes salary and benefits)²³</u>	
OVP Mental Health Clinical Supervisor	\$ 176,000
OVP Psychiatric Social Worker II	\$ 157,700
DMEC Coroner Investigator (1637A)	\$ 143,000
Two DMEC Social Workers (9051A)	\$ 234,000
Subtotal Personnel	\$ 710,700
<u>Operating Expenses</u>	
Services and Supplies	\$ 45,050
CBO Contract - mental health first aid, grief counseling, system navigation, peer support, vigils (estimating \$5000 per incident x 50 incidents) plus \$100,000 in flexible funds for practical needs (travel, food, hotel voucher, clothes)	\$ 350,000
Burial Costs (\$7,500 per family x 50 families)	\$ 375,000
Family Assistance Evaluation	\$ 50,000
Subtotal Operating	\$ 820,050
TOTAL	\$ 1,530,750

In addition, OVP recommends a one-time allocation of \$20,000 for the first year for outreach to the community regarding the restructured program.

DATA COLLECTION, TRACKING AND MONITORING IMPACTS

OVP will develop a data collection and tracking system to gather and synthesize data on Family Assistance’s provision of services and the number of families impacted by a fatal use of force or in-custody death involving the Sheriff’s Department. The data collected from this system will allow OVP to both examine the countywide impact of deaths involving the Sheriff’s Department and to evaluate Family Assistance’s accomplishments and make recommendations for policy, practice, and system changes.

OVP will create a *Microsoft Access* database to collect relevant data. The database will be divided into two sections. The first section will include information about the

²² CEO Budget is responsible for review, analysis and recommendations to the BOS around proposed budget changes

²³ These budget figures are based on the salaries and benefits and services and supplies costs as of March 2022.

decedent and the fatal incident, and the second section will include information about the provision of Family Assistance services as well as the level and frequency of contacts with the decedent's family.

The decedent and incident data will include the following:

- Decedent name, date of birth, and residence address
- Decedent demographics (age, gender, race/ethnicity)
- Date, time, and address where the incident occurred
- Date, time, and location of death
- Type of incident (in-custody or fatal use of force)
- Next of kin name and contact information

For each decedent, the system will then document Family Assistance's contacts with the decedent's family as listed below.

- Date of next-of-kin notification
- Initial contact between Family Assistance (OVP and CBO staff) and the decedent's family
- Date and time of initial contact by OVP and CBO staff
- Location (at scene of decedent's death, at family member's house, or other location)
- Indicate if family declined the contact with Family Assistance
- Indicate if Family Assistance clinical staff were present when decedent's next of kin was notified
- Name/title of Family Assistance staff involved in the contact
- Family requests for financial assistance with burial costs
- Date of initial request for burial assistance
- Outcome of request for burial assistance (approved or denied)
- Date the request for burial assistance was approved or denied
- Date the reimbursement for burial assistance was provided to the family
- Amount requested for burial assistance by the family
- Amount for burial assistance provided
- Family requests for other forms of financial assistance
- Type of other financial assistance requested

- Date of initial request for other financial assistance
- Outcome of request for other financial assistance (approved or denied)
- Date the request for other financial assistance was approved or denied
- Date the reimbursement for other financial assistance was provided to the family
- Amount requested for other financial assistance by the family
- Total amount of other financial assistance provided
- Total amount paid to family for other forms of financial assistance
- Family requests for non-financial assistance
- Type of non-financial assistance requested (help with DMEC, referrals to mental health, social services, other requests)
- Date non-financial assistance was requested
- Date non-financial assistance was provided

For every contact between Family Assistance and family:

- Name/title/affiliation of Family Assistance staff involved in the contact
- Family member contacted
- Date and time of contact
- Location of contact (in-person with address, or phone/virtual)
- Reason for contact

For every community contact and assistance provided by Family Assistance staff and CBO personnel

- Name/title/affiliation of Family Assistance clinical staff and CBO staff involved in the contact
- Date, time, and location of community contact
- Number of community members involved in contact
- Demographics of community members involved in contact
- Reason for contact
- Services or resources provided during contact

Collecting this data will allow OVP's research team to look at overall program outcomes and impacts. Specifically, data collected will track the following, consistent with the directive from the Board:

- The total number of families eligible for Family Assistance services;
- The number of families who were contacted by Family Assistance;

- The total number of families that had an advocate present for next-of-kin notification or were provided notifications by advocates;
- The total number of families requesting financial assistance for burial costs;
- The total number of families who received financial assistance for burial costs;
- The average length of time from request for financial assistance for burial costs to payment of burial costs;
- The average amount paid by Family Assistance for burial costs;
- The total number of families requesting other forms of financial assistance from Family Assistance;
- The total number of families receiving some other form of financial assistance from Family Assistance;
- The total amount paid to families for other forms of financial assistance
- The total number of families requesting non-financial assistance from Family Assistance;
- The total number of families receiving non-financial assistance from Family Assistance ; and
- Other relevant data to track the impact and outcomes of Family Assistance.

In addition to tracking these overall program outcomes, OVP will use this information to examine the successes and challenges of program implementation and to identify ways to improve Family Assistance services and/or County practices. For instance, the data might show that a family's likelihood of accepting assistance from Family Assistance varies depending on the timing and location of Family Assistance's first contact with the family or the agency making the first contact. Finally, OVP will work to ensure the data are complete by using additional data sources such as the Sheriff Department's online listing of fatal uses of force to ascertain that all eligible deaths are included for participation in Family Assistance.

Additionally, OVP will use this data to examine deaths due to Sheriff's Department fatal uses of force countywide to see if there are particular populations and geographic areas that are disproportionately impacted by law enforcement lethal use of force to inform recommendations to prevent and reduce fatal use of force. Finally, OVP will prepare quarterly reports regarding Family Assistance implementation.

PROPOSED FAMILY ASSISTANCE IMPLEMENTATION PLAN

Certain elements of the planning for the potential transition of Family Assistance from DMH to OVP have already taken place, and other implementation milestones would take place through July of 2022, when OVP proposes that the permanent program begin providing services if funding is allocated. A schedule is set out below reflecting implementation tasks that have already been undertaken, as well as plans for the launch of the restructured permanent program.

Month/Year	Focus Area	Activities	Lead Agency
Oct-Dec 2020	Family Assistance Design	OVP convened stakeholder listening sessions and partners to develop program design for Crisis Response including Family Assistance as a component part.	OVP
Feb-June 2021	SD2 Crisis Response/ Pilot Design	OVP developed a proposal to expand TPI and pilot Crisis Response in SD2.	OVP
July-Oct 2021	SD2 Crisis Response/ Pilot Design	OVP developed a Crisis Response pilot program model to inform contract scope of work: <ul style="list-style-type: none"> • Met with DMH and ATI-ACR to discuss model and alignment with other crisis response programs • Reviewed data • Reviewed national models 	OVP
Nov-Dec 2021	SD2 Crisis Response/ Pilot Administration	OVP began hiring process for SD2 Crisis Response/Pilot Coordinator and began drafting a SOW for CRVIP contract.	OVP
Nov-Dec 2021	Family Assistance Design	Coordinated with the Office of Inspector General (OIG), COC, and other partners to develop Family Assistance design, implementation plan and report back to the Board.	OIG, COC, OVP, DMH, LASD and DMEC
Nov-Dec 2021	Family Assistance Design	Met with implementation partners to discuss challenges and recommendations (DMH, DMEC, Sheriff's Department).	OIG, COC, OVP, DMH, LASD and DMEC

Month/Year	Focus Area	Activities	Lead Agency
Dec 2021	Family Assistance Design	Community engagement <ul style="list-style-type: none"> • COC and OIG interviewed families that participated in Family Assistance Pilot. • COC/OVP distributed survey regarding Family Assistance Pilot • COC/OVP conducted a community listening session • Input obtained during South LA TPI Community Action for Peace meetings 	OVP, COC, OIG
Dec 2021	Family Assistance Design	Reviewed current data and developed process and outcome tracking system.	OVP, DMH
Dec 2021 – March 2022	Family Assistance Administration	Coordinate with CEO to discuss funding process: <ul style="list-style-type: none"> • Identify interim funds needed for Family Assistance through June 2022 • Draft budget and discuss sustainable funding for OVP Family Assistance permanent implementation • Reach out to philanthropic partners to discuss Family Assistance • Vetted draft(s) of report back to the Board 	CEO, OIG, OVP and DMH
Jan - Feb 2022	SD2 CR Pilot Coordination	OVP hires and onboards CRVIP Coordinator.	OVP
Mar 2022	Family Assistance Administration	Board motion to approve plan/funds; CEO identification of funding.	BOS, CEO

Month/Year	Focus Area	Activities	Lead Agency
Mar-Apr 2022	Family Assistance Administration	<p>OVP develops Temp Personnel Work Order Solicitation (WOS) to hire Family Assistance staff and WOS for CBO contractor, pending identification of funds (3-to-4-month process).</p> <p>Work with DMH, LASD and DMEC during transition phase.</p> <p>Meet with critical partners.</p>	OIG, COC, OVP, DMH, DMEC and LASD
Mar - Apr 2022	Family Assistance Implementation	OVP convenes Family Assistance partners to begin planning and implementation activities and commence quarterly case review meetings.	OVP, OIG, COC, DMH, DMEC, LASD
Mar 2022	Family Assistance Administration	<p>CEO identifies and allocates funding for Family Assistance implementation, including:</p> <ul style="list-style-type: none"> • Bridge funding for burial costs • Funding for OVP implementation • Funding for DMEC positions 	CEO
Mar-Apr 2022	Family Assistance Implementation	OVP coordinates with DMEC to discuss and develop a transition plan for engaging families and conducting follow-up as part of restructured Family Assistance model.	OVP, DMEC
Mar-Apr 2022	Family Assistance Implementation	OVP coordinates with DMH to provide trauma informed training and Psychological First Aid to improve interactions with grieving families.	OVP, DMH
April-May 2022	Family Assistance Implementation	OVP coordinates with partners to develop <i>Microsoft Access</i> database for tracking process and outcome indicators.	OVP
April-June 2022	Family Assistance Administration	OVP coordinates with DMH to transition protocols including incident notification process, burial vendor and reimbursement process, family contact and system navigation.	OVP, DMH

Month/Year	Focus Area	Activities	Lead Agency
April – June 2022	Family Assistance Implementation	OVP coordinates with partners to develop communications plan and materials to increase awareness about the program and communicate to impacted communities and the public.	OVP, OIG, COC
June 2022	SD2 Crisis Response Pilot Implementation	Execute contract with Crisis Response Pilot CBO.	OVP
June 2022	SD2 Crisis Response Pilot Implementation	OVP coordinates with SD2 Crisis Response Pilot CBO to begin soft implementation of Family Assistance in South LA and begin outreach to community partners.	OVP
July 2022	Family Assistance Implementation	OVP executes contract with Temp Agency; starts hiring process.	OVP
July 2022	Family Assistance Implementation	OVP executes contract with Family Assistance CBO contractor.	OVP
July-August 2022	Family Assistance Implementation	OVP coordinates with the Board and partners to publicly launch Family Assistance.	OVP

Family Assistance Transition Plan

As part of the October 2021 motion, the Board directed the CEO to identify bridge funding to ensure that Family Assistance continues to provide support for burials until funding for a permanent program is authorized. To this end, we recommend that DMH be made the administrator of these bridge funds and continue to provide support for burial services during this transition period.

The Office of the Inspector General, OVP, and COC are of the opinion this approach is preferable for continuity of services because in administering the pilot program DMH developed the vendor approval process and the relationships necessary to keep the program running smoothly and has access to clinical staff who can assist with counseling services and referrals. OVP, on the other hand, has no previous experience with Family Assistance, is in the process of building relationships with key personnel in

other agencies and departments, and currently does not have clinical staff to assist with counseling referrals.

Nevertheless, during the transition period, OVP commits to working closely with DMH to coordinate the transfer of relevant files, program materials, and the vendor application process for burial assistance to ensure OVP will be well equipped to step in as the new Family Assistance administrator at the start of the next fiscal year in July 2022, assuming funding for the permanent program is allocated in a timely manner to permit a seamless transition. As of the date of this report, the CEO has not identified bridge funding to provide support for burials during the transition as their report is due following the issuance of this report, and consequently any families making new applications for burial assistance will not receive any benefits absent a source of funding being identified.²⁴

CONCLUSION

Based on the Office of Inspector General's review of community feedback and discussions with relevant stakeholders, the County can and should continue to play a pioneering role in assisting families grieving an in-custody death or the death of a loved one due to a fatal use of force by the Sheriff's Department. While the experiences of DMH have given Family Assistance a solid foundation, the success of a restructured permanent Family Assistance will depend on the timely allocation of permanent funding and continuing close coordination between DMH, COC, OVP, DMEC, the Sheriff's Department, and other stakeholders.

MH:cb:bo

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²⁴ There are currently five families that DMH has contacted to offer Family Assistance services other than assistance with burial expenses given the exhaustion of that particular funding.