

COUNTYWIDE CRIMINAL JUSTICE COORDINATION COMMITTEE

MINUTES OF THE **May 15, 2019** MEETING

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

MEMBERS AND ALTERNATES PRESENT

Chair Pro Tem: Terri McDonald, County Chief Probation Officer

Erika Anzoategui, Acting County Alternate Public Defender

Liliana Campos for Mary Wickham, County Counsel

*Patricia Carbajal for Sachi Hamai, County Chief Executive Officer

Anne Clark for Michel Moore, Chief, Los Angeles Police Department

Beatriz Dieringer, California League of Cities

Peter Espinoza, Director, Office of Diversion and Reentry

Dana Garcetti for Janice Hahn, Supervisor, Fourth District and Chair of the County Board of Supervisors, Chair of CCJCC

Ricardo Garcia, County Public Defender

*Steven Gross for Alex Villanueva, Sheriff

Mark Hanasono, Assistant Supervising Judge, Criminal Division, Superior Court

Mark Hanasono for Sam Ohta, Supervising Judge, Criminal Division, Superior Court

Christa Hohmann, Directing Attorney, Post Conviction Assistance Center

Jesse Holguin for Mark Garrett, Chief, Southern Division, California Highway Patrol

Dan Jeffries for Mike Feuer, Los Angeles City Attorney

Shawn Landres, Chair, County Quality & Productivity Commission

Jonathan Lucas, County Coroner – Chief Medical Examiner

Emilio Mendoza for Bobby Cagle, Director, County Department of Children and Family Services

Daryl Narimatsu for Austin Beutner, Superintendent, Los Angeles Unified School District

*Bryan Oh for Richard Llewellyn, Los Angeles City Administrative Officer

Robert Philibosian, Peace Officers Association of Los Angeles County

Devallis Rutledge for Jackie Lacey, District Attorney and Vice Chair of CCJCC

Joanne Saliba for Ed Eng, County Economy and Efficiency Commission

Rachel Teitelbaum for Eric Garcetti, Mayor, City of Los Angeles

Andrea Welsing for Barbara Ferrer, Director, County Department of Public Health

Lance Winters for Xavier Becerra, California Attorney General

***Not a designated alternate**

I. CALL TO ORDER / INTRODUCTIONS

Terri McDonald, County Chief Probation Officer, Chair Pro Tem

The meeting was called to order at 11:48 a.m. by Chief Terri McDonald, County Chief Probation Officer, Chair Pro Tem.

Self-introductions followed.

II. APPROVAL OF THE MINUTES

Terri McDonald, County Chief Probation Officer, Chair Pro Tem

There were no requests for revisions to the minutes of the April 17, 2019 meeting. A motion was made to approve the minutes.

ACTION: The motion to approve the minutes of the April 17, 2019 meeting was seconded and approved without objection.

III. OFFICE OF DIVERSION AND REENTRY

Refugio Valle, Director, Division of Youth Diversion and Development

Taylor Schooley, Sr. Research and Policy Manager, Division of Youth Diversion and Development

Refugio Valle, Director of the Division of Youth Diversion and Development (YDD) of the Office of Diversion and Reentry (ODR), appeared before the committee to provide an update on the countywide implementation of youth diversion and development efforts. Taylor Schooley, Senior Research and Policy Manager with YDD, joined Mr. Valle in this presentation.

As background, on January 24, 2017, the Board of Supervisors (Board) approved a motion introduced by Supervisor Mark Ridley-Thomas and Supervisor Janice Hahn regarding a comprehensive, coordinated, and expanded approach to youth diversion across the County of Los Angeles. CCJCC's Subcommittee on Youth Diversion developed a framework for the diversion efforts, and YDD is tasked with implementing it.

Mr. Valle reported that YDD has identified ten service areas within the county in which to begin youth diversion efforts. In addition, eight Community Based Organizations (CBOs) and seven law enforcement agencies have been identified that YDD will work with in those service areas.

Work orders with the CBOs have been in place since February of this year and YDD is in the process of creating partnership agreements with the law enforcement agencies. The goal is for the first youth diversion program to begin in the coming weeks in Culver City.

A steering committee has also been created that meets regularly to implement the youth diversion efforts. This committee is developing service plans and data policies, as well as engaging with stakeholders to address issues involved with the implementation of diversion programs.

In addition to the steering committee, YDD has been involved with county-level projects, such as with the Office of Child Protection, to ensure that young people involved in the foster care system are not excluded from opportunities for diversion. YDD has also been involved with work concerning Senate Bill 439 (SB 439), which established a new minimum age for Court jurisdiction.

Ms. Schooley noted that YDD has been working with the UCLA School of Law Criminal Justice Program on research concerning effective and equitable alternatives to justice system involvement for young people. This includes issues such as the legal implications of diversion and confidentiality concerns.

Judge Peter Espinoza, Director of ODR, reported that funding was received from the Obama Foundation. Specifically, YDD has been involved in a collaborative that received a My Brother's Keeper funding award for Los Angeles County. My Brother's Keeper is a program of the Obama Foundation. This funding, along with matched county funds, is supporting school-based youth development work. YDD will be participating in this.

Shawn Landres of the County Quality & Productivity Commission inquired as to whether YDD has consulted on Senate Bill 433 (SB 433), which would expand offices of youth diversion into a statewide pilot program.

Ms. Schooley stated that they were consulted early on with respect to this legislation. YDD has provided feedback and is working to ensure that, if this legislation is passed, that the county will be in a position to benefit from any funding that is made available.

Mark Delgado, Executive Director of CCJCC, inquired as to where in the county the ten service areas are that YDD has identified, as well as how the diversion model will work.

Mr. Valle stated that the identified service areas consist of the following locations: Antelope Valley (Lancaster and Palmdale); Culver City; Long Beach; Huntington Park; El Monte; Pasadena; the Mission area and the combined Southwest and 77th station areas in the City of Los Angeles; and the areas of the Sheriff's Department Industry station and Century station.

Ms. Schooley stated that the diversion model will involve referral to CBO's in lieu of arrest. Guidelines for participating law enforcement agencies and CBO's provide the criteria for community-based diversion of legally eligible youth that come into contact with law enforcement.

The model envisions law enforcement officers in the field being able to make referrals to participating CBO's. In some cases, a law enforcement agency may choose to have the officer issue a citation that is subsequently reviewed by a detective or supervising officer to determine suitability for diversion.

In response to another question, Ms. Schooley stated that conversations are ongoing concerning the tracking of referrals and who will have access to this information. There will be a central data system that YDD will manage.

ACTION: For information only.

IV. MENTAL HEALTH TREATMENT IN JUVENILE FACILITIES

Christopher Thompson, M.D., Medical Director, DMH Juvenile Justice Mental Health Program

Dr. Christopher Thompson, M.D., Medical Director of the Department of Mental Health (DMH) Juvenile Justice Mental Health Program, made a presentation on DMH's report on improving mental health treatment and safety in juvenile facilities.

As background, on April 26, 2019, DMH provided a report to the Board of Supervisors concerning mental health treatment and safety in juvenile facilities. The report came in response to a motion from the Board on February 19th.

The Board directive instructed the Director of DMH, in coordination with the Chief Probation Officer, Inspector General (IG), and community stakeholders to report back in writing in 60 days with an assessment of the mental health needs in the juvenile facilities, including areas to improve trauma-informed approaches and reduce use of force.

The following were DMH objectives in the report:

- To acknowledge (and eventually build upon) the great work done around diversion/decreasing populations in juvenile justice facilities and try to build on some of that work in the future;
- To characterize the mental health diagnoses and needs of youth remaining in juvenile justice facilities;
- To explore the potential contribution of mental health symptoms/behaviors to the use of force (UOF);
- To briefly discuss limitations to providing adequate treatment to youth remaining in juvenile justice facilities;
- To frame out, in relatively broad strokes, a long-term plan and vision for the Los Angeles County juvenile justice system, and DMH's and other county partners' roles in that; and
- Shorter-term road map to outline additional, more immediate interventions that will be included in the Probation Department's report back.

Dr. Thompson noted the following points regarding prior diversion and alternative to incarceration efforts with juvenile justice:

- Over the past 15 years, the county has decreased the juvenile hall population by about 80% (from approximately 4,000 to 800), which is a positive development;

- Youth maintained in the community fare better on a variety of measures;
- There has been a collaborative effort of multiple county partners during this time period (primarily a robust diversion process involving the Probation Department, Superior Court, law enforcement, ODR, Department of Health Services (DHS), DMH, Department of Public Health (DPH), and others);
- Efforts are being made to identify CBOs to help provide additional outpatient and residential services to justice-involved youth; and
- The availability of local residential/secure placements accepting juvenile justice youth has decreased significantly over past 10 to 15 years.

The following has been reported among the youth remaining in juvenile justice facilities with regard to mental health symptoms and diagnoses:

- There are higher rates of different categories of mental disorders than in the past;
- There is a higher percentage of youth with open mental health cases (over 90% in 2018); and
- There is a higher percentage of youth on psychotropic medications (35% in early 2019 vs. 26% in early 2018).¹

The percentage of youth with open mental health cases in juvenile halls has been increasing from 2015 through 2018 at the Barry J Nidorf Juvenile Hall (191, or 96% of average daily population by 2018), at the Central Juvenile Hall (197, or 93% of average daily population by 2018), and at the Los Padrinos Juvenile Hall (174, or 85% of average daily population by 2018).

Dr. Thompson discussed the potential contribution of mental health symptoms/diagnoses to the use of force. He noted the failure of the current system to meet the changing mental health needs of youth in juvenile halls in the following respects:

- There are counter-therapeutic detention environments (linear design, correctional/institutional feel (vs. homelike), noisy, and potentially triggering);
- There is inadequate training of Probation staff regarding the youths' mental health needs (e.g., Dialectical Behavioral Therapy (DBT), de-escalation/crisis response tools); and
- There is inadequate treatment with developmentally-informed interventions.

With respect to the last point, there are many youth with Acute Stress Disorder (ASD), Post Traumatic Stress Disorder (PTSD), Adverse Childhood Experiences (ACE), Attention Deficit Hyperactivity Disorder (ADHD), and Substance Use Disorder (SUD) that cause behavioral problems.

He added that the generally outdated linear design only allows for intermittent supervision and limits the ability to utilize the small group model, which can decrease

¹ % includes over-the-counter (OTC) sleep medications.

violence, decrease tension and stress, improve the effectiveness of programming, and help to proactively manage negative behavior prior to escalation. Further, the environment is generally counter-therapeutic in that there is a lack of privacy and therapeutic treatment space.

Insufficient current mental health staffing to address the increased mental health needs of youth detained in juvenile halls is another limitation to mental health treatment.

Additional staff (including doctors) would allow for the following:

- Two clinicians on each living unit (for assistance with crisis de-escalation);
- Increased coverage time in early mornings, evenings, and weekends; and
- Increased participation in:
 - Multi-Disciplinary Teams (MDTs)
 - Probation trainings
 - Working with CBOs and other entities on programming
 - More comprehensive initial and ongoing assessment
 - Crisis de-escalation
 - Identification of youth inappropriate for a juvenile justice facility

Dr. Thompson summarized the following recommendations for long-term change that were noted in the report to the Board:

- First, fundamental change in the treatment model is needed. Applying adult-style incarceration models to youth is ineffective, and it results in these negative consequences:
 - High costs (\$250,000 to \$550,000 per year in California to house youth in a juvenile justice facility);
 - Continued (perhaps increased) recidivism; and
 - Poor outcomes overall
- Next, there are multiple effective models that are utilized in other jurisdictions (such as Missouri, New York City, Virginia, and the District of Columbia) that can be adopted.
- The “LA Model” utilized in Campus Kilpatrick is a small-group treatment model that is youth-centered and can also serve as a model program.
- Short Term Residential Therapeutic Programs (STRTPs) utilized for the Department of Children and Family Services (DCFS) (some Probation) youth in the county is an additional model that can be considered for long-term change.
- There should be smaller (e.g., 12 to 24 bed) facilities close to youths’ neighborhoods and support networks. This promotes family involvement, community connection, and helps with the transition back home.

- There should be smaller units (12 youth per unit), which allows for:
 - More caring, individualized attention;
 - Stronger youth-staff relationships;
 - Better development of pro-social skills and responsibilities; and
 - A home-like environment (e.g., personalized bedrooms and family-style meals) instead of a correctional/institutional setting.
- The County of Los Angeles will need to work hard to develop and expand these types of facilities by utilizing existing facilities, repurposing facilities, and building new facilities.

Other recommendations for long-term change involve Court collaboration around diversion and alternatives to incarceration.

One suggestion for this is to augment ongoing diversion initiatives by working closely with Probation, ODR, DPH, and other county partners.

Another recommendation is to establish a Juvenile Court Linkage Program (JCLP). This could do the following: (1) Utilize and expand on the DMH/ODR adult court model; (2) Provide judicial officers with acceptable alternatives to incarceration for youth by facilitating access to community mental health services and supports for justice-involved youth; and (3) Once additional secure residential treatment facilities are made available, JCLP staff could help judicial officers to redirect youth with severe mental illness there.

The report also recommends expanding the Juvenile Mental Health Court (JMHC) or opening additional JMHCs (with interagency MDTs and a planning process). This would also be helpful in treatment planning.

Dr. Thompson stated that, for the youth who still need to be housed in juvenile halls until a new system can be implemented, the following recommendations for short-term and long-term change would be helpful:

- Increased DMH staffing (as described earlier);
- Additional training and onsite coaching of Los Angeles County staff by the UCLA Prevention Training Center of Excellence (PTCE);
- Enhanced mental health, substance use disorder, and developmental assessments of youth (including specific trauma/ACEs assessments);
- More robust programming for youth (positive engagement in prosocial activities and protection from future anti-social activity), including educational, vocational, and skills-based training;
- Improved family engagement;
- Increased peer, mentor, and parental presence in the therapeutic process;
- Streamlined reintegration, such as a Court Reintegration Program;
- Enhanced continuity and coordination of care system-wide;
- Better collaboration among Los Angeles County departments' juvenile justice leadership and other stakeholders' leadership;

- A Health and Human Services Governance Committee (comprised of representatives from DMH, DHS, DPH, Los Angeles County Office of Education (LACOE), and a Probation ex officio);
- A Youth Advisory Council;
- A Family Advisory Council; and
- A Line-Staff Advisory Council

Dr. Thompson summarized his presentation with the following points:

1. Over the past 10 to 15 years, Los Angeles County has made great strides in diverting youth from juvenile detention facilities or utilizing alternative placements.
2. Youth who remain detained in juvenile justice facilities have higher mental health needs, which may contribute to use of force.
3. Our current juvenile justice facilities and model are flawed and cannot meet the current developmental and mental health needs of youth and their families.
4. We must continue to (and completely) move away from a traditional correctional model to one that more fully utilizes comprehensive and integrated community-based programs and small facilities near youths' communities.

ACTION: For information only.

V. OFFICE OF DIVERSION AND REENTRY

Kristen Ochoa, M.D., Medical Director, Office of Diversion and Reentry

Dr. Kristen Ochoa, Medical Director with ODR, provided an update on adult diversion/reentry efforts, including the recent study on the mental health population in the jails that are divertible, and also the establishment of additional housing program "Hub" Courts.

A video was shown that provided an overview of ODR's housing program with testimonials from various participants. The presentation noted that there are about 47,000 people estimated to be homeless and living on the streets in Los Angeles County. Many of these individuals are in need of mental health treatment or treatment for a co-occurring disorder.

The study on the mental health population in the jails found that over 5,000 inmates are mentally ill, and over half of them could potentially be successfully diverted. From a public safety standpoint, as well as cost efficiency, it would be better for some of these individuals to be housed and provided with medication.

Dr. Ochoa reported that ODR began its pre-trial felony program in the Central District of the Los Angeles Superior Court in August 2016. This began with Judge Scott Gordon,

then Supervising Judge of Criminal, and then was subsequently led by Judge Sam Ohta when he became Supervising Judge of Criminal.

Judge Karla Kerlin is now the full-time judge for ODR cases in the Central District. Qualified individuals who are charged with felonies may receive permanent supportive housing and intensive cases management services. The individuals are also placed on probation with terms and conditions instructing them to cooperate with the housing program and treatment.

Due to the success of this program and the overall countywide need, Judge Ohta created a Hub Court Model and expanded the program to both the Airport Courthouse (LAX) and the Van Nuys Courthouse.

This program has recently become active at the Airport Courthouse, and it will service much of the southern area of the county in addition to the District that the courthouse is in.

The program at the Van Nuys Courthouse is not yet active, but will service cases in the San Fernando Valley once it begins.

Dr. Ochoa noted that there are ongoing discussions to create another Hub Court Model program that will serve the Antelope Valley.

The goal is to have Hub Courts in different areas of the county so that, no matter where an individual's case may be, eligible people will be able to be accepted by a Hub Court and receive services.

Judge Peter Espinoza added that judicial officers, deputy district attorneys, and defense attorneys can refer potential cases to Dr. Ochoa and her clinical team for an assessment to determine whether the defendant is appropriate for the program and can be housed in the community. The Court ultimately determines if the person in question is to be released to the ODR housing program.

When an individual is allowed into the program, the person enters a plea, is placed on probation, and is then conditionally released for interim housing first. If successful, the individual is placed in permanent housing.

Robert Philibosian of the Peace Officers Association of Los Angeles County inquired as to whether there is data on the number of individuals that have been diverted, the cost involved, and any projections.

Dr. Ochoa stated that over 1,700 people have been diverted since August 2016, and the cost is about \$26,000 per year to provide the services to someone with both intensive case management services and the housing program.

There is preliminary information on the retention rate, but this is difficult to measure at this time given that the program is still relatively new. Nevertheless, early data shows that the housing retention rate at six months in permanent supportive housing is 92%.

Also at six months, 69% have not been rearrested. Judge Espinoza advised that, of the remaining 31%, some may have picked-up a new case while others were returned to jail because of a probation violation.

In addition, Dr. Ochoa reported that the RAND Corporation is working with ODR to study the program and will likely provide results later this year.

In response to an inquiry, Dr. Ochoa stated that job skills' training is available for participants, although this is not typically Court-ordered. Further, in cases where there is a serious mental disorder and the individual is taking medication, the individual may not be at a level where it is feasible to engage in employment.

With regard to the study of the mental health of the jail population, Dr. Ochoa stated that the study specifically found 5,134 inmates with mental health issues as of February 14th of this year.

A random sample of 500 of these individuals was selected for review by individuals who review ODR cases and have experience with the people that have been successful in ODR diversion. Feedback was also sought from justice partners.

It was determined that about 56% of the jail population that has mental health issues would likely be appropriate for release to community services. An additional 7% were thought to potentially be eligible depending upon how the hearing process went.

ACTION: For information only.

VI. OTHER MATTERS / PUBLIC COMMENT

There were no public comments.

VII. ADJOURNMENT

The meeting was adjourned at 12:51 p.m.